

WAVERLEY BOROUGH COUNCIL

MINUTES OF THE STANDARDS AND GENERAL PURPOSES COMMITTEE - 2  
OCTOBER 2023

SUBMITTED TO THE COUNCIL MEETING - <12 DECEMBER 2023>

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

**Present**

Cllr Andy MacLeod (Chair)	Cllr Gemma Long
Cllr John Robini (Vice Chair)	Cllr Peter Nicholson
Cllr Janet Crowe	Cllr John Ward
Cllr Michael Goodridge	Cllr Joan Holroyd (co-optee)

**Apologies**

Cllr Joan Heagin (co-optee)

**Also Present**

Cllr Jerry Hyman, Cllr Paul Follows

**SGP7/MINUTES** (Agenda item 2.)

The Committee confirmed that the minutes for the meeting on the 3<sup>rd</sup> July 2023 were accurate and complete.

**SGP8/APOLOGIES FOR ABSENCE** (Agenda item )

Apologies were received from Cllr Joan Heagin (Godalming Town Council Co-optee).

**SGP9/DISCLOSURES OF INTERESTS** (Agenda item 3.)

There were no Disclosures of Interests received.

**SGP10/QUESTIONS BY MEMBERS OF THE PUBLIC** (Agenda item 4.)

There were no questions received.

**SGP11/QUESTIONS FROM MEMBERS OF THE COUNCIL** (Agenda item 5.)

There were no questions from Members received.

**SGP12/CO-OPTION OF TWO TOWN/PARISH MEMBERS TO THE S&GP COMMITTEE**  
(Agenda item 6.)

In accordance with Part 3, Appendix 1, Standards and General Purposes Committee Terms of Reference, 2.3 of the Constitution;

*The Committee will co-opt two Town/Parish councillors from within the Waverley Borough, who are not also Waverley Borough Councillors, and who will serve until the next Town and Parish elections.*

The Committee therefore noted the co-option of the following Town/Parish Councillors to the Committee;

- Cllr Joan Heagin (Godalming Town Council)
- Cllr Joan Holroyd (Elstead Parish Council)

### **SGP13 JOINT CONSTITUTIONS REVIEW GROUP - APPOINTMENT OF CO-CHAIR** (Agenda item 7.)

Cllr Robini proposed a motion to nominate Cllr Andy Macleod as the Co-Chair of the Joint Constitution Review Group (JCRG). The motion was seconded by Cllr Ward.

The Chair asked if anyone would like to propose an alternative nomination. There were no further nominations received from the Committee and therefore the **Committee resolved to;**

- **Appoint Cllr Macleod as the Co-Chair of the JCRG.**

### **SGP14 UPDATE ON THE GUILDFORD AND WAVERLEY JOINT CONSTITUTIONS REVIEW GROUP** (Agenda item 8.)

It was noted in the report, that the Joint Constitutions Review Group (JCRG) had been set up and the ToR had been agreed; confirming that the Review Group will meet on a quarterly basis, with the first meeting scheduled for 30<sup>th</sup> November 2023 at WBC. Susan Sale, Executive Head of Legal and Democratic Services, noted that some of the work that will be brought forward to the meeting will be around Officer Employment Procedure Rules, proposed changes to the Tor of the WBC Employment Committee and a review of both Councils' Joint Appointments Committee. A draft work programme will also be set up for their approval. Any work made by the JCRG will be referred back to this Committee.

- i. Cllr Hyman registered to speak;

Cllr Hyman proposed that Cllrs should be given transparency about which elements of the Constitution are being changed, given that the Constitution had recently been re-written the year before. He noted there was not a track changes version at that time and we need to learn lessons from this to highlight what has been changed and how the changes will achieve the Council's Corporate Plan objectives. He suggested that the Councils should look at aligning with Surrey County Council and other neighbouring councils, and queried if there was any plans for unitary? He suggested that all Members should be able to attend or see recordings of the meetings for Members to track the discussions. He also suggested that the typo 'construction' is amended on page 6 of the supplementary report. He asked for clarity that the Duty of Candor will be built into the constitution.

