

**GENERAL PURPOSES COMMITTEE  
HELD ON 2 FEBRUARY 2006  
(FROM 5.30 PM TO 6.40 PM)**

**PRESENT:** Councillor Mrs Atkinson in the Chair. Councillors Heather Adderley, Jean Butterfield, de Coursey-Bayley, Grange, Elwyn Hinchcliffe, Houlton, Macare, Nash, Skidmore and Webber.

**Late Arrivals:** None

**Early Departures:** None

**44/05 - APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES:**

An apology for absence had been received from Councillor Martin. Notification had been received that Councillor Skidmore was to act as substitute for Councillor Wilson.

(5.30 pm)

**45/05 - DECLARATIONS OF INTEREST:** Certain Members declared personal interests as indicated in Minute 50/05 below.

(5.31 pm)

**46/05 - MINUTES:** The Minutes of the meeting of the Committee held on 17 November 2005 were approved as a correct record and signed by the Chair.

(Ten members voted for the motion and there was one abstention)

(5.31 pm to 5.32 pm)

**47/05 - EXEMPT INFORMATION:** There were no exempt information items.

**48/05 - PUBLIC ARRANGEMENTS - QUESTIONS:** There were no questions to consider pursuant to Standing Order 27.

**MATTERS WHICH ARE REFERRED TO COUNCIL FOR CONSIDERATION**

**49/05 - NEW PLANNING CODE OF PRACTICE FOR MEMBERS AND OFFICERS:**

The Principal Solicitor submitted a written report in the name of the Head of Legal and Democratic Services, attached to which was the proposed replacement Planning Code of Practice for formal approval. The Officer referred to paragraph 7.16 of the report and to paragraph 1.4 of the draft Code relating to receipt of applications and requests for referrals up of applications by Members, when they believed the applications ought not to be determined by officers' delegated powers. The Head of Planning Services also reported on the matter and answered Members' questions. The Principal Solicitor suggested deleting certain wording in paragraph 1.4 of the draft code. A full discussion ensued as to who the contact should be for such a request and whether requests should be put in writing/email or not. The Officers explained that Members may risk prejudicing their ability to debate and vote on a matter if their representation could be construed to be a predetermination by

them of the application. Members did not endorse the suggested deletion of wording but did agree a variation to that printed in paragraph 1.4 of the code to reflect that when Members requested a referral up, they should contact the Head of Planning Services. There would be no specification as to the means of such communication, which should be left to the discretion of Members themselves.

Members then referred to paragraph 7.4 of the report and to the suggestion, accepted by the Standards Committee, that the Officer recommendation should 'normally' be moved and seconded by the Chair and Vice-Chair respectively. A full discussion ensued on this issue and Members did not endorse that view. A separate vote was taken, with seven Members voting for the motion and four against, and accordingly it was agreed that appendix 3 to the draft code - guidance for Chairs - be amended to reflect that the Chair should give Members of the Committee the opportunity to move the Officer's recommendation and if no motion was forthcoming then the Chair to invite other motions from Members.

### **RECOMMENDED:**

That (1) the Committee accept the new code, amended as detailed in the preamble above, as a suitable replacement for the existing code of conduct and recommend to Council that the code be formally approved and inserted into the Council's Constitution; and

(2) the proposed consequential amendments to the Planning Scheme of Delegation, set out in paragraphs 7.7, 7.16 and 7.17 of the report (amended as necessary as a consequence of the amendments detailed in the preamble above) be accepted and recommended to the Council.

(Ten Members voted for the motion and one against)

(5.33 - 6.26 pm)

**50/05 - MEMBERS' ALLOWANCES:** The Member Services Manager submitted a written report in the name of the Head of Legal and Democratic Services on the recommendations of the Independent Panel. The report of the Panel arising from its meeting held on 20 January 2006 was attached to the Officer's report and its recommendations were set out in section 4. The Panel had considered special responsibility allowance payments in respect of the Council's licensing and planning functions and the revised levels were detailed in the recommendations. Members agreed to accept the Panel's recommendations at this time but requested that a full review of the allowances scheme be undertaken as soon as possible.

(The following Members declared personal interests in the item by virtue of membership of the Licensing Committee, although it was questioned whether there was a need to do so - Councillors Mrs Atkinson, de Coursey-Bayley, Webber and Heather Adderley (her husband's membership of the Committee). Councillor Nash declared a personal interest not only because of his Chairmanship of the Licensing Committee but also because he had been specifically invited to attend the Panel meeting and had made recommendations to it. He remained the meeting room, took part in the debate but abstained from voting on the matter)

## **RECOMMENDED:**

That the recommendations of the Independent Panel be approved, as detailed below, but that the Panel be requested to undertake a full review of the allowances scheme as soon as possible:

1. Chair of the Licensing Committee - a special responsibility allowance of 0.66 (£2,670) of the basic allowance, effective from 6 August 2005;
2. Members of the Licensing Committee - a revised special responsibility allowance of 0.15 (£605) of the basic allowance, effective from 1 April 2006 payable following attendance by individual Members at a minimum of four meetings of the Sub-Committee/Panels;
3. The Chair of Planning Committee - a special responsibility allowance of 1.0 (£4050) of the basic allowance, effective from 1 November 2005;
4. The Vice-Chair of Planning Committee - a special responsibility allowance of 0.2 (£800) of the basic allowance effective from 1 November 2006;
5. No special responsibility allowance be made available to the Chairs of the District Development Committee and the District Development Sub-Committee, but that this position be reviewed in the event of there being a significant increase in number of such meetings taking place; and
6. The initial request for a special responsibility allowance for all Members of the Planning Committee was noted with agreement from the Panel that it would respond to any future case made by Members of the Committee for such allowance.

(Ten Members voted for the motion and there was one abstention)

(6.26 pm to 6.32 pm)

51/05- **STANDING ORDER NO 22 - SUBSTITUTION SCHEME:** The Head of Legal and Democratic Services referred to General Purposes Committee Minute 39/05 and submitted a written report on proposed changes to Standing Order 22 regarding substitution arrangements. His further investigations had concluded that in respect of permitting a long list of substitutes only General Purposes Committee would be affected and, consequently, did not recommend this course of action be taken. The proposed revised Standing Order 22 was detailed at paragraph 3.7 of the report.

## **RECOMMENDED (UNANIMOUSLY):**

That (1) Standing Order 22 be revised to read:

### **22 APPOINTMENT OF SUBSTITUTE MEMBERS OF COMMITTEES AND SUB-COMMITTEES**

- (1) As well as allocating seats on Committee and Sub-Committees, the Council will allocate seats in the same manner for substitute members. For

each Committee or Sub-Committee, the Council will appoint the same number of substitutes in respect of each political group as that group holds ordinary seats on that Committee or Sub-Committee. **In case of Planning Committee a group may offer a seat or seats to another political group.**

(2) In the case of a political group with four Members or less then all Members of the Group will be either Members or substitute Members for each Committee on which the Group is allocated a seat.

(3) Substitute Members will have the powers and duties of any ordinary member of the committee and will not be able to exercise any special powers or duties exercisable by the person for whom they are substituting.

(4) Substitute Members may attend meetings:-

- (i) to take the place of the ordinary member for whom they are the designated substitute;
- (ii) where the ordinary member will be absent for the whole of the meeting;
- (iii) after notifying the proper officer before the start of the meeting of the intended substitution; and
- (iv) where they have received any appropriate training.**

(6.32 pm to 6.35 pm)