

WAVERLEY BOROUGH COUNCIL

MINUTES OF THE STANDARDS AND GENERAL PURPOSES COMMITTEE
- 30 NOVEMBER 2022

SUBMITTED TO THE COUNCIL MEETING – 18 JULY 2023

(To be read in conjunction with the Agenda for the Meeting)

Present

Cllr John Robini (Chair)	Cllr Maxine Gale
Cllr Michael Goodridge (Vice Chair)	Cllr Robert Knowles
Cllr Christine Baker	Cllr Peter Marriott
Cllr Steve Cosser	Cllr Peter Nicholson

Apologies

Cllr John Ward, Thomas Hughes and Stefan Reynolds

Also Present

Councillor Paul Follows

SGP7/22 MINUTES (Agenda item 2.)

The Minutes of the meeting held on 3 October 2022 were confirmed as a correct record of the meeting.

SGP8/22 DISCLOSURES OF INTERESTS (Agenda item 3.)

There were no disclosures of interests in relation to items on the agenda.

SGP9/22 QUESTIONS BY MEMBERS OF THE PUBLIC (Agenda item 4.)

There were no questions from members of the public.

SGP10/22 QUESTIONS FROM MEMBERS OF THE COUNCIL (Agenda item 5.)

There were no questions from councillors.

SGP11/22 MONITORING OFFICER'S REPORT REGARDING MISCONDUCT ALLEGATIONS
(Agenda item 6.)

The Deputy Monitoring Officer introduced the report which summarised complaints received and action taken on allegations of misconduct against Waverley Borough and parish councillors in the covering the period July 2021 to September 2022.

Four complaints had not been resolved at the time of the last report to the Committee, in September 2021. Two of these had been resolved following informal investigations by the Monitoring Officer, and two complaints had progressed to Standards Panel hearings. The subject members of these latter two complaints were both found to have breached their code of conduct and the findings had been referred to the Town Council for determination of any sanction to be applied.

Nine new complaints against councillors had been received. One of these had progressed to a Standards Panel hearing, with a finding that the subject member had breached his code of conduct. A complaint against three members following a planning committee meeting resulted in a finding by the Monitoring Officer that two of the councillors had breached their code of conduct but no further action was taken as both had issued an apology at the time.

In response to questions from the Committee, the Deputy Monitoring Officer advised that where a Standards Panel hearing had taken place, the identity of the subject members had gone into the public domain. Otherwise, the names of subject members remained confidential. The complaints against the two Haslemere Town Councillors had been very complex and the investigations had taken some time to complete. Due to the need to enable attendance by the investigator and Independent Person scheduling the dates for the Standards Panel hearings had also taken longer than was ideal.

The Committee noted that training for Borough and parish councillors on the code of conduct and registering interests would be included in the induction programme for councillors elected in May 2023. The Monitoring Officer had also begun the process of recruiting Independent Persons to take up appointments from May 2023, at the expiry of the terms of the current appointees.

The Committee RESOLVED to note the report.

SGP12/22 POLLING DISTRICT AND POLLING PLACE REVIEW 2022 (Agenda item 7.)

The Deputy Monitoring Officer introduced the report on the Polling District and Polling Place review as the Elections Manager was unable to attend the meeting.

The review of Polling Districts and Polling Places had been carried out to ensure that appropriate arrangements were in place for the local elections in May 2023. The review responded to the Local Government Boundary Review of Waverley Borough Council that had resulted in changes to the ward boundaries with effect from the May 2023 elections. The Local Government Boundary Commission for England (LGBCE) had published its final recommendations in March 2022 and the Order was made in November 2022.

The Council had also carried out a Community Governance Review (CGR) of the electoral arrangements for all towns and parishes within the Borough. The CGR recommendations had been agreed at Council in July 2022, but consent of the LGBCE was needed to make the recommended changes to boundaries and warding arrangements for town and parish councils. This consent was still outstanding, as a result of which two options were presented for the new Polling District and Polling Places to show the arrangements with and without consent being received.

Cllrs Maxine Gale and Christine Baker raised concerns about the polling station in Witley being at the Chichester Hall rather than Chandlers School, which had been raised with them by local residents. The School was located centrally in Witley

village and was accessible on foot by many residents, whereas the Chichester Hall was on edge of the village and not so easy to reach on foot. The Councillors noted that there were other schools being used as polling stations within the borough, and they asked for an explanation as to why the Chandler School could not be used.

