

EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Constitution Working Group **Date:** Thursday 11 July 2024

Place: Virtual Meeting on Microsoft Teams **Time:** 7.00 - 8.58 pm

Members Present (Virtually): Councillors A Lion (Chairman), J H Whitehouse (Vice-Chairman), R Bassett, C McCann, M Dadd, K Williamson, E Gabbett, H Kauffman and C C Pond

Other Councillors (Virtual): Councillors N Bedford and P Keska

Officers Present (Virtually): N Boateng (Service Manager / Solicitor - Legal Services (Shared Services)), G Courtney (Service Manager (Planning Development)) and G Woodhall (Team Manager - Democratic & Electoral Services)

1. APOLOGIES FOR ABSENCE

It was noted that there were no apologies for absence for this meeting.

2. SUBSTITUTE MEMBERS

It was noted that there were no substitute members for this meeting.

3. NOTES OF PREVIOUS MEETING

RESOLVED:

That the notes of the Working Group held on 14 March 2024 be agreed as a correct record.

4. TERMS OF REFERENCE & WORK PROGRAMME

(a) Terms of Reference

The Working Group noted the Terms of Reference.

(b) Work Programme

The Working Group noted the Work Programme and there were no further comments.

5. CONSTITUTION - REVISIONS & AMENDMENTS

The Working Group noted that due to the General Election, there were a couple of revisions still to be made to the constitution, including Portfolio Holder responsibilities, Members' Allowances Scheme and changes to Article 17 as discussed at the last Constitution Working Group meeting and subsequently agreed by Council.

6. PAS REVIEW - RESTRUCTURE OF PLANNING COMMITTEES

Planning Service Manager, G Courtney outlined some of the details of the PAS report to the Working Group and went over what would be discussed at this meeting. The conclusion of the recently held PAS review workshop, which a majority of members had attended, concurred that this was the way forward.

It was highlighted that surrounding Councils' planning committees were structured in a similar way to how PAS were suggesting and that we were unique in the way ours were laid out. Members were reminded that the goal of the PAS review was to improve efficiency, make faster decisions and reduce costs. The Group noted that there might be some significant changes coming to planning legislation and policy within the tenure of the current government.

G Courtney provided some clarity on questions raised by members. Not all major applications would go to committee, they first needed to be qualified by officers. There would need to be 5 or more representations (not just objections) before an application would be determined by a planning committee. All applications before the committee would have a site visit arranged for Members unless the Chairman of the committee did not feel it necessary. It was noted however that these queries were procedural and did not need to be written in the constitution.

A point of concern for Members was the fact local Ward Councillors would have a lesser role in the decision making if they were only able to speak once the reports had been published in the agenda highlighting the importance of local knowledge. Members concurred that Local Ward Councillors should have early involvement in the process with officers and should be able to suggest conditions at committee.

Members discussed how Members should sit on each committee following the restructure, and whether the Council should adhere to PAS' recommendation of 9 with a quorum of 7. Councillors Kauffman and Pond raised concerns with only having 9 members on each committee highlighting the current government rapidly re-writing the NPPF as well as making some allowance for sickness, holiday and members being taken out due to the application being in their ward. Councillors Pond and Kauffman requested that their disapproval with the proposed recommendations were noted.

The Working Group agreed that there should be a 9-month review period (next municipal year) in which changes could be made depending on how the new restructured committees were performing subject to their being no urgent changes to the NPPF that would affect the Council's committees.

It was noted that the PAS workshop agreed that mandatory planning training be provided to all members on a planning committee as well as officer training to ensure high standards. A selection of members for each committee would be laid out within the procedural document resulting in there being no need for it to be written into constitution. The recommendations were agreed as below.

Resolved:

The committee agreed that the following recommendations should be made to Council.

- (1)
 - That the number of committees be reduced to two committees (titled Planning Committee A and Planning Committee B).

- That the committees are determined on the basis of agenda management, the definition of which is that the agenda will be compiled on the basis of 'complexity, timing and number of applications'.
- That the number of Members on each committee is nine, as laid out within the suggested amendments to Article 10 of the Constitution.
- That the whole structure of the reorganisation of planning committees be reviewed after a period of nine months after the changes are implemented.
- That all Members of the Planning Committee undertake mandatory planning committee training.
- That Local Ward Members have the right to speak at Committee, including having an opportunity to respond to points of information and points of clarification, at the discretion of the Chairman of the Planning Committee. However, Local Ward Members are unable to debate or vote on any planning application situated within their ward.

(2) That Constitution Working Group agree to the recommended amendments to the Constitution, including the changes to the scheme of delegation for planning.

(3) That Constitution Working Group agree to the removal of the minority reference process.

7. CONSTITUTION REVIEW - SCHEME OF DELEGATIONS

The Monitoring Officer, N Boateng informed the working group of some of the revisions that had been made to the Scheme of Delegations that her and a small working group of officers had been working on. These changes would result in the Scheme of Delegations being reduced from 144 pages down to 37 without losing any of the important information. The Monitoring Officer intended to take the changes to be agreed to the next full council or the following one, depending on the progress of the document.

8. DATE OF NEXT MEETING

It was noted that the next meeting of the Working Group would be held on 14 November 2024 at 19:00.