

Cheshire East Council

Constitution Committee

Date of Meeting: 15th September 2016

Report of: Head of Governance and Democratic Services

Subject: Substitute Committee Members at Planning Committee meetings

1. Report Summary

- 1.1. This report asks the Committee to consider making a recommendation to Council that a pool of trained Members be created to supplement existing arrangements for the provision of substitute committee members at planning committee meetings.

2. Recommendation

Council be recommended to agree that:

- 2.1. a pool of 8 planning substitutes be established, on the basis of political proportionality: 5:2:1 (Conservative: Labour: Independent);
- 2.2. the pool will supplement the existing Constitutional provisions which enable planning substitutes to be drawn from any of the Council's planning Committees; Northern Planning, Southern Planning and Strategic Planning Board;
- 2.3. only those Members who, in the opinion of the Director of Legal Services, have received appropriate planning training will be permitted to be members of the pool of planning substitutes;
- 2.4. subject to the requirement that each member of the pool must have received appropriate planning training, the political groups may nominate their members to take places as part of the pool as and when necessary;
- 2.5. That the Director of Legal Services, in consultation with the Chairman of the Constitution Committee, be given authority to make such changes to the Constitution as he considers are necessary to give effect to the wishes of Council.

3. Background

3.1 The Council has rules, set out in the Constitution, which provide for substitutes to attend meetings on behalf of committee members who are unable to do so (eg in cases of illness or holiday).

3.2 These rules are rightly enhanced in the case of certain committees (eg planning) so as to ensure that substitute members have received appropriate training.

3.3 However, during the last year, an additional restriction was placed on planning substitutes; this requiring planning substitutes to be members of one of the other planning committees; Northern Planning, Southern Planning or Strategic Planning Board.

3.4 This additional restriction has caused difficulties for the whips from time to time, with absences being unable to be filled.

3.5 Whilst it is essential to retain the requirement that planning substitutes have up to date and appropriate training, a way needs to be found to relax the rule that planning substitutes must be drawn from one of the other planning committees.

3.6 This report proposes that there should be a small pool of trained planning substitutes from which members can be called upon to substitute for absent members.

3.7 This provision would need to be added to the Constitution, following a report to the Constitution Committee, and an appropriate recommendation to Council.

3.8 The numbers in each Group's pool of substitutes should be limited. For example an approach could be adopted which recognises the proportionality of the Council with a pool of 8 Members (5:2:1:0).

4. Wards Affected and Local Ward Members

4.1. All wards and local ward members are affected.

5. Implications of Recommendation

5.1. Policy Implications

5.1.1. No direct policy implications arise from the recommendations of this report.

5.2. Legal Implications

5.2.1. It is of key importance to ensure that any Member involved in the determination of planning matters has received appropriate and up to date planning training. The recommendations of this report seek to achieve this.

5.2.2. The recommendations of this report will, if agreed by Council, result in the need for amendments to the Council's Constitution,

5.3. Financial Implications

5.3.1. The recommendations of this report do not result in any financial implications.

5.4. Human Resources Implications

5.4.1. The recommendations of this report do not have any human resources implications.

5.5. Equality Implications

5.5.1. The recommendations of this report could be seen to have positive equalities implications.

5.6. Rural Community Implications

5.6.1. The recommendations of this report do not have any direct implications for rural communities.

5.7. Public Health Implications

5.7.1. The recommendations of this report do not have any direct public health implications.

6. Risk Management

6.1. This report recommends an increase in the pool of Members who would be available to act as substitutes for absent Members at planning committee meetings. This will reduce the risk of reduced numbers of planning members taking part in the determination of planning matters.

7. Background Papers

7.1. No background papers were used in the preparation of this report.

8. Contact Information

Contact details for this report are as follows:-

Name: Brian Reed
Designation: Head of Governance and Democratic Services
Tel. No.: 01270 696670
Email: brian.reed@cheshireeast.gov.uk