

PC 323/20

NEW FOREST NATIONAL PARK AUTHORITY

PLANNING COMMITTEE MEETING – 17 MARCH 2020

REVIEW OF CONSTITUTIONAL DOCUMENTS (PLANNING)

Report by: Rosalind Alderman, Solicitor & Monitoring Officer

1 Summary:

- 1.1 Officers are conducting an overall review of the Authority's constitutional documents, in order to ensure their consistency and fitness for purpose, to simplify certain procedures, and to consider where further delegations to officers of Committees and Sub-committees might facilitate the more efficient running of the Authority's business.
- 1.2 Each Committee is being asked to review the Authority's governing documents as far as they relate to matters within their remit, with the full Authority being asked to approve any recommended changes at its meeting on 26 March 2020. This report reviews and recommends some amendments (to the extent that matters fall within this Committee's remit) to the Authority's Standing Orders (**Annex 1**), the Code of Conduct (**Annex 2**), the Arrangements for dealing with allegations (**Annex 3**), the Local Protocol for Member and Officer relations (**Annex 4**), the Scheme of Delegations to Officers and Committees (**Annex 5**), and the Local Protocol for Members dealing with planning matters (**Annex 8**).
- 1.3 Amendments highlighted in blue have been considered by the Standards Committee and are being recommended to the Authority for approval, and matters highlighted in green were considered by the Resources, Audit & Performance Committee yesterday. This Committee is asked to consider the amendments highlighted in yellow.

2 Planning Committee

- 2.1 The suggested substantive changes to the constitutional documents for that are relevant to matters falling within this Committee's remit can be summarised as follows.
- 2.2 The Scheme of Delegations has been reorganised to reflect the cascade of authority down from the full Authority by way of Committees and Member panels and on to officers. These changes are not shown in the marked up document as they would render it difficult to read the main amendments.
- 2.3 The Committee's Terms of Reference and the delegations to officers in respect of planning matters have been amended to reflect what happens in practice and to take account of updated legislation, as well as correcting a number of minor errors. The Committee's attention is drawn in particular to paragraphs 2.1.10 to 2.1.15 of Part 1 Section 2 of the Scheme of Delegations (Annex 5). Section 9 of the Scheme has also been amended to clarify that when Authority members

and local Councillors call in applications to Committee, these requests must be made in writing and must give reasons why the matter should be referred to Members for a decision.

- 2.4 At a recent Authority meeting a member asked whether Authority and Committee decisions could be made by email or other electronic means. The relevant legislation in England does not envisage that overall decision making should be carried out in this way and provision is specifically made in the legislation for public access to meetings, subject to certain exemptions. Notwithstanding the legislation, it is not considered in any case that decision making by these means would serve the interests of transparency and accountability and it would also entail certain practical difficulties. No amendments are therefore proposed in this regard.
- 2.5 Paragraph 5.17 of the Standing Orders has been amended to reflect the fact that all Authority and Committee meetings that are open to the public are recorded.

Members are asked to note that further changes to some of the documents may be required over coming months to reflect any changes once legislation currently in progress comes into effect. Officers will keep these changes under review as necessary and if the necessary amendments are substantial will bring them back to the Committee for consideration.

In conclusion, Members are asked to consider and if thought appropriate to recommend the revised documents to the full Authority for approval at its meeting on 26 March 2020.

Recommendation:

That, subject to any further amendments discussed and agreed by the Committee, the revised Standing Orders (Annex 1), Code of Conduct (Annex 2), the Arrangements for dealing with Member allegations (Annex 3), the Local Protocol for Member and Officer Relations (Annex 4), the Scheme of Delegations to Officers and Committees (Annex 5) and the Local Protocol for Members dealing with planning matters (Annex 8) be recommended to the full Authority for approval.

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Papers:

PC 323/20 Annex 1 Standing Orders

PC 323/20 Annex 2 Code of Conduct

PC 323/20 Annex 3 Arrangements for dealing with allegations

PC 323/20 Annex 4 Local Protocol for Member and Officer Relations

PC 323/20 Annex 5 Scheme of Delegations to Officers and Committees

PC 323/20 Annex 6 Financial Regulations

PC 323/20 Annex 7 Standing Orders as to Contracts

PC 323/20 Annex 8 Local Protocol for Members dealing with planning matters