

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING & DEVELOPMENT CONTROL COMMITTEE**

DATE: **WEDNESDAY 12 APRIL 2017**

REPORT BY: **CHIEF OFFICER GOVERNANCE**

SUBJECT: **THE SIZE AND COMPOSITION OF LOCAL PLANNING AUTHORITY COMMITTEES (WALES) REGULATIONS 2017 (the Regulations)**

1.00 APPLICATION NUMBER

1.01 Not applicable.

2.00 APPLICANT

2.01 Not applicable.

3.00 SITE

3.01 Not applicable.

4.00 APPLICATION VALID DATE

4.01 Not applicable.

5.00 PURPOSE OF REPORT

5.01 To inform the Planning and Development Control Committee (the Committee) that the Regulations will apply from May 2017 and therefore, for all future meetings of the Committee.

6.00 REPORT

6.01 The Regulations were made on the 21st of March 2017 and come into force on the 5th of May 2017. Much of the content was expected and will have little impact but the council will need to make some changes to the composition of its current committee. This will happen at the Annual General Meeting (AGM) and will come into effect immediately.

The requirements of the legislation are all mandatory and are as follows:-

- There shall be a minimum of 11 and a maximum of 21 members, but not more than 50% of the members of the local authority as a whole;
- The quorum for meetings must be at least 50%;
- The use of substitutes is prohibited; and
- There may only be a single member from each ward on the planning committee (clearly this only has an impact on authorities with multiple member wards)

6.03 Of course, the size requirements will not have any impact on the committee, which already satisfies the criteria. The Council has also already set a voluntary quorum of 50%. The prohibition on substitutes was discussed within the consultation on the Planning (Wales) Bill and therefore was (at least) expected.

The last requirement (only 1 member from a two member ward) was not, however, discussed or expected. Depending upon the election results and individual member preference it could raise practical difficulties. For example, there is currently 1 ward where both members serve on the committee and might wish to do so again if re-elected. Perhaps more difficult would be a situation where a ward is represented by members of 2 different political groups both of whom wish to serve on the committee. The legislation does not prescribe a mechanism for deciding who should take the place, and the council itself has no legislative power to dictate who should take up a seat allocated to a political group. The council will therefore need to agree how such a situation would be resolved when the rules are adopted in May, and officers will draft proposals in time for the AGM.

7.00 RECOMMENDATIONS

7.01 To note the Regulations and their effect on the composition of the Committee in the future.

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