

MINUTES OF THE CONSTITUTION WORKING PARTY

Tuesday, 14 March 2023 at 6.00 pm

PRESENT: Councillors Oana Olaru (Chair), James Rathbone and Susan Wise

ATTENDING VIRTUALLY: Councillors Amanda De Ryk and Luke Warner

ALSO IN ATTENDANCE: Jeremy Chambers – Monitoring Officer, Emma Aye-Kumi – Head of Governance and Committee Services

No apologies for absence were received.

1. Minutes

RESOLVED that the minutes of the meeting held on 11 October 2022 were agreed as a true record.

2. Declarations of Interest

None.

3. Review of the Constitution - Phase 2

3.1. The Monitoring Officer (MO) introduced the report and reminded the Constitutional Working Party (CWP) that only full Council could agree changes to the constitution but that it was the CWP's role to recommend any changes for Council to make. The CWP's recommendations would be put before Council on 29 March.

3.2. The CWP heard that this was the second of three phases of the ongoing constitution review, and covered four specific elements, namely Petition Scheme, Amalgamation of Committees, Planning Committee and Overview & Scrutiny Arrangements. The MO summarised the recommendations for each element, and invited the Committee to comment. The following was noted in discussion:

3.3. *Petition Scheme*

- The CWP had no comments.

3.4. *Amalgamation of Committees*

- The proposed introduction of a Special Responsibility Allowance (SRA) for the Chairs of the Audit and Risk Committee and the Pension Investments Committee was particularly welcomed, given the responsibility that came with Chairing those committees. One Member cited examples of inquiries in other councils where the Audit Committee Chair had been one of the first witnesses called in an inquiry. He argued that these were the two committees that gave backbench councillors the most responsibility and as such it was right that the roles should have an SRA attached to them.

3.5. *Planning Committee*

- The CWP welcomed the proposed changes to the threshold, commenting that it had been long wished for and expressing hope that it would reduce the backlog of cases and improve the smooth running of the planning process
- In respect of Recommendation 9 (regarding objections from amenity societies) it was clarified that the decision would rest with the Director of Planning, however they would consult with the Chairs of Planning A and B. The Director of Planning was free to choose how to consult. Email, phonecall, in person were cited as examples of valid methods.
- The CWP suggested that providing information about the cost of hearing minor applications might help to counter any perception that the proposed changes were designed to reduce transparency and limit the planning committees' powers, and would demonstrate that putting excessive resource to these applications did not represent good value for money for the public.
- The MO agreed to ask the Director of Planning to circulate information about costs, but caveated that it would be difficult to quantify the cost of salaried officer time.
- The CWP highlighted that under the current arrangements, some Amenity Societies abuse the planning process by blanket objecting to every application within their conservation area. While this did not directly leave the Council exposed to legal challenge, legal challenge could be an unexpected consequence.

3.6. *Overview & Scrutiny Arrangements*

- While there was no legal reason for limiting the number of councillors on the Overview and Scrutiny, having such a large committee hampered its effectiveness. The CWP welcomed the proposals to streamline the existing Overview & Scrutiny structure.

3.7. The Chair MOVED, Councillor Wise SECONDED and it was RESOLVED to:

- 1) Note that the Monitoring Officer would ensure the terminology used in the Constitution is appropriate and also 'tidy up' any minor spelling, grammatical and formatting errors; and
- 2) Recommend that Council agrees the proposed amendments to the constitution.

The meeting ended at 6:30pm.