

LATE BUSINESS SHEET

Report Title: Agenda Item 7 – Report responding to Member comments in the Review of Member Allowances that Regulatory Committee should be formally reconstituted as two separate Committees – a Planning Committee and a Licensing Committee

Committee: Standards Committee

Date: 25 January 2021

Reason for lateness and reason for consideration

In the Review of Members' Allowances for the Municipal year 2020/21, the independent person, conducting this review, reported to the Standards Committee on 2 March 2020 that there seemed to be consensus around the proposition that the Regulatory Committee should be formally reconstituted as two separate Committees – a Planning Committee and a Licensing Committee.

An initial paper outlining the merits and disadvantages of keeping to the existing arrangements or deleting the Regulatory Committee and separating out its responsibilities was considered at the Standards Committee meeting on 2 November 2020. The Standards Committee agreed to further explore this issue and asked for the information and proposals to be circulated to the Regulatory Committee at their meeting in January 2021 for comments before being considered by the Standards Committee. The Regulatory Committee met on 14 January 2021 and their comments have been collated and attached as an addendum to item 7 for the Standards Committee to consider.

Under s100B(4)(b) of the Local Government Act 1972, the Chair of the meeting is of the opinion that the item should be considered at the meeting as a matter of urgency by reason of special circumstances. These circumstances are so that the comments of the Regulatory Committee can be considered by the Standards Committee in a timely manner at the meeting on 25 January 2021. This was agreed by the Chair on 22 January 2021.

Addendum

1. Comments of the Regulatory Committee

1.1 The Regulatory Committee met on 14 January 2021 and its comments were:

- (i) The Regulatory Committee currently discussed more planning issues than licensing issues; it would be useful either to receive service updates at the Regulatory Committee or to have a separate Licensing Committee that could focus on licensing issues.
- (ii) The Regulatory Committee provided important feedback on planning and licensing issues and this had resulted in positive changes, such as the introduction of apprentices in Building Control; there were concerns that this role would be lost if the Regulatory Committee was divided into a Planning Committee and a Licensing Committee.
- (iii) It was considered that any changes should aim to reduce the workload of councillors who were currently attending a lot of meetings of the Regulatory Committee, Planning Sub-Committee, and Licensing Sub-Committee.
- (iv) It was noted that Regulatory Committee was the only committee where a Vice-Chair received a Special Responsibility Allowance (SRA) and that it was useful to have consistency. It was also noted that, if the Regulatory Committee was divided, there would still be the same number of SRAs – the Planning Committee Chair would receive the same SRA as the Regulatory Committee Chair and the Licensing Committee Chair would receive the same SRA as the Regulatory Committee Vice-Chair.
- (v) Generally, the Committee believed that it would be easier to have one Planning Committee that considered planning applications and matters of planning policy and one Licensing Committee that considered licensing applications, matters of licensing policy, and the statutory licensing functions. It was suggested that policy and statutory issues could be considered quarterly by each committee. Some members expressed concerns that this may not result in a reduced workload for councillors.
- (vi) It was considered that it would be inconvenient for Council to be the parent committee for the Planning Committee as this would require all Council members to be trained in planning matters. Although, it was noted that it was very unlikely that the Planning Committee would refer any applications to the parent committee.
- (vii) It was noted that, under the Licensing Act 2003, a Licensing Committee must have at least 13 members. Some members considered that this would involve an increase in the number of councillors sitting on committees for planning and licensing compared to the current arrangements for the Regulatory Committee. Other members considered that some councillors could sit on the Planning Committee and the Licensing Committee and that there may not be

an increase in workload. It was also noted that, if there was a parent Planning Committee and Licensing Committee, these would meet infrequently.

- (viii) It was commented that some existing committees could benefit from a reduction in size and it would be useful to consider the impact of splitting the Regulatory Committee on committee memberships and meeting frequency, including the impact on other committees, such as the Corporate Committee.
 - (ix) Some members noted that the planning and licensing functions had been joined about 10 years' ago, creating the Regulatory Committee, and this was designed to reduce costs. It had been considered that one, core committee for planning and licensing was a better approach.
- 1.2 The Chair noted that the discussion had raised a number of important points and that further discussion may be required. It was suggested that some members of the Regulatory Committee could meet informally as a smaller group to consider their views and the potential options in greater detail. It was agreed that a smaller group would meet informally to discuss the issue and that any interested members should contact the Chair, Vice-Chair, and Democratic Services Manager. It was noted that any conclusions and proposals would need to be considered by the Regulatory Committee and the Standards Committee before any proposals were recommended for adoption at the annual Council meeting on 24 May 2021.
- 1.3 The Chair stated that, although the Regulatory Committee had not reached a conclusion or selected one of the options in the report, the initial comments made should be passed on to the Standards Committee for consideration at the meeting on 25 January 2021.

2. Proposed Next Steps

- 2.1 In response to paragraph 2.2 and 2.3, and comments set out above, the Standards Committee is asked to consider the following:
- 2.2 The smaller group of Regulatory Members, as outlined above, is planning to meet in the **third week of February** to consider in more detail: how the four options outlined would work in practice, the possible number of members on Planning and Licensing, and the impact on the seat allocations. The group would have further information from Legal about the risks of not having a parent committee for Planning.
- 2.3 The comments would be fed back to the Standards Committee on **2 March 2021** to allow a steer to be given on next steps.
- 2.4 Any required changes to the Constitution, changes to the description of Chairs in the Member Allowances Scheme, and available seats on Non-Executive Committees could be considered by a special meeting of Standards Committee after the pre-election period but before the Annual Council meeting in late May. This meeting could take place on the week beginning **10 May 2021**.