

Guildford Borough Council & Waverley Borough Council

Report to: Joint Constitution Review Group
Date: 29 May 2024
Ward(s) affected: All
Report of Strategic Director of: Legal & Democratic Services
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Status: Open
Key decision: No

JOINT PROTOCOL FOR SIMULTANEOUS MEETINGS

1.0 Executive Summary

- 1.1 On occasions there is benefit to two constituted Committee or Executive meetings being held simultaneously.
- 1.2 The Constitutional arrangements relating to each Committee meetings simultaneously still apply and prevail but this Protocol aims to provide guidance and a framework for the procedure of such meetings being held simultaneously.

2.0 Recommendation to Joint Constitutional Review Group

That the Joint Constitution Review Group resolves to:

- 2.1 Recommend to the Waverley Borough Council Standards & General Purposes Committee and the Guildford Borough Council Corporate

Governance & Standards Committee that they recommend the adoption of the Joint Protocol for Simultaneous Meetings to each of their respective Councils for adoption into each of their respective Constitutions.

3.0 Reasons for Recommendations

3.1 On occasions there is merit in two or more Council Committee meetings being held simultaneously to enable the hearing of a wider debate, by way of consultation, before each Committee makes their decision. For example where pre decision scrutiny is valuable and an item crosses the remit of both the Overview & Scrutiny Resources Committee and the Overview & Scrutiny Services Committee, they may wish to meet simultaneously.

3.2 Further, as part of the Collaboration and Transformation Programme, there may be occasions where Councillors from Waverley Borough Council and Guildford Borough Council, see merit in being able to meet simultaneously to hear a wider debate on matters that affect them both, before reaching their decision.

3.3 To provide a governance framework for such simultaneous meetings, a Protocol is deemed useful to guide process and procedure.

4.0 Status of Report

4.1 This report is open and no part of it is exempt from publication.

5.0 Strategic Priorities

5.1 This recommendation supports the priority within the forthcoming new Corporate Strategy of having a resilient and well-managed Council but introducing robust, resilient and transparent governance arrangements for simultaneous meetings.

6.0 Background

6.1 It is anticipated that there may be ad-hoc occasions where there is merit in having simultaneously Committee / Executive meetings either

within one Council or between Guildford Borough Council and Waverley Borough Council.

6.2 Simultaneous meetings are likely to have benefit where:

- the business to be conducted is within the remit and terms of reference or more than one Committee and so there is an efficiency in both Committees meeting at the same time; or
- the business to be conducted must be decided by both Waverley Borough Council and Guildford Borough Council as it falls within the remit of and affects both authorities.

6.3 The benefits of simultaneous meetings are that:

- There is an efficiency in the business only being dealt with once;
- There is a benefit in facilitating members of one meeting to be able to hear the debate of another meeting, and take it into account, by way of consultation, when making a resolution; and
- There is more opportunity for alignment of decisions which impact on other bodies, where appropriate.

6.4 It is important to remember that where simultaneous meetings take place between two meetings, each meeting remains a properly constituted Committee / Executive meeting, and the constitutional arrangements for that Committee / Executive apply and prevail. The Protocol is aimed at providing a guidance document for the procedural aspects of conducting such Committee / Executive meetings in a simultaneous manner.

6.5 It should be noted that Regulatory Committees such as those that deal with Planning and Licensing functions rarely lend themselves to being suitable to be held simultaneously with another.

7.0 Options

7.1 To recommend the Protocol for adoption into the relevant Constitutions

7.2 To not recommend the Protocol for adoption into the relevant Constitutions

7.3 It is to be noted that adopting the Protocol into the Constitutions does not oblige either Council to convene their meetings simultaneously with other Committee / Executive meetings.

8.0 Consultation

8.1 Consultation has taken place with both Democratic Services Managers, all Deputy Monitoring Officers of both Waverley Borough Council and Guildford Borough Council.

8.2 The proposal is being considered by the Joint Constitution Review Group comprising Councillors from the Standards & General Purposes Committee of Waverley Borough Council and the Corporate Governance & Standards Committee of Guildford Borough Council.

8.3 Consultation has also taken place with the Leaders of both Councils, the Chair of the Corporate Governance & Standards Committee and the Chair of the Standards & General Purposes Committee, and the relevant Portfolio Holders at both Guildford Borough Council and Waverley Borough Council.

9.0 Key Risks

9.1 There is a risk of holding simultaneous meetings without such a Protocol that there could be a lack of compliance with constitutional and legislative arrangements concerning the conduct of s101 Local Government Act 1972 Committee meetings and meetings of the Executive, as well as a lack of openness and transparency for the public in the decision making process.

10.0 Legal Implications

10.1 Section 101 Local Government Act 1972 enables a Local Authority to make arrangements for the discharge of any of their functions by way of a Committee.

10.2 The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 govern the conduct of Executive meetings.

10.3 It is important to remember that where meetings are held simultaneously, they each remain governed by the legislative and constitutional framework applying to each individual meeting.

11.0 Financial Implications

11.1 There are no financial implications arising from this proposal other than an efficiency to be gained in terms of reduced officer and councillor attendance at meetings.

12.0 Human Resources Implications

12.1 There are no human resources implications arising from this proposal.

13.0 Equality and Diversity Implications

13.1 There are no equality and diversity implications arising from this proposal.

14.0 Climate Change and Sustainability Implications

14.1 There are no climate change nor sustainability implications arising from this proposal.

15.0 Background Papers

15.1 Waverley Borough Council Constitution

15.2 Guildford Borough Council Constitution

Finance	Insert electronic signature	Insert date cleared
Legal	Susan Sale	21 May 2024
Human Resources	Insert electronic signature	Insert date cleared
Equalities	Insert electronic signature	Insert date cleared

Executive Member	Insert electronic signature	Insert date cleared
Strategic Director	Insert electronic signature	Insert date cleared
Executive Briefing	Insert electronic signature	Insert date cleared