

**Report To:** County Council

**Date of Meeting:** 23<sup>rd</sup> May 2017

**Lead Member / Officer:** Gary Williams, Monitoring Officer

**Report Author:** Gary Williams, Monitoring Officer

**Title:** **Size and Composition of Planning Committee.**

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**1. What is the report about?**

1.1 The report is about changes required to the Council's Constitution as a result of legislation requiring changes to the size and composition of the Council's Planning Committee.

**2. What is the reason for making this report?**

2.1 The Welsh Government has introduced legislation setting restrictions on the number of Members allowed to sit on the Council's Planning Committee.

**3. What are the Recommendations?**

3.1 That Council confirms the size of the Planning Committee and authorises the Monitoring Officer to amend the Council's Constitution accordingly.

3.2 That Council authorises the Monitoring Officer to make the necessary amendments to the Council's Constitution to reflect the quorum requirements for the Planning Committee as set out in the Local Authorities (Standing Orders) (Wales) (Amendment) Regulations 2017.

3.3 That Council endorses the approach proposed in the report for the appointment of Members to the Planning Committee from multiple member wards.

**4. Report details**

4.1 The Planning (Wales) Act 2015 amended the Town and Country Planning Act 1990 to grant the power to Welsh Ministers to make regulations prescribing the size and composition of a local planning authority's Planning Committee.

4.2 Welsh Ministers have used this power to make the Size and Composition of Local Planning Authority Committees (Wales) Regulations 2017 (the Committee Regulations).

4.3 The Committee Regulations provide that a Planning Committee must have no fewer than 11 and no more than 21 Members.

- 4.4 There can be no more than one Member for any particular ward on the Committee. This means that in multiple Member wards only one Member from that ward may be on the Committee at any given time.
- 4.5 In the allocation of seats on the Planning Committee, clearly, where all Members representing a multiple ward are from the same group, the question of which, if any, of those Members are appointed to the Committee will be a matter for the relevant Group Leader. Where the Members representing a multiple member ward are from different Groups it is suggested that the question of which, if any, of those Members is appointed to the Committee will be one to be determined by agreement between the relevant Group Leaders. Where no agreement is forthcoming it is suggested that none of the Members for that ward will be appointed to the Committee until an agreement has been reached.
- 4.6 Failure to comply with the Committee Regulations will invalidate the proceedings of the Planning Committee.
- 4.7 The Welsh Ministers have also made the Local Authorities (Standing Orders) (Wales) (Amendment) Regulations 2017 (the Standing Orders Regulations) which came into force on 5<sup>th</sup> May.
- 4.8 The Standing Orders Regulations provide that the quorum of a Planning Committee must be at least 50% of the total number of Members rounded to the nearest whole number, and prohibit the use of substitutes.

**5. How does the decision contribute to the Corporate Priorities?**

- 5.1 The decision has no direct impact on the Corporate Priorities

**6. What will it cost and how will it affect other services?**

- 6.1 The decision should not incur any additional cost.

**7. What are the main conclusions of the Well-being Impact Assessment? The completed Well-being Impact Assessment report can be downloaded from the [website](#) and should be attached as an appendix to the report**

- 7.1 There is no requirement for a Well-being Impact Assessment for this report.

**8. What consultations have been carried out with Scrutiny and others?**

- 8.1 There has not been an opportunity to consult Scrutiny on this issue. The Group Leaders have been consulted with.

**9. Chief Finance Officer Statement**

- 9.1

**10. What risks are there and is there anything we can do to reduce them?**

10.1 There is a risk that if these legislative requirements are not implemented that the decisions made by the Planning Committee are invalidated.

**11. Power to make the Decision**

11.1 Size and Composition of Local Planning Authority Committees (Wales) Regulations 2017  
Local Authorities (Standing Orders) (Wales) (Amendment) Regulations 2017.