

**GENERAL PURPOSES COMMITTEE  
HELD ON 7 SEPTEMBER 2006  
(FROM 5.30 PM TO 6.30 PM)**

**PRESENT:** Councillor Alton in the Chair. Councillors Mrs Atkinson, Jean Butterfield, Chapman, Fox, Grange, Hawkins, Elwyn Hinchcliffe, Bob Nash, Newby, Parnaby and Webber.

**In Attendance:** Mark Kirkham, District Auditor  
Julie Talbot, Audit Commission Audit Manager

**Late Arrivals:** None

**Early Departures:** None

**13/06 - APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES:**

There were no apologies for absence. Notification had been received that Councillor Chapman was to act as substitute for Councillor Mrs de Coursey-Bayley and that Councillor Parnaby was to act for Councillor Williams.

(5.30 pm)

**14/06 - DECLARATIONS OF INTEREST:** No declarations of interest were declared by Members at the meeting.

**15/06 - MINUTES:** The Minutes of the meeting of the Committee held on 29 June 2006 were approved as a correct record and signed by the Chair.

(Five Members for the motion and there were seven abstentions)

(5.31 pm)

**16/06 - EXEMPT INFORMATION:** There were no exempt information items.

**17/06 - PUBLIC ARRANGEMENTS - QUESTIONS:** There were no questions to consider pursuant to Standing Order 27.

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

**18/06 - APPROVAL OF DEVELOPMENT PLAN DOCUMENTS FOR SUBMISSION TO THE SECRETARY OF STATE AND ADOPTION:**

The Head of Planning Services submitted a written report and sought approval for the Constitution to be amended to ensure that the arrangements for consultation and approval of Development Plan documents and their adoption were in accordance with statutory provisions and government guidance. It was now apparent that the District Development Committee was not legally able to approve the Council's Development Plan documents, which function should be undertaken by Council itself. To simplify the decision-making process it was also proposed that consideration of such documentation prior to it being submitted to Cabinet for recommendation to Council, should be undertaken by only one committee, ie the District Development Committee. That committee would, however, have delegated powers to comment on the Regional Spatial Strategy and Development Plans prepared by other authorities.

The Officer and the Principal Solicitor advised that when the Council considered the matter of Development Plan documentation, it would have before it the minutes of Cabinet on the matter and also those of the District Development Committee. Any disagreement between Council and Cabinet would instigate the conflict resolution procedure set out in the Constitution.

**RECOMMENDED (UNANIMOUSLY):**

That (1) the Head of Legal and Democratic Services be given authority to amend the Constitution so that the District Development Committee loses its power to approve Development Plan Documents for submission to the Secretary of State and adoption and gains a new function as consultee and adviser to Council on all matters relating to the submission and adoption of Development Plan documents; and

(2) the Head of Legal and Democratic Services be given authority to amend the Constitution to make it clear that only the Council has authority to approve Development Plan documents for submission to the Secretary of State and their adoption.

(NB: It is given that such authorities include being able to make any necessary consequential amendments)

(5.31 pm to 5.5 pm)

19/06 - **THE REGULATION OF INVESTIGATORY POWERS ACT, 2000 - REVIEW OF NOMINATED OFFICERS LISTED AS STATUTORY OFFICERS IN THE CONSTITUTION:** A report in the name of the Chief Solicitor was submitted and the Principal Solicitor explained that Appendix 1 detailed the updated list of officers named as Statutory Officers. Schedule 2 to Part 3 of the Constitution was required to be amended accordingly to take account of the changes.

**RECOMMENDED (UNANIMOUSLY):**

That the list of Statutory Officers in the Constitution be amended as indicated in Appendix 1 to the report.

(5.55 pm - 5.56 pm)