
AUDIT AND GOVERNANCE COMMITTEE

3 September 2024

Report of the Director of Governance

Report of the Monitoring Officer on Suggested Constitutional Changes –Updated Contract Procedure Rules and Planning Committee Changes

Summary

1. To provide the updated Contract Procedure Rules for the committee to note, and to provide the proposed constitutional changes to the Planning Committees to the committee for consideration and discussion.

Contract Procedure Rules

2. As members will be aware, the recently-implemented Procurement Act 2003 changed how the Council undertakes procurement exercises. The changes introduced by the 2003 Act gave rise to necessary changes in the Council's Contract Procedure Rules.
3. As the amendments relate to statutory changes, the Director of Finance has delegated authority in the following terms:

“To undertake any revisions or amendments to the Financial Procedure Rules including the Contract Procedure Rules as required as a consequence of amendments or variations to legislation, or the implementation of new legislation. Such amendments to be retrospectively approved by Council”
(Appendix 1, Paragraph 16k, page 42, of the Constitution).

4. Committee is therefore asked to note the changes and remit them to Council for retrospective approval.

Planning Committee Changes

5. As members will no doubt be aware, Central Government has indicated that it is considering a national delegation scheme for planning, in order to improve planning performance. Whilst this has yet to be introduced, it is a strong indication of the direction of

travel for planning committees, and it is therefore appropriate to consider a revised structure and operating model for the Council's planning committees, to more closely align to this direction of travel.

6. To that end, the following changes are proposed:

- Planning Committee B will be abolished;
- Planning Committee A will be renamed Planning Committee;
- The Scheme of Delegation for planning will be amended, so that the only applications considered by Planning Committee are:
 - Outline planning applications for 40 dwellings or more;
 - Full detailed applications for residential development of 40 dwellings or more;
 - All applications for development submitted by or on behalf of Councillors or Chief Officers;
 - All applications for development submitted by or on behalf of The Council, for its own major planning applications;
 - Any called-in applications accepted by the Chair in conjunction with the Vice Chair in accordance with the new procedure; and
 - Any application that is deemed necessary to be considered by the Committee by Director for Planning, Chief Planner or Chair of Planning Committee;
- All remaining applications will be delegated; and
- Public participation would be in accordance with the rules adopted by Planning Committee.

7. Initial Group views have been sought in relation to these changes, and there is no consensus at present. Committee is therefore asked to consider and discuss the proposed amendments, and to endorse them to Council for adoption.

Implications

Financial – There would be a small saving arising from the loss of one SRA for the Chair of Planning Committee B.

Human Resources (HR) – None directly arising from this report.

Equalities – None directly arising from this report.

Legal – None directly arising from this report.

Crime and Disorder, Information Technology and Property –
None directly arising from this report.

Recommendations

8. It is recommended that Members:
- note the amended Contract procedure Rules;
 - consider and endorse the proposed changes to Planning Committees, including the associated amendments to the Scheme of Delegation; and
 - remits the changes to the next ordinary meeting of Full Council for approval:

Reasons for the Recommendation

9. To allow Council to determine the proposed Constitutional changes.

Author and Chief Officer responsible for the report: Bryn Roberts, Director of Governance and Monitoring Officer

**Report
Approved**

☒

Date

15
November
2024

Wards Affected: *List wards or tick box to indicate all*

All ☒

For further information please contact the author of the report

Background Papers:

- None

Annexes:

- Annex 1 – Revised Contract Procedure Rules
- Annex 2 – Planning Application Call-In Arrangements