

Governance & Constitution Committee

Agenda

Date: Monday, 9th February, 2009
Time: 2.00 pm
Venue: Committee Suite 1 & 2, Westfields, Middlewich Road,
Sandbach CW11 1HZ

The agenda is divided into 2 parts. Part 1 is taken in the presence of the public and press. Part 2 items will be considered in the absence of the public and press for the reasons indicated on the agenda and at the foot of each report.

PART 1 – MATTERS TO BE CONSIDERED WITH THE PUBLIC AND PRESS PRESENT

1. **Apologies for Absence**

2. **Declarations of Interest**

To provide an opportunity for Members and Officers to declare any personal and/or prejudicial interests in any item on the agenda

3. **Public Speaking Time/Open Session**

In accordance with Procedure Rules Nos.11 and 35 a total period of 10 minutes is allocated for members of the public to address the Committee on any matter relevant to the work of the Committee.

Individual members of the public may speak for up to 5 minutes but the Chairman will decide how the period of time allocated for public speaking will be apportioned where there are a number of speakers.

Note: In order for officers to undertake any background research it would be helpful if questions were submitted at least one working day before the meeting.

Please contact Mark Nedderman on 01270 529640
E-Mail: mark.nedderman@congleton.gov.uk with any apologies or requests for further
information or to give notice of a question to be asked by a member of the public

4. **Minutes of Previous Meeting** (Pages 1 - 6)

To approve the Minutes of the Meeting held on 12 January 2009.

5. **Constitution-General Power** (Pages 7 - 8)

To consider a report of the Borough Solicitor relating to a recommendation to Council that authority be delegated to the Borough Solicitor to make such essential additions and changes to the Constitution as might arise following the Council meeting.

6. **Decision-making and Overview and Scrutiny structure of the Council**
(Pages 9 - 26)

To consider a report of the Borough Solicitor relating to a recommendation to Council in respect of various constitutional provisions.

7. **Joint Health Scrutiny Committees** (Pages 27 - 32)

To consider a report of the Governance Lead Officer regarding the establishment of a Joint Scrutiny Committee with Wirral Metropolitan Borough Council (MBC) in relation to the Cheshire and Wirral Partnership NHS Foundation Trust and the Authority's participation in the Joint Scrutiny Committee.

8. **Planning and Development Control: Committee Structure and Delegations**
(Pages 33 - 44)

To consider a report of the Borough Solicitor regarding a proposed Committee structure and scheme of delegation for discharging the Council's development control functions.

9. **Planning Protocol of Conduct in relation to the Determination of Planning Matters** (Pages 45 - 66)

To consider a report of the Borough Solicitor relating to a proposed Planning Protocol for the consideration of planning matters.

10. **Public Questions/Speaking - Licensing Committee and Scrutiny Committees**
(Pages 67 - 74)

To consider a report of the Borough Solicitor regarding public questions/speaking at Licensing Committee and Scrutiny Committees.

11. **Delegation of Non-Executive Functions - Licensing and Environmental Health**
(Pages 75 - 82)

To consider a report of the Borough Solicitor regarding the delivery of non-executive Licensing and Environmental Health functions from 1 April 2009.

12. **Local Environmental Quality Strategy** (Pages 83 - 106)

To consider a report of the Borough Solicitor regarding a proposed Local Environmental Quality Strategy.

13. **Adoption of Finance and Contract Procedure Rules** (Pages 107 - 114)

To consider a report of the Borough Treasurer and Head of Assets regarding recommendations to Council on the Council's Finance and Contract Procedure Rules which will apply with effect from 1st April 2009.

Full Finance and Contract Procedure Rules (Appendix 2) to follow.

14. **Access to Information Rules** (Pages 115 - 130)

To consider a report of the Borough Solicitor regarding recommendations to full Council on the adoption of Access to Information Rules.

15. **Public Rights of Way**

Report to follow.

16. **Trading Standards**

Report to follow.