

Minutes of the meeting of the **Structural & Procedural Review Sub-Committee** held on **21 June 2001** when there were present:

Cllr R E Vingoe – Chairman

Cllr R F R Adams  
Cllr T G Cutmore  
Cllr D R Helson  
Cllr G A Mockford

Cllr C R Morgan  
Cllr P F A Webster  
Cllr Mrs M A Weir

## **OFFICERS PRESENT**

P Warren     -     Chief Executive  
J Honey      -     Corporate Director (Law, Planning & Administration)  
J Bostock    -     Principal Committee Administrator

## **78    MINUTES**

The Minutes of the meeting held on 10 June 2001 were approved as a correct record and signed by the Chairman.

## **79    MODERNISING AGENDA – NEW POLITICAL STRUCTURES**

The Sub-Committee considered the report of the Chief Executive which sought to progress the Council's work in connection with the development of a streamlined Committee structure. The report followed on from the meeting of Extraordinary Council on 30 May 2001.

The Chief Executive advised on the current position relating to Focus Group work being carried out by ORC International. Whilst the final Focus Group report was awaited, there were indications that the Group's conclusions on the advantages/disadvantages of adjusting the size of a Planning Committee accorded with those previously reached by Members, including the need to weigh up possible democratic advantages of a large Committee against the effectiveness which could be associated with a smaller body.

Verbal communication with the Regional Office of Central Government had indicated that a proposal to appoint all Members to a Planning Committee would not necessarily be illegal. However, should such an option be selected by the Council, there would be a need to indicate to the Government how this led to improvement, particularly in terms of accountability, transparency and efficiency.

During debate, reference was made to the possibility that the Council could pilot a revised Planning Committee arrangement in the first instance.

Those Members who felt a reduction in Planning Committee size may be appropriate referred to restrictions placed on Planning Committee Members in terms of the legal requirement that planning application decisions are based on the evidence presented at meetings and not political considerations. Whilst all Members are on the Planning Committee, there is no opportunity for lobbying. Reference was made to the historical background to the position whereby all Members served on the Planning Committee, from which it could be recognised that the need for political compromise during the 1974 Local Government Reorganisation had been a factor. Reference was also made to the possibility that a reduction in size would facilitate appointment of Members to the scrutiny function. Given that its activities were not particularly strategic compared with those of other Committees and Sub-Committees, there appeared to be little consistency in requiring that all Members be appointed to Planning.

Those Members who felt that it should not be automatically concluded that a reduced Planning Committee would be preferable referred to recent debates, from which it could be recognised that Members valued the right to attend and vote on planning matters. Over time, the Council had become well known for providing for all Members to serve on the Planning Committee. The Government had not indicated that the Council should be precluded from recommending that this continue. It was also observed that Full Council would be expected to operate without a facility for separate Members to be involved in scrutiny.

Responding to Member questions, Officers advised that:-

- Any arrangements involving a smaller Planning Committee would need to provide for referral mechanisms to Full Council.
- Whilst a Planning Committee would have executive authority to make decisions, scrutiny would have to be in place. Aspects of Best Value would also have a role. For example, the identification of whether the Planning Committee is operating in accordance with Local Plan policies and proposals.
- The recent review of electoral boundaries meant that there would be 19 Wards within the District.
- The Government had not been prescriptive about the number of overview/scrutiny committees.
- There would need to be unanimous agreement for a Planning Committee to be set up on a non pro-rata basis.

A motion that within the new streamlined Committee structure the Planning Committee be not more than 19 Members (equal to the number of Wards), moved by Councillor D H Helson and seconded by Councillor R E Vingoe, was won on a show of hands.

The Sub-Committee then reviewed the proposed model Committee structure and gave detailed consideration to the proposed form, terms and conditions of Articles 1 to 15 of the new Constitution. It was noted that, in part, the Constitution would formalise existing Council arrangements.

## EXTRAORDINARY COUNCIL – 31 July 2001    Item 4(1)

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In presenting proposals, the Corporate Director emphasised particular aspects of proposed Articles as follows:-

- Article 1     -    The purposes given to the Constitution are significant in that, should there be any difference of opinion about intentions within any other part of the Constitution, it would be necessary to return to this section to assist definition.
  
- Article 4     -    It will be possible to expand on the plans and strategies detailed under the policy framework (the list was not exhaustive).
  
- Article 7     -    Further guidance was still required on the criteria/ mechanism to be used for appointing Parish Members to the Standards Committee.
  
- Article 11    -    Officers would be giving further consideration to the Finance Officer role in terms of how aspects differ to the role of the Monitoring Officer.
  
- Article 13    -    This needed to include an additional heading in conjunction with the Authentication of documents.

### RECOMMENDED

- (1)    That, subject to determination of the Planning Committee size, the model streamlined committee structure, as attached at Appendix 1 to these Minutes, be agreed.
  
- (2)    That within the new streamlined Committee structure, the Planning Committee be not more than 19 Members.
  
- (3)    That the Terms of Reference and the proposed form, terms and conditions of Articles 1 to 15 of the New Constitution, as amended and set out at Appendix 2 to these Minutes, be agreed. (CE)

The Meeting closed at 9.21pm.

Chairman \_\_\_\_\_

Date \_\_\_\_\_