

APPENDIX 1 to Report to Council 22 May 2018

EXTRACT OF THE MINUTES OF THE STANDARDS COMMITTEE MEETING HELD ON 18 APRIL 2018 AT THE KENNET ROOM - COUNTY HALL, TROWBRIDGE BA14 8JN.

18 Constitution Focus Group: Updates and Recommendations

A report from the Monitoring Officer was presented detailing proposed changes to the constitution, following consideration and then recommendation from the Constitution Focus Group.

Changes were proposed in relation to Part 3D(3) of the Constitution, the Scheme of Delegation Specific to Planning. New regulations would come into effect from 1 June 2018 to allow applicants to submit applications for 'Permission in Principle' (PIP) for minor housing led developments of up to 9 houses. This process had a shorter timescale for determination, and existing procedures relating to call-in of items to committee were not appropriate.

The Focus Group had considered that call-in of planning applications was one of the more vital councillor powers, and did not consider that removing PIP from the call-in procedure was appropriate. Therefore, they had recommended wording to shorten the timescale for call-in of PIP, as well as expedited notification procedures. Wording was proposed to that effect, as detailed in the agenda papers.

The Committee discussed the proposed changes, amending the use of 'House' for 'Dwelling', as well as seeking details on how the new procedure would work in practice. It was also commented that the change in legislation had not been brought to the recent Planning Committee Task Group, and it was requested any future such changes be considered by such a task group in future, if it was still in place.

Other proposed changes related to the Audit Committee. The Audit Committee had set up a task and finish group to identify best practice in relation to Audit responsibilities, and to recommend changes where appropriate to the constitutions, as well as such corrections as necessary to ensure consistent referencing of audit responsibilities.

A report was taken to the Focus Group, identifying amendments to Part 2 (The Constitution), Part 3 (Responsibility for Functions), Part 9 (Finance Regulations) and Protocol 11 (Governance Reporting Arrangements). The changes clarified the distinct roles of Audit and Overview and Scrutiny, as well as making the various sections consistent and emphasising the key aspects of the audit function.

The Committee discussed the proposals, and supported the amendments, though it was requested in their presentation to Council the context of all sections be made clearer.

It was also noted by the Committee that various changes had been made under the delegated authority of the Monitoring Officer, which had been reported to the Focus Group. In particular it was noted that further changes would be necessary regarding clarity over the definition of the Proper Officer in relation to the Head of the Paid Service.

At the conclusion of discussion, and on the moving of Councillor Allison Bucknell, seconded by Councillor Ruth Hopkinson, it was,

Resolved:

To recommend that Full Council approve the proposed changes to Part 2, Part 3, Part 3D(3), Part 9 and Protocol 11 of the Constitution as detailed in the report, subject to amending reference from 'House' to 'Dwelling' in Part 3D(3).