Susan Sale, Executive Head of Legal and Democratic Services, confirmed that the typo will be amended. She noted that there is currently no dedicated resource for

this and while the Review Group has been established for a year there may be a recommendation to continue its work if further work is required. She further expressed that the Constitution is not to be kept on the shelf, but it a live document that should be kept under constant review. In terms of transparency, Susan reiterated that Members have been appointed from both Local Authorities for full transparency and the recommendations from the Review group will be brought to this meeting, which is an open meeting.

Cllr Macleod, Chair of the Committee, further clarified that, as a Surrey County Councillor there were no plans or prospects for unitary at SCC; rather efforts were being made to ensure a Level 2 County Deal. The Chair used his discretion to allow Cllr Follows, Leader of the Council, to make any comments on the issues raised by Cllr Hyman.

Cllr Follows reiterated that SCC had no immediate plans to unify the Councils and therefore conversing with other neighbouring authorities would be of no use. He clarified that the current Constitution would remain in effect until any changes had been passed through the Democratic process (Standards and General Purposes Committee to Full Council). He highlighted that his preferred approach would be to revert to the LGA Model Code as a base and then build the Constitutions from there rather than reverting to the SCC Constitution or adding to the existing constitutions. He further recommended that Members should be allowed to observe the meetings, but this would be subject to approval of the Committee.

#### **SGP15** MEMORANDUM OF UNDERSTANDING - UPDATE FROM EXECUTIVE HEAD OF PLANNING (Agenda item 9.)

Claire Upton-Brown, Executive Head of Planning Development, referred to the report submitted to the O&S Services Committee on 26<sup>th</sup> September 2023, detailing Planning Updates and the Memorandum of Understanding. This report is for note and comment. The Chair noted that this had been debated at the O&S Committee and invited Members to make any comments.

Cllr Hyman registered to speak;

- i. Cllr Hyman stated that he would like a Duty of Candour to be incorporated into the Memorandum of Understanding to ensure transparency between Councillors and Officers. He also asked clarity on the MoU referencing access to officers. While the DLUHC report stated that call free times have been implemented.

Cllr Follows was given discretion to speak on the matter. He argued that the Officer Code of Conduct already required officers to follow the same principles detailed in the Duty of Candour document, and incorporating this or separately articulating it would be unnecessary. Cllr Crowe noted that the Nolan Principles further re-enforced these standards. Susan Sale, Executive Head of Legal and Democratic Services, validated these points.

Claire Upton Brown confirmed, with suggestions from the Committee, that the wording in the MoU can be amended to 'during normal working hours and will ensure that officers return their call within a certain period of time'. Cllr Goodridge

suggested further, that Cllrs are given telephone numbers for each Planning officer. Claire agreed to circulate this to all Members.

Cllr Ward asked for clarity on Appendix 2, bullet point 3; he asked if this meant the Ward Councillor would be contacted as soon as possible or whether the Committee would meet as soon as possible. Claire confirmed that it meant the former and wording can be amended to make this clearer.

Cllr Ward further asked for clarity on 7.13, R3 and 7.6, R3 of the report. Claire Upton-Brown explained that 7.13, R3 was in reference to Planners gaining proportional skills in being able to consult on different specialised aspects. She further clarified that 7.6, R3 looked at customer focus and which messages are being sent to customers via the website.

Cllr Goodridge suggested that Ward Councillor involvement at a pre-app stage would be helpful and should be encouraged in certain circumstances, provided that the applicant approves. He asked whether this can be incorporated into the MoU. Claire welcomed the suggestions and agreed to change the pre-app advice on the website to incorporate this.

Claire further reiterated that the appended MoU would be a guidance document rather than a constitutional document, which could be more agile and amendable. Susan Sale confirmed that herself and Claire would go back and check Constitutional Planning Guidance to ensure nothing is contradiction the MoU. Claire noted the comments made by this Committee.

The Chair and Members of the Committee agreed that the amendments made to the Constitution RE: Planning had been effective and the new system was working well.

#### **SGP16** EXCLUSION OF PRESS AND PUBLIC (Agenda item 10.)

There were no matters to consider in exempt session.

**The meeting commenced at 6.00 pm and concluded at 7.10 pm)**

**Chairman**





