

North Tyneside Council

Report to Council

Date: 28 September 2017

ITEM 6

Change to Constitution –
Planning Committee
Membership

Portfolio(s): Elected Mayor

Cabinet Member(s): Mrs N Redfearn

Report from Service

Area: Law and Governance

Responsible Officer: Vivienne Geary, Head of Law and Governance and Monitoring Officer
Tel: (0191) 6435339

Wards affected: All

PART 1

1.1 Executive Summary:

This report contains a proposal to reduce the membership of the Planning Committee from 15 to 11 Members. As this requires a change to the Constitution, the proposal is subject to approval by full Council. If approved by full Council, the consent of the Elected Mayor to this change will also be required in accordance with Article 15 of the Constitution.

1.2 Recommendation(s):

It is recommended that Council approve the proposed change to the Constitution to reduce the membership of the Planning Committee from 15 to 11 Members and, if approved, refer the change to the Elected Mayor for her consent in accordance with Article 15 of the Constitution.

1.3 Forward Plan:

Twenty eight days notice of this report has been given and it first appeared on the Forward Plan that was published on 29 August 2017.

1.4 Council Plan and Policy Framework

This report has no direct relevance to the Our North Tyneside Plan priorities.

1.5 Information:

- 1.5.1 In accordance with Article 16 of the Constitution, the Monitoring Officer has a key role in reviewing the operation of the Constitution and in making recommendations to Council on ways in which it could be amended to ensure that it achieves its purpose as set out in Article 1.

- 1.5.2 The Council is requested to consider a proposal to reduce the membership of the Planning Committee, as set out in the Committee's terms of reference contained in the Constitution, from 15 Members to 11 Members to facilitate focused and efficient decision making on that Committee. The political balance of the Committee with the revised number of seats would be 9 seats allocated to the Labour Group and 2 seats allocated to the Conservative Group. The revised quorum for the Committee would be 3 (currently 4).
- 1.5.3 The Constitution Task Group has been consulted on this proposed change to the Constitution and is supportive of this change.
- 1.5.4 The Constitution and associated documents will continue to be kept under review and updated to reflect any changes in the organisational structure of the Council or any legislative changes. The Council has previously authorised the Head of Law and Governance, in consultation with the Chair of the Constitution Task Group, to make such changes when the power remains unaltered and these need not be reported to Council.

1.6 Decision options:

- 1.6.1 The following decision options are available for consideration by Council:

Option 1 - Accept the proposed change to the Constitution;
Option 2 - Make amendments to the proposed change to the Constitution; or
Option 3 - Reject the proposed change to the Constitution.

- 1.6.2 Option 1 is the recommended option.

1.7 Reasons for recommended option:

- 1.7.1 Option 1 is recommended for the following reasons:
- 1.7.2 The proposal presented to Council has been scrutinised by the Constitution Task Group, which is the Authority's consultative body for any changes to the Constitution and its associated documents and is the recommendation of the Monitoring Officer, who has a duty under Article 16 of the Constitution to monitor and review the Constitution.

1.8 Appendices:

None.

1.9 Contact officers:

Viv Geary, Head of Law and Governance and Monitoring Officer (Tel. 643 5339)
Dave Brown, Law and Governance (Tel: 643 5358)
Janice Gillespie, Head of Finance (Tel.6435701)

1.10 Background information:

The following background papers/information have been used in the compilation of this report and are available at the office of the author:

North Tyneside Council's Constitution
Papers submitted to Constitution Task Group on 16 August 2017

PART 2 – COMPLIANCE WITH PRINCIPLES OF DECISION MAKING

2.1 Finance and other resources

There are no financial implications arising from the proposed change to the Constitution.

2.2 Legal

The Monitoring Officer has a duty under Article 16 of the Constitution to monitor and review the Constitution, and the change proposed complies with current legislation.

2.3 Consultation/community engagement

The Constitution Task Group has been consulted as the Authority's consultative body for any changes to the Constitution and its associated documents.

2.4 Human rights

There are no human rights issues arising directly from this report.

2.5 Equalities and diversity

There are no equalities and diversity issues arising directly from this report.

Copies of the Constitution documents in alternative formats and languages can be made available upon request, in line with the Authority's Interpreting and Translation Policy.

2.6 Risk management

There are no risk management issues arising directly from this report.

2.7 Crime and disorder

There are no crime and disorder issues arising directly from this report.

2.8 Environment and sustainability

There are no environment and sustainability issues arising directly from this report.

Officers and Members are encouraged to access the revised documents electronically to minimise the number of paper copies produced.

PART 3 - SIGN OFF

- Deputy Chief Executive X
- Head of Service X
- Mayor/Cabinet Member(s) X
- Chief Finance Officer X
- Monitoring Officer X
- Head of Corporate Strategy X