

PLANNING DEVELOPMENT CONTROL COMMITTEE

2 FEBRUARY 2006

THE CONSTITUTION – UPDATE AND REVISION - PART THREE – RESPONSIBILITY FOR FUNCTIONS – PLANNING DEVELOPMENT CONTROL (VIEWING) SUB COMMITTEE

REPORT OF CITY SECRETARY AND SOLICITOR

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RECENT REFERENCES:

CAB1110 – Planning Improvement Plan - Cabinet 12 October 2005 and Planning Development Control Committee 9 November 2005.

EXECUTIVE SUMMARY:

Part 3 of the Constitution sets out the responsibilities of the Planning Committee. Page 11 contains the terms of reference of the Planning Development Control (Viewing) Sub Committee.

At the last meeting of the Committee, Members requested that the composition of its Viewing Sub Committee be reviewed. The request follows the Viewing Sub Committee's revised role in that it can now consider and determine those planning applications which the Planning Development Control Committee decides should first have a site visit by a group of members, unless Planning Development Control Committee decides when it is set up that it should specially report back to Committee (Page 11 of Part 3 of the Constitution as updated on the 10 November 2005 refers).

The Sub-Committee consists of the Chairman, Vice-Chairman and three other Members who are appointed on an alphabetical rota basis from the membership of the Committee. A substitute Member can be called (i.e. next on the rota) provided the Committee Administrator is notified in sufficient time by the Member who cannot attend. The Ward Member(s) and a representative of the appropriate Parish Council are also invited to attend the meeting, in addition to the applicant and/or his agent. Objectors/supporters are notified of the date of the visit, which is also advertised on site.

The Committee is requested to consider if it wishes to change the composition of the Viewing Sub Committee from the above arrangement. Appointments to the formal Sub-Committees need to be in accordance with the 'political balance formula' laid down in the Local Government and Housing Act 1989 (unless alternative arrangements are agreed).

Using the 2005-2006 composition of the Council, using the 'political balance formula' to achieve at least one representative from each political group a minimum of 9 members are required on formal Sub-Committees (4:3:1:1).

An alternative would be to appoint 7 Members on a proportion of 3 Liberal Democrats, 2 Conservatives, 1 Labour and 1 Independent from the membership of the Committee rather than on an alphabetical rota, but this would need to be agreed as an alternative arrangement.

In order to provide the Committee with flexibility in its appointments for the Viewing Sub Committee and to avoid having to refer proposed changes to Council to update the Constitution on a regular basis, it is suggested that the wording as set out in the recommendation below is agreed. This flexibility is also written-in in case the Chairman or Vice Chairman or both are unable to attend.

The Committee's decision will be referred item to Council in order that the Constitution can be updated to reflect the recommended amendment to the appointment arrangements.

RECOMMENDATION:

1. That it be recommended to Council that the revisions to the Constitution as set out in Appendix 1 be approved.
2. That subject to 1 above, the Committee approves the following formula under alternative arrangements for the operation of the revised appointment method to the Planning Development Control (Viewing) Sub Committee:

Liberal Democrats: 3

Conservatives: 2

Labour: 1

Independents: 1

OTHER CONSIDERATIONS:

1 **CORPORATE PRIORITIES (RELEVANCE TO):**

- 1.1 To communicate openly and honestly.

2 **RESOURCE IMPLICATIONS:**

- 2.1 Items being considered by the Committee involve Officer time and other expense over and above the costs of applications which are dealt with under delegated powers.

BACKGROUND DOCUMENTS: None

APPENDICES: Proposed amendment to the Terms of Reference

That Part 3, Section 4 of the Constitution referring to - The Regulatory Committee And Other Non-Executive Decision Making Committees, be amended as follows:

4.1 Planning Development Control (Viewing) Sub-Committee

To consider and determine those planning applications which the Planning Development Control Committee decides should first have a site visit by a group of members, unless Planning Development Control Committee decides when it is set up that it should specially report back to Committee.

NB: The Sub-Committee is appointed to reflect either:

- (a) the political balance of the Council, or
- (b) through alternative arrangements, in accordance with a modified political balance formula approved by Planning Development Control Committee from time to time

the Sub Committee should normally include the Chairman and/or the Vice Chairman together with the remaining members who are appointed on an alphabetical rota basis from the membership of the Committee to take account of the above.

A substitute Member can be called (i.e. next on the rota) provided the Committee Administrator is notified in sufficient time by the Member who cannot attend and to reflect the political balance formula adopted by the Planning Development Control Committee.

The Ward Member(s) and a representative of the appropriate Parish Council are also invited to attend the meeting, in addition to the applicant and/or his agent. Objectors/supporters are notified of the date of the visit, which is also advertised on site.