Other members of the Committee advised that they understood that use of schools as polling places was avoided wherever there was an acceptable alternative in order to avoid the disruption to the schools, children and parents. There were also safeguarding issues that meant it usually was not possible to keep schools open whilst a polling station was operating.

Cllrs Gale and Baker thanked officers and councillors for their explanations, but asked if the Elections Manager could confirm why the polling place in Witley had been moved from the Chandler School to the Chichester Hall (See the Secretary's note, below).

Whilst noting councillors' reservations regarding the recommended polling place for Witley, the **Committee RESOLVED to recommend to Council that the proposed Polling District and Polling Places be approved by Council.**

Secretary's note: following the meeting, the Elections Manager provided the Committee members with the following explanation:

"We receive a number of comments about using schools as polling stations and, to reduce disruption to children's education, aim to use an alternative venue if an appropriate one is identified.

The report recommends the following schools as polling stations, and I've added the reasons why they have been put forward:

- Folly Hill Infant School – there is no other suitable alternative within the polling district. The Electoral Commission's guidance states that the polling place must be within the polling district unless there is no suitable venue available. As this is a suitable venue, it is recommended to be used.
- Park Mead Primary School- this school remains open on polling days
- Armoury Building, Charterhouse School- this school remains open on polling days
- St Peter's Church of England Primary School- this school remains open on polling days

The Chichester Hall was first used as a polling station in Witley in 2016. The report to the Executive on 1 December 2015 stated that:

Prior to the elections this year a complaint was received from a parent of children at Chandler School regarding its continued use as a polling station. After the elections Jeremy Hunt MP requested that alternatives to the School be identified following receipt of a complaint from a Governor at the School. The Returning Officer and his staff recognise the disruption that can be caused to schools, children and parents when a school is used as a polling station.

The Chichester Hall in Witley has been visited and assessed as a suitable venue. The large hall could accommodate a double polling station, there is level access into the building, good off-road parking provision with security lighting and good facilities for polling station staff. A-frame signs could be placed next to the road to indicate parking at the hall would be for voters only. Parking is reserved on site in this way for people attending other events at the hall. The booking clerk advised that local people and those travelling from further away to walk in the area are used to parking on the grass verge outside the site as necessary.

We have not received any complaints or concerns from voters about the Chichester Hall as a polling station at elections or during the polling district reviews since it has been used.”

SGP13/22 CHANGES TO THE SCHEME OF DELEGATION - TREE PRESERVATION ORDERS (Agenda item 8.) (Pages 7 - 42)

The Deputy Monitoring Officer introduced the report that advised the Committee of a number of changes to the Scheme of Delegation made by the Monitoring Officer (under delegated authority) in order to correctly assign responsibilities to the correct Executive Head of Services, and proposed one further change in delegation for consideration by the Committee.

The proposed amendment to the Scheme of Delegation related to the confirmation or revocation of a Tree Preservation Order (TPO) in the event of an objection being received (reference L.3). Currently, in such circumstances the matter would be referred to the relevant Planning Committee for determination. It was proposed that rather than there being an automatic referral to the Planning Committee, there should be a call-in process for Ward councillors so that the matter would only be determined under delegated authority if the ward councillor(s) had confirmed in writing that they did not wish the matter to be determined by the relevant Planning Committee.

In response to questions from councillors, officers advised that there had been one TPO objection referred to a Planning Committee in 2022, and there had been four such referrals in 2021. Other instances of objections to TPOs being received had been resolved through discussions between officers, ward councillors, tree owners and objectors, and the objections withdrawn without the need to refer the matter to a Planning Committee.

The Committee RESOLVED to:

- 1. note the changes to the Scheme of Delegation made by the Monitoring Officer under his delegated authority, as set out in the table at paragraph 4.2 of the report, and that the changes would be reported to Council for information; and**
- 2. endorse the proposed revision to the Scheme of Delegation as set out in the table at paragraph 4.3, and recommend that Version 7.3 of the Scheme of Delegation be approved by the Council, as set out at Annexe 1 to the report.**

The meeting commenced at 5.00 pm and concluded at 5.40 pm

Chairman