

# **CHESHIRE EAST COUNCIL**

## **REPORT TO: STRATEGIC PLANNING BOARD**

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**Date of Meeting: 22<sup>nd</sup> May 2013**

**Report of: Head of Governance and Democratic Services**

**Subject: Replacement Members**

**Portfolio Holder: Councillor Rachel Bailey**

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### **1.0 Report Summary**

- 1.1 This report responds to requests from Planning Board and Committee members that new arrangements should be put in place which would regulate the participation of “replacement members” in determining planning matters.

### **2.0 Decision Requested**

- 2.1 That the Board consider whether to support the proposals contained in this report.
- 2.2 If the proposals contained in the Report are supported, the Board should decide whether:
  - 2.2.1 It is felt that formal constitutional change should take place. If so, it should resolve that officers report the Board’s views to the Constitution Committee, together with appropriate recommendations for changes to the Council Procedure Rules.
  - 2.2.2 It considers that the principles contained in the Report can effectively be observed by members by way of informal working arrangements; in which case, it should resolve that this should take place and that endorsement of the approach be sought from the Member Training and Development Panel and political Group Leaders.

### **3.0 Wards and Local Members affected**

- 3.1 All Wards and local members are affected.

### **4.0 Policy Implications**

- 4.1 If the proposals set out in this report were to be agreed, and if members wished to see them formalised, changes would need to be made to the Constitution.

## **5.0 Financial Implications**

- 5.1 No financial implications would appear to arise as a consequence of the proposals set out in this report.

## **6.0 Legal Implications**

- 6.1 Any change to the Constitution would require a recommendation from the Constitution Committee, and a resolution of full Council.

## **7.0 Risk Management**

- 7.1 The proposals contained in this report may result in a reduced risk of challenge to planning application decisions.

## **8.0 Background and Options**

- 8.1 Some Planning Board and Committee members have asked that new arrangements be put in place which would regulate the participation of “replacement members” in determining planning matters.
- 8.2 At present, the only relevant rules require that members put forward to participate in the decision-making business of planning committees as “reserve members” must be “appropriately trained”. Training is provided from time to time through the Member Training and Development Programme.
- 8.3 Some planning members have concerns that there is insufficient rigour around the existing rules. For example, a member might have received “appropriate” training, but that training might not be up to date. Also, a member might qualify under the rules, but may have been asked to participate in a planning meeting as a reserve member at short notice, thereby not having had a proper opportunity to read relevant paperwork/conduct site visits etc.
- 8.4 At a recent meeting of the Planning Chairman, it was suggested that a report should be made to the Strategic Planning Board with a request that the existing rules should be reviewed.
- 8.5 Suggestion was made that reserve members for the planning committees or Board should:
  - 8.5.1 Be referred to as “Replacement Members”.
  - 8.5.2 Be drawn only from the membership of the existing planning committees or Board.
  - 8.5.3 Have received appropriate planning training within the preceding 3 months
  - 8.5.4 Perhaps only be allowed to participate as a Replacement Member in circumstances where the period of replacement was at least three months.

8.6 If the Board finds favour with the proposals set out in paragraph 8.5, it is asked to make comment on the detail. If the Board feels that the Council Procedure Rules should be formally amended to take account of the agreed proposals, it should agree that officers prepare a report to the Constitution Committee, which may then result in changes to the Constitution.

8.7 However, the Board may feel that the proposals contained in paragraph 8.5 can effectively be incorporated into the working arrangements of Members and that it is not necessary to change the Constitution in order for these to be observed. This would obviate the need for a report to the Constitution Committee, and to Council, and could perhaps be given some degree of senior member endorsement by the Member Training and Development Panel, and the political Group Leaders.

## **9.0 Access to Information**

The background papers relating to this report can be inspected by contacting the report writer:

Name: Brian Reed  
Designation: Head of Governance and Democratic Services  
Tel No: 01270 686670  
Email: [brian.reed@cheshireeast.gov.uk](mailto:brian.reed@cheshireeast.gov.uk)