

# ***Report to the Council***

**Committee:      *Constitution Working Group (Councillor S Rackham)***

**Date:            *21 April 2022***

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**1.      Joint Meeting of Development Management Chairmen and Vice-Chairmen – Composition and Function**

**Recommending:**

- (1)      That incorporation of the draft Terms of Reference below in Article 10 of the Constitution be recommended for approval by Annual Council on 26 May 2022; and**
- (2)      That pursuant to Recommendation (1) above, the Monitoring Officer be authorised to make necessary revisions to the Council’s Constitution.**

1.1      A review of the composition and function of the Joint Meeting of Development Management Chairmen and Vice-Chairmen was proposed by Councillor C C Pond at the Working Group’s meeting on 3 February 2022.

1.2      Currently the committee only consists of the chairmen and vice-chairmen of the planning committees, which are appointed at the Annual Council meeting entirely along political lines.

1.3      However, the joint meeting is there to encourage smooth conduct of meetings, to troubleshoot problems that have occurred, to consider new matters (e.g. of national policy) that have arisen, and generally to facilitate the process by which members consider those planning applications where delegated decision by officers is precluded.

1.4      A slightly enlarged committee to include other group members at the joint meeting would add value in highlighting any issues. If the majority group is worried about being outvoted, then such members could be there on a non-voting basis. Their presence will be solely to facilitate good governance of the consideration of planning applications.

1.5      Since a Terms of Reference does not exist within the Constitution for the joint meeting, the Working Group considered a draft version on 21 April 2022 for inclusion in Article 10 – District Development Management Committee and Area Plans Sub-Committees (attached for information as Appendix A). A proposal to change the membership will have to be approved by Full Council, hence the submission of this report.

1.6      Following the meeting of 21 April 2022, the Working Group is recommending to Council for approval, the incorporation of the draft Terms of Reference below in Article 10.

**1.7      Joint Meeting of the Development Management Chairmen and Vice-Chairmen**

**Terms of Reference:**

- (1)      To consider matters relating to the conduct and good governance of planning meetings.
- (2)      To consider any current and future requirements for member training necessary to support the effective operation of the Council’s development management function and responsibilities.

- (3) The Committee shall ordinarily meet twice a year.
- (4) The Committee shall comprise the Chairmen and Vice-Chairmen of each planning committee and sub-committee, the Cabinet Member responsible for Planning Policy matters, plus a Councillor nominated by the Leader of any political group not otherwise represented on the Committee, and shall have the assistance of the officer in charge of the Development Management system, or her/his nominee.
- (5) The Committee shall be chaired by the Chairman of the District Development Management Committee, and in her/his absence, by the Vice-Chairman thereof.

## **2. Constitution - Review of Article 4 The Full Council Terms of Reference - Role of Council Appointees to Outside Bodies**

- (1) Recommending that the Chairman of Council advises appointees to outside bodies there is an expectation to report at least once a year to Full Council, to keep members updated; and**
- (2) That the role of Council appointees to outside bodies under Article 4 of the Constitution did not need to be altered.**

- 2.1 The Working Group considered this work programme item on 21 April 2022, in response to a request from Councillor J H Whitehouse, who is of the opinion that Council appointees to outside bodies should be expected to report to Council at least once a year, so there is an accountability that members are kept informed.
- 2.2 The Service Manager (Legal) and Monitoring Officer) advised that rather than making a change to the Constitution, all members have the right to ask an appointee informally for an update report.
- 2.3 The Working Group notes that some organisations may only have one meeting a year or there may not be much of interest to report. Other update reports will be included in the Portfolio Holders' reports to Council throughout the year.
- 2.4 There is a standing item on the Council agenda where members can either receive or request reports from representatives on the business of joint arrangements and external organisations. There should also be the option for representatives to give verbal or written reports.
- 2.5 As a result of the meeting on 21 April 2022, the Working Group is recommending that the Chairman of Council advises appointees to outside bodies there is an expectation to report at least once a year to Full Council, to keep members updated, but the role of these appointees does not need to be altered under Article 4 of the Constitution.