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Subject to approval at the next Constitution Working Party meeting

7

CONSTITUTION WORKING PARTY

1 November 2021 at 6.00 pm

Present: Councillors Bower (Chair), Cooper (Vice-Chair), Chace, English, Haywood and Yeates

Councillor Chapman was also in attendance for all or part of the meeting.

6. APOLOGY FOR ABSENCE

An Apology for Absence had been received from Councillor Daniells.

7. DECLARATIONS OF INTEREST

There were no Declarations of Interest made.

8. MINUTES

The minutes of the meeting of the Working Party held on 28 June 2021 were approved by the Working Party as a correct record with the Chair confirming that these would be signed at the first opportunity made available to him.

9. NEW COMMITTEE SYSTEM - CHANGES TO THE CONSTITUTION - COMMITTEE NAMES - REFERRAL BACK AND CHANGES TO SERVICE AREAS COVERED BY COMMITTEES

The Monitoring Officer introduced this report reminding Members that following Full Council on 14 July 2021, and following substantial debate, the issue of name changes to Committees had not been agreed and so had been referred to this Working Party for further consideration. The proposals for changing the names were as set out below:

<u>Current Name</u>	<u>New Name</u>
Corporate Policy & Performance	Policy and Finance Committee
Residential & Wellbeing Services Committee	Housing and Wellbeing
Environment and Neighbourhood Services Committee	Environment Committee
Economic Committee	Economy Committee
Planning Committee	Development Management Committee

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The first to speak was Councillor Chapman, who was attending this meeting in his capacity as Chair of the Planning Committee. He confirmed that he felt very strongly against proposals to change the name of the Planning Committee to the Development Management Committee. This was because the Council was the local planning authority and was not a development authority. The public understood perfectly what the functions and responsibilities of the Planning Committee were and so he expressed concern that adding in the words 'development management' would lead to a loss of focus on what the Committee's role was. He therefore urged the Working Party to not accept this proposal.

The Chair confirmed that he had a different viewpoint with his main concern being that it was confusing for the public to have a Planning Committee and a Planning Policy Committee. He also pointed out to Members that the Planning Advisory Service had previously recommended that the name of the Planning Committee, previously known as the Development Control Committee, be changed to Development Management Committee. If this could not be agreed, then he recommended that the name of the Planning Policy Committee should be changed. The Chair reminded Members that the aim behind these proposals was to provide better understanding to the public.

In opening this matter up for further debate, the majority view of the Working Party was that the change in name to Development Management Committee should not be supported, although some sympathy was expressed that to also have a Planning Policy Committee might cause confusion. As this had not been the case to date it was felt that the names of both Committees should remain unchanged.

On the proposal to change the name of the Planning Committee to Development Management Committee being put to the vote, this was not carried.

Voting on the remaining name changes were then unanimously carried. The Working Party therefore

RECOMMEND TO FULL COUNCIL

That the proposal to change some Committee names be approved as set out below:

<u>Current Name</u>	<u>New Name</u>
Corporate Policy & Performance	Policy and Finance Committee
Residential & Wellbeing Services Committee	Housing & Wellbeing Committee
Environment and Neighbourhood Services Committee	Environment Committee
Economic Committee	Economy Committee

The Monitoring Officer then alerted Members to the next set of recommendations in the report stating that at the meeting of the Environment & Neighbourhood Services Committee on 21 May 2021, the Committee had recommended that the subject of biodiversity should be included as a service area reporting into this Committee.

It had also been recommended by Officers that Biodiversity Net Gain be added to the service areas covered by the Planning Policy Committee.

In discussing this recommendation, concern was expressed that biodiversity would potentially at some point need to be discussed at each of the Committees, so was it relevant to add to the service areas for just two of the Service Committees? Comments were also made that biodiversity was heavily featured within the Local Plan which reported into the Planning Policy Committee so was this addition really required? Following further discussion, it was agreed to refer this back to Officers so that more information could be provided for the Working Party to reconsider this at its next meeting.

Other comments made were that as climate change issues were a priority of the Council, it should be seen to be included to be reporting into a Committee with the Environment Committee being the most appropriate.

The Working Party

RECOMMEND TO FULL COUNCIL

That 'Biodiversity' be added to the service areas covered by the Environment & Neighbourhood Services Committee [soon to be the Environment Committee] at Part 3 – Responsibility for Functions of the Constitution.

10. PUBLIC SPEAKING RULES FOR THE PLANNING COMMITTEE

The Working Party received a report requesting that the Public Speaking Rules for the Planning Committee at Part 8, Section 3 of the Constitution be amended to correct an error that had occurred in the redrafting of the Constitution in May 2021.

The Chair of the Planning Committee was invited to speak first, he confirmed that he fully supported the recommendations for change.

Following some debate, the Working Party

RECOMMEND TO FULL COUNCIL

That the Public Speaking Rules for the Planning Committee as set out in Part 8, Section 3 of the Constitution at Paragraphs 11 – Public Speaking at Planning Committees are amended as set out below – deletions have been shown using ~~strikethrough~~ and additions are shown using **bold**:

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11.3 Any person who has made a written representation on an application and wishes to speak must register their request by 5.00 pm on the ~~Monday~~ **Friday** before the meeting, by phoning 01903 737512 or by email. It is the responsibility of the individual to check whether the application is to be considered by the Planning Committee [one should be able to register to be automatically notified when the agenda for the Committee is published].

11.4 There is a time limit of 3 minutes for each ~~group of~~ speaker i.e. Ward Members, Parish Councils, objectors, applicants/agents or supporters. Objectors & supporters include residents' groups, community groups or interest groups. A supporter must be an independent third party such as a local resident, not a relative of the applicant or the applicant themselves if their appointed agent is already speaking.

11.5 A lead speaker can be ~~nominated, or agreement reached between speakers about splitting~~ speak for up ~~to~~ the 3 minutes ~~between them, otherwise the 3 minutes will be equally divided between all the registered speakers in each group.~~ The order of speaking will be as follows: **The categories in the table in the Constitution to be remain unchanged**

11.7 In the event that more than two speakers have registered to speak in categories 2, 3, or 4, the first two registered persons appearing on the register only will be allowed to speak. ~~If one or both of the persons entitled to speak does not attend or confirms that they agree to the next registered person speaking in their place, then the next registered person will be allowed to speak in their place.~~ Prior to the commencement of the meeting, attendance of those who have registered to speak will be listed. The Chair's discretion shall apply in the event of any dispute in the matter of which persons may speak.

11. COUNCIL PROCEDURE RULE 15 - NOTICES OF MOTION

The Monitoring Officer provided some background confirming that it was the wish of Group Leaders to defer this item allowing more time for a report to be brought to the next meeting of the Working Party.

12. WORK PROGRAMME

It was agreed that the following items would be reported to future meetings of the Working Party as set out below:

13 December 2021

Review of Motions

Bespoke Constitution training for Members and Officers

7 February 2021

Review of the Officer Scheme of Delegation

13. DATE OF NEXT MEETING

The Working Party noted the date of its next meeting which was 13 December 2021 at 6.00 pm. This would be a virtual meeting.

(The meeting concluded at 6.59 pm)

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