

**NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL**

**COUNCIL – 25 FEBRUARY 2014**

Title of report	<b>LOCAL PLAN ADVISORY COMMITTEE</b>
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Council Priorities	All
Implications:	
Financial/Staff	Undertaking the work necessary to support an Advisory Committee would be contained within the Council's existing resources.
Link to relevant CAT	No direct implications
Risk Management	No direct implications
Equalities Impact Assessment	No direct implications
Human Rights	No direct implications
Transformational Government	Not applicable.
Comments of Head of Paid Service	The report is satisfactory
Comments of Section 151 Officer	The report is satisfactory
Comments of Monitoring Officer	The report is satisfactory
Consultees	Council at its meeting on 29 October 2013.
Background papers	<a href="#">Report and minutes of the Council meeting held on 29 October 2013</a> relating to the Core Strategy
Recommendations	<p><b>THAT COUNCIL BE RECOMMENDED TO</b></p> <p><b>(1) ESTABLISH A CROSS PARTY ADVISORY COMMITTEE TO WORK WITH PLANNING OFFICERS ON THE LOCAL</b></p>

	<p style="text-align: center;"><b>PLAN AND AGREE THE TERMS OF REFERENCE, AS SET OUT IN APPENDIX A TO THIS REPORT.</b></p> <p>(2) <b>APPOINT THE MEMBERSHIP OF THE ADVISORY COMMITTEE FOR THE REMAINDER OF THIS CIVIC YEAR.</b> (see para 2.6)</p> <p>(3) <b>DELEGATE AUTHORITY TO THE MONITORING OFFICER TO MAKE ANY CONSEQUENTIAL CHANGES TO THE CONSTITUTION, AS SET OUT IN APPENDIX B TO THIS REPORT.</b></p>
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## **1. BACKGROUND**

- 1.1 At the meeting of Council on 29 October 2013, consideration was given to a report on the Local Plan.
- 1.2 It was agreed at that meeting that the Local Plan should be resubmitted and that a report to agree the governance arrangements would be submitted to the next meeting of Council.
- 1.3 In order to manage the process of preparing a revised Local Plan for submission, it was suggested that consideration be given to the establishment of an Advisory Committee as this would provide a useful forum for wider discussion amongst members.

## **2. PROPOSED GOVERNANCE ARRANGEMENTS**

- 2.1 A sub-committee of Council would be subject to proportionality rules and, as such, the calculations show that a membership of seven Members would result in four members from the ruling group and three members from the opposition group. Membership could be extended in a non-voting capacity to further members at the discretion of the Chair of the Advisory Committee. This would ensure that those Members who do not belong to a political group would not be excluded. This may also be relevant when considering site specific issues.
- 2.2 The Local Plan Advisory Committee would report its views and/or recommendations as part of any subsequent report on the Local Plan to Council.
- 2.3 The meetings would be arranged and serviced by Democratic Services who would provide full agendas and formal minutes of all meetings, with all documents being made available on the Council's website in the same way as for all other constituted meetings.
- 2.4 Council is therefore being asked to agree to the establishment of a Local Plan Advisory Committee and to seek nominations for the seats thereon.
- 2.5 Should Council be minded to agree to the establishment of this Committee, a provisional date for the first meeting has been set for Tuesday 18 March 2014 and Members are asked to note this date in their diary.
- 2.6 Nominations have been sought and the following names have been received from the Conservative group:

Councillors C Large, J Bridges, V Richichi and R Bayliss. Nominations for their two substitutes are Councillors A Smith and A Bridges.

The Labour group has advised that their nominations will be made at the meeting.

## LOCAL PLAN ADVISORY COMMITTEE TERMS OF REFERENCE

### **Purpose of the Local Plan Advisory Committee**

To enable cross-party discussion, guidance and support for the development of the North West Leicestershire Local Plan.

### **Role of the Local Plan Advisory Committee**

- To consider and comment on documents that relate to the North West Leicestershire Local Plan including (but not restricted to) policy options, draft policies and evidence prepared to support the Plan.
- To make recommendations as required to Council in respect of the North West Leicestershire Local Plan.
- To monitor progress on the preparation of the North West Leicestershire Local Plan.
- To provide updates to other Members who do not sit on the Local Plan Advisory Committee.
- To consider and comment on responses to plans being prepared by other local planning authorities as part of the Duty to Cooperate.

