

Runnymede Borough CouncilOVERVIEW AND SCRUTINY SELECT COMMITTEE11 January 2018 at 7.30.p.m.

Members of the  
Committee present: Councillors M J Maddox (Chairman), D A Cotty (Vice-Chairman),  
Miss E G Bancroft, Mrs L M Gillham, N M King and P S Sohi.

Members of the  
Committee absent: Councillors J R Ashmore, Miss D Khaliq and Mrs C S S Manduca.

Councillor Mrs D V Clarke also attended.

458 FIRE PRECAUTIONS

The Chairman read out the Fire Precautions.

459 MINUTES

The Minutes of the meeting of the Committee held on 5 October 2017 were confirmed and signed as a correct record.

460 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors J R Ashmore and Mrs C S S Manduca.

461 APPLICATION OF THE OPENNESS OF LOCAL GOVERNMENT BODIES REGULATIONS 2014 TO THE LOCAL PLAN MAKING PROCESS AND SUBMISSION

The Committee noted a report on the application of the Openness of Local Government Bodies Regulations 2014 to the Local Plan Making Process and Submission.

The Committee had agreed that an item raised by Councillor Mrs Manduca be included on its work programme for 2017/18 on the Openness of Local Government Bodies Regulations 2014 (hereinafter referred to as "the 2014 Regulations"). The Committee noted that full Council at its meeting on 9 January 2018 had agreed that the draft Local Plan be endorsed as sound and that public consultation take place on the draft Local Plan. This public consultation was known as the Regulation 19 consultation. Full Council had also agreed at that meeting that following conclusion of the public consultation, the Corporate Director of Planning and Environmental Services, further to discussion with the Chief Executive, Chairman of the Planning Committee, Leader of the Council and Leader of the Runnymede Independent Residents Group, be authorised to make any non-substantive changes / updates to the draft Local Plan and submit the draft Local Plan to the Secretary of State on or before 31 March 2018. The Chairman of the Overview and Scrutiny Select Committee had called this Special Meeting of the Committee so that the item raised by Councillor Mrs Manduca could be discussed and advice could be provided on the application of the 2014 Regulations to decisions delegated to Officers which may be made in relation to the preparation of the Local Plan.

The Committee noted that the 2014 Regulations imposed a requirement that certain decisions taken by Officers acting under powers delegated to them by a council or local government body, its committees or sub-committees or a joint committee were recorded and published. The Committee noted the requirements of the 2014 Regulations in relation

to delegated decisions taken by Officers. The 2014 Regulations did not create any specific requirement in respect of any decisions which might be delegated in respect of the Local Plan making process and applied generally to delegated decisions made by Officers.

It was noted that the consultation period which was the subject of the full Council decision on 9 January 2018 as set out above (the Regulation 19 consultation) would end on 22 February 2018. When the consultation period ended the Corporate Director of Planning and Environmental Services (CDPES) would discuss with the Officers and Members referred to in that full Council decision whether any changes /updates required to the draft Local Plan were substantive or non-substantive. Having undertaken that discussion, provided that he remained satisfied that any changes/updates required were non-substantive, he would exercise the delegated authority given to him and would take a decision to submit the draft Local Plan to the Secretary of State for the Department for Communities and Local Government. The Committee noted that if the CDPES decided to exercise the delegated authority given to him in respect of the draft Local Plan, the decision taken by him would be recorded in writing and be displayed on the Council website Local Plan consultation page and on the Council website Local Plan newsflash page which had links to the RBC Planning Twitter feed. The publication of the decision in that manner would be in compliance with the 2014 Regulations.

The Committee noted that Councillor Mrs Manduca, who had raised the issue of the 2014 regulations, was not present at the meeting. (After the meeting had concluded, the Committee noted that Councillor Mrs Manduca had not been present at the meeting as she had been delayed in travelling to it and her apologies for absence have been recorded in these Minutes). No other Member or Officer at the meeting was able to provide any further background on why the issue of the 2014 Regulations had been raised.

It was noted that currently one Member of the Overview and Scrutiny Select Committee could give written notice that they wished an item relevant to the functions of the Overview and Scrutiny Select Committee to be placed on the agenda. It was suggested by a Member of the Overview and Scrutiny Select Committee that the Constitution Member Working Group should consider whether to recommend to the Corporate Management Committee that at least two Overview and Scrutiny Select Committee Members should be required to give written notice that they wished an item to be placed on the agenda for discussion by the Overview and Scrutiny Select Committee. This would be a similar arrangement to the Procedure rules for call-in where a request for a call-in had to be signed by at least two Members of the Overview and Scrutiny Select Committee. The reason for this suggestion was that if written notice of an item was given by more than one Member then if one of them was not able to be present at the meeting then the other Member or Members that had raised the item who were present at the meeting could explain why the item had been brought forward by them. The Committee agreed that the Constitution Member Working Group be requested to consider whether to make such a recommendation.

Chairman

(The meeting ended at 7.50 p.m.)