

Amendments to the Constitution

Report number:	COU/WS/22/004	
Report to and date:	Council	22 February 2022
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Decisions Plan: **Not applicable as this is not an executive matter**

Wards impacted: **None**

Recommendations: **With immediate implementation of the emanating decisions, it is recommended that Council:**

- 1. approves the revised wording to paragraph 4.2 of Section 3 (Functions and Responsibilities) Section 2 – Responsibility for Council (Non-Executive) Functions – Development Control Committee as set out in paragraph 2.1 of Report number: COU/WS/22/004.**

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- 2. Agrees for Council meetings to start at 7.00pm, effective from the Annual Meeting of Council in May 2022, as set out in paragraph 2.2.**

1. Context to this report

- 1.1 The Constitution Review Group periodically meets to review the effectiveness of the Constitution, identifying any areas that could be developed further to improve the way the Council makes decisions, ensuring that processes are efficient and transparent.

2. Proposals within this report

- 2.1 The Constitution Review Group met on the 8 December 2021 to consider two proposals to amend the Constitution:

Formalisation of Procedure at Development Control Committee meetings

A request was received with regards to the formalisation of allowing adjacent Ward Members to be able to attend to speak on applications at the Development Control Committee, on behalf of and with the approval of the Ward Member(s).

This provision for allowing adjacent Ward Members to attend/speak on behalf of and with the approval of the Ward Member(s), is formally allowed under the procedures for the operation of the Delegation Panel, but not for the Development Control Committee itself, which has caused some confusion for Members. Therefore, it was considered that this formalisation would be consistent with the Delegation Panel.

The Constitution Review Group supported this request and agreed for the following proposed amended wording to be made to the West Suffolk Council Constitution, (as set out in bold italics below):

Section 3 (Functions and Responsibilities)

Section 2 - Responsibility for Council (Non-Executive) Functions – Development Control Committee (as set out within the West Suffolk Council Constitution)

4 – Procedure at meetings

- 4.1 Procedure at meetings shall be in accordance with the Committee Procedure Rules, except as provided in 4.2 below.
- 4.2 The Committee shall have authority to determine from time to time its own arrangements for public speaking on applications, and which matters are to be included within those arrangements. ***An adjacent Ward Member may act on behalf of and with the approval of the Ward Member.***

Section 5 (Codes and Protocols)

West Suffolk Planning Code of Practice (as set out within the West Suffolk Council Constitution)

Acting as a member of the Development Control Committee where you are also the Ward Member

As above, members of the Development Control Committee must seek to retain an open mind up to the point where a decision is made.

This can be challenging when you are the local Ward Member. Ahead of the meeting, it is important that you make clear your role on the Committee to local residents and the need to avoid predetermining yourself. You can still inform individuals and groups as to how they can put forward their own views.

At the Committee, you are entitled to speak as local member in the specified slot. This is intended to allow you to articulate the views from across your communities and your local insight, whether that represents your own views or not. As long as you remain open minded on the application, you may take part in the main Committee debating and voting on the application.

An adjacent Ward Member may act on behalf of and with the approval of the Ward Member. If acting in this capacity as an adjacent Ward Member, whilst also being a member of the Committee, members must equally demonstrate an open mind during the debate.

2.2 **Commencement time for Council meetings**

Currently Council meetings commence at 6.30pm and a proposal was made to the Constitution Review Group that this makes it difficult for some working members to attend on time. A proposal was therefore made that the commencement time for Council meetings be moved by half an hour to 7.00pm, which the Constitution Review Group considered to be acceptable. If agreed by Council, the Council Procedure Rules, contained in Part 4 of the Constitution will be updated to reflect the change.

3. **Alternative options that have been considered**

- 3.1 No specific other options have been considered other than not to make the changes.

4. **Consultation and engagement undertaken**

- 4.1 The recommendations have been developed by the Constitution Review Group.

5. Risks associated with the proposals

5.1 There are no specific risks arising from this report

6. Implications arising from the proposals

6.1 None

7. Appendices referenced in this report

6.1 None

8. Background documents associated with this report

7.1 None