

HARBOROUGH DISTRICT COUNCIL
MINUTES OF THE MEETING OF THE CONSTITUTIONAL REVIEW COMMITTEE

Held at The Council Chamber,
The Symington Building, Adam & Eve Street,
Market Harborough, LE16 7AG
On Wednesday 9th March 2022
commencing at 6.30pm

Present:

Councillors: Champion, Dann, Johnson, King (Chairman), Modha, Mrs Robinson and
Mrs Simpson.

Officers present: A. Eastwood, L. Elliott, S. Green, N. Kwasa, and B. Morris (remote).

The Chairman welcomed everyone to the meeting and introduced the Officers present.

1. APOLOGIES FOR ABSENCE AND NOTIFICATIONS OF SUBSTITUTIONS

There were none.

2. DECLARATIONS OF MEMBERS' INTERESTS.

There were none.

3. MINUTES

RESOLVED that the minutes of the Constitutional Review Committee meeting held on 9th November 2021 be approved and signed by the Chairman as a true record.

4. REVIEW OF KEEPING WARD MEMBERS INFORMED

The Interim Monitoring Officer presented the report the purpose of which was to remind Members of the current Access to Information provisions in the Constitution and to note the other existing communication channels available to Members in their Ward duties. Members had the opportunity to question the officers. The Chairman MOVED to add an additional recommendation (iv) as per the suggestion of a possible new channel detailed on page 7 of the report. The Interim Chief Executive AGREED to communicate to all service managers that they need to be appropriately contacting their ward members in line with the suggested changes. It was also noted that under the Monitoring Officer's delegation to make minor amendments to the Constitution that the duplication of points 9 and 10 on page 14 of the Appendix (Part 4: Procedure Rules (STANDING ORDERS) be removed.

Following the discussion it was,

RESOLVED;

- (i) To note the Report and to remind members of the existing communication channels and Constitutional Provisions.**
- (ii) To determine if any additional mechanisms for Ward Member communication channels need to be provided.**
- (iii) That the amendment to the Constitution set out in the report, in relation to Part 5, Section 3: Section 10 of the Protocol on Member and Officer Relations, is considered and recommended to Council for approval, and all references to the "Sensitive Issues Procedure" in the Constitution are deleted;**

10. Involvement of Ward Councillors

10.1 It is essential that in order for Members to carry out their duties they need to be kept fully informed about matters on which they may be required to make decisions or which affect their Wards.

10.2 It is vital all relevant staff are aware of the requirement to keep Members informed and that the timing of such information allows Members to contribute to those decisions. Local Ward Members shall also be kept informed about significant matters affecting their Ward.

10.3 Whenever a public meeting is organised by the Council to consider a local issue, all the Members representing the Ward(s) affected should as a matter of course be invited to attend the meeting.

10.4 Similarly, whenever the Council undertakes any form of consultative exercise, the Local Ward Member(s) should be notified immediately prior to the outset of the exercise.

- (iv) To add a numbered series of briefings that are circulated to Members and posted to the intranet as a central place for all briefings.**

5. REVISION TO CONTRACT PROCEDURE RULE 4

The Interim Chief Executive presented the report the purpose of which was to consider proposed amendments to the Constitution to reflect recent updates to the project management governance and guidance.

Members had the opportunity to question the officers and following the discussion it was,

RESOLVED;

1. That the amendments to the Constitution set out in Appendix B are referred to Council for adoption.

6. VERBAL DISCUSSION ON PLANNING CALL-IN PROCEDURES

The Chairman introduced the item which followed on from a discussion at a previous meeting of the Constitutional Review Committee on 29th June 2021. The Development Planning Manager noted that the concerns related to the ability to “Call In” a Planning Application to Planning Committee in Part 3, Section B Para 3.2 of the Council’s Constitution. It had been suggested that this be amended in order to improve the clarity of the provisions with the additional wording that;

‘Requests should be made to the Development Planning Manager in writing (which includes email) and set out the planning reasons (such as Highway safety, or the character of the surrounding area) for the request and should clearly state the impact of the development. The Development Planning Manager will subsequently consider the request and inform the Member of the decision.’

The Committee discussed the wording at length and MOVED that the additional wording be added in relation to the planning reasons to add more rigor to the call-in procedure, but that the second section would not be included and that the Development Planning Manager would be not given the discretion to refuse a Member call-in. It was further AGREED that adding in the first section of wording could be implemented through the Monitoring Officer’s delegation to make minor amendments to the Constitution and would not therefore need to be referred to Council for approval. Following the discussion it was;

RESOLVED that additional wording be added to Part 3, Section B Para 3.2 of the Council’s Constitution to read,

‘Requests should be made to the Development Planning Manager in writing (which includes email) and set out the planning reasons (such as

Highway safety, or the character of the surrounding area) for the request and should clearly state the impact of the development.'

7. ANY URGENT BUSINESS

There was none.

The Meeting closed at 19.28.