### **Membership of the Local Plan Advisory Committee**

- The Advisory Committee comprises four Members of the ruling group and three Members from the opposition group.
- The Council's Substitution Scheme will apply.
- The Advisory Committee will select a Chair at its first meeting of each civic year.
- Other members may be invited to attend and participate in meetings of the Advisory Committee in a non-voting capacity at the discretion of the Chair.
- The Advisory Committee meetings must have at least 3 members to be quorate.

### **Operation of the Local Plan Advisory Committee**

- Council Procedure Rule 4 will apply to the Local Plan Advisory Committee
- The Advisory Committee will meet at least once every two months, but will meet more frequently where necessary to enable continued progress on the North West Leicestershire Local Plan.
- The Advisory Committee will have no direct decision-making powers but will consider documents and information relating to the Local Plan and make recommendations to Council. Any such report will include specific comments and issues raised by the minority group.
- The Advisory Committee will be supported by the Director of Service and officers in the Planning Policy Team.
- Meetings will be organised, administered and minuted by Democratic Services with agendas and minutes being made available on the Council's website.
- The Portfolio Holder may attend as an observer.

## NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL CONSTITUTION

Functions	Matters Reserved for a Decision
To make recommendations as to which members of an authority are to be entitled to pensions in accordance with a scheme made under Section 7 of the Superannuation Act 1972.	
As to treating basic allowance and special responsibility allowance as amounts in respect of which such pensions are payable.	

### 9. APPOINTMENTS COMMITTEE

**Membership:** Four councillors (Must include one member of Cabinet)  
Appropriate Portfolio Holder

**Quorum:** Three councillors

Functions	Matters Reserved for a Decision
To interview shortlisted candidates for Head of Paid Service, Chief Officer and Deputy Chief Officer posts.	To determine any matters referred to it.
Recommend to Full Council the appointment of the Head of Paid Service.	
Recommend to the Chief Executive (as Head of Paid Service) all permanent appointments to Chief Officer and Deputy Chief Officer posts.	
Undertake an annual appraisal of the performance of the Chief Executive.	

### 10. LOCAL PLAN ADVISORY COMMITTEE

**Membership:** Seven councillors

**Quorum:** Three councillors

The Local Plan Advisory Committee shall provide advice to Council in relation to the preparation of and revision of the Local Plan for North West

Leicestershire. The Advisory Committee will provide a forum for cross-party discussion amongst members in relation to the development, form and content of the Local Plan. The Advisory Committee shall report its views and/or recommendations to Council as part of Council's setting of the Local Plan.

## SECTION 6 - ADVISORY BODIES AND WORKING PARTIES

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The Council, the Cabinet and the Policy Development Group may from time to time establish working parties or advisory bodies which include in their membership councillors and/or officers and/or representatives from partner organisations or the local community. These are not constituted as boards or committees and are not authorised to make decisions on behalf of the Council. A list of such bodies is maintained by the Head of Legal and Support Services.

## SECTION 7 - SCHEME OF DELEGATION TO STAFF - COUNCIL AND EXECUTIVE FUNCTIONS

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### 1. SCOPE OF THE SCHEME

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This scheme sets out the extent to which the powers and duties of the Authority are delegated to officers.

### 2. EXERCISE OF DELEGATED POWERS

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- (i) Functions, tasks and responsibilities listed in this scheme of delegation may be exercised by the nominated officer(s) and includes anything which facilitates, or is conducive or incidental to, the discharge of these functions, tasks, or responsibilities.
- (ii) Where an officer has been given delegated authority by this scheme he or she may authorise any member of his or her staff to act on his or her behalf except the signatories to financial documents (paragraph 10 post) on matters relating to the Council's banking.
- (iii) An officer may always refer a delegated matter to the Cabinet or the Council or to one of its Boards or Committees for consultation or decision rather than take the decision him/herself.
- (iv) When exercising delegated powers officers must always have regard to the financial, legal and human resource implications of the decision. When necessary, advice should be taken.
- (v) Before taking a decision under delegated powers, an officer shall notify the relevant portfolio holder of any action which is likely to be contentious or politically sensitive.
- (vi) The Chief Executive and Director of Services shall keep portfolio holders informed of the work of their service area.
- (vii) When exercising delegated powers officers shall consult with staff in another service area if the decision is likely to impact on the work of that service area.