

| <b>ISLE OF ANGLESEY COUNTY COUNCIL</b>   |  |
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| <b>Report to:</b>                        | <b>The Executive &amp; Full Council</b>  |
| <b>Date:</b>                             | <b>Executive 24.04.17<br/>Full Council 23.05.17</b>  |
| <b>Subject:</b>                          | <b>To Make Changes to the Constitution to Reflect Requirements on the Planning Committee as Required by Recent Regulations</b> |
| <b>Portfolio Holder:</b>                 | <b>Councillor Richard Dew</b>  |
| <b>Head of Service:</b>                  | <b>Head of Service (Regulation and Economic Development) and Head of Function (Council Business)</b>                           |
| <b>Report Author:</b><br>Tel:<br>E-mail: | <b>Robyn W. Jones</b><br>01248 752134<br>rwjcs@ynysmon.gov.uk  |
| <b>Local Members:</b>                    | <b>This is not a ward-specific matter</b>  |

| <b>A –Recommendation/s and reason/s</b>  |
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| <p><b>Background:</b></p> <p>1.1 To make changes to the Constitution (where necessary) to reflect the requirements of The Local Authorities (Standing Orders) (Wales) (Amendment) Regulations 2017 and The Size and Composition of Local Planning Authority Committees (Wales) Regulations 2017 (“the Regulations”). The Regulations came into effect on 5 May 2017.</p> <p>1.2 The Executive is asked to recommend to the full Council to make the changes proposed in this report and the full Council is asked to make those changes.</p> <p><b>The Regulations:</b></p> <p>2.1 The Regulations place the following requirements on the Council as a Local Planning Authority:</p> <p>2.1.2 The Council’s Planning Committee (“the Committee”) should have no fewer than 11 members and no more than 21 members. The Committee has 11 members and so this requirement is already met and no changes are required to implement it.</p> <p>2.1.3 The number of members on the Committee must not exceed half of the total number of members of the Council. As the Committee comprises 11 members and the Council has 30 members then this requirement is also already met.</p> |

Again no changes are required.

- 2.1.4 In the case of multi-member wards, no more than one member of any ward may be a member of the Planning Committee. However, this rule does not apply to a Council solely comprising of multi-member wards. As this Council is such a council then this provision does not apply and so no changes are required.
- 2.1.5 The quorum of a Planning Committee must be at least half of its membership rounded up to the nearest whole number. This means that the quorum for the Committee will be 6 and the Constitution will be changed to implement this requirement. At present, the Constitution provides that the quorum for the Committee is one quarter of its membership.
- 2.1.6 A Planning Committee shall not have substitute members. This Council does not permit substitute members and so complies with this requirement. However, as there is a requirement to change standing orders to expressly incorporate this requirement then a provision is proposed to be added to the Constitution to comply with the Regulations.

## **Recommendations**

3.1 The recommendations are as follows:

### To the Executive:

3.2 To recommend to the full Council that the changes to the Council's Constitution as detailed below are made.

### To the Full Council:

3.3 To make the following changes to the Council's Constitution in order to implement the requirements of the Regulations:

3.3.1 At the end of the first paragraph of section 3.4.3 of the Constitution to add the following sentences: **"The quorum of the Committee shall be at least half of the number of its members rounded-up to the nearest whole number (that is 6). No substitute members shall be allowed to those appointed to serve on the Committee."**

3.4 To delegate to the Head of Function (Council Business) the power to make the necessary changes to the Constitution to implement the Council's decision.

**B – What other options did you consider and why did you reject them and/or opt for this option?**

This report implements legislative requirements where there is no discretion.

**C – Why is this a decision for the Executive?**

Implementing the requirements of the Regulations requires changes to the Constitution which first requires a report to the Executive.

**CH – Is this decision consistent with policy approved by the full Council?**

These are legislative changes.

**D – Is this decision within the budget approved by the Council?**

There are no budgetary implications to these changes.

**DD – Who did you consult?**

**What did they say?**

| <b>DD – Who did you consult?</b> |  | <b>What did they say?</b>                                   |
|----------------------------------|--|---|
| 1                                | <b>Chief Executive / Senior Leadership Team (SLT)</b><br>(mandatory) | No comments   |
| 2                                | <b>Finance / Section 151</b><br>(mandatory)                          | Awaited   |
| 3                                | <b>Legal / Monitoring Officer</b><br>(mandatory)                     | The Committee's legal adviser is a co-author of the report. |
| 4                                | <b>Human Resources (HR)</b>  | Not applicable  |
| 5                                | <b>Property</b>  | Not applicable  |
| 6                                | <b>Information Communication Technology (ICT)</b>                    | Not applicable  |
| 7                                | <b>Procurement</b>   | Not applicable  |
| 8                                | <b>Scrutiny</b>  | Not applicable  |
| 9                                | <b>Local Members</b>   | This matter is not ward-specific                            |
| 10                               | <b>Any external bodies / other/s</b>                                 | Not applicable  |

**E – Risks and any mitigation (if relevant)**

|   |                           |              |
|---|---------------------------|--------------|
| 1 | <b>Economic</b>           | Not relevant |
| 2 | <b>Anti-poverty</b>       | Not relevant |
| 3 | <b>Crime and Disorder</b> | Not relevant |

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|----------|---------------------------|---|
| <b>4</b> | <b>Environmental</b>      | Not relevant  |
| <b>5</b> | <b>Equalities</b>         | These changes will not have a differential impact on any of the groups protected under the Equality Act 2010. |
| <b>6</b> | <b>Outcome Agreements</b> | Not relevant  |
| <b>7</b> | <b>Other</b>              | None  |

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| <b>F - Appendices:</b> |
| None                   |

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| <b>FF - Background papers (please contact the author of the Report for any further information):</b> |
| None   |