

15. PROPOSED CHANGES TO THE MEMBERSHIP OF THE PLANNING COMMITTEE AND THE PROGRAMMES AND RESOURCES COMMITTEE

1. Purpose of the report

To request a change to the current Local Authority Members appointed to the Planning Committee.

Key Issues

- The Environment Act 1995 requires the membership of Committees to reflect the makeup of the membership of the Authority which means there should be a majority of Local Authority appointed Members over the Members appointed by the Secretary of State.
- Standing Order 1.40 (3) (ii) states “Members shall be appointed to the Planning Committee by the allocation of a number of places to the constituent councils and to the Secretary of State appointed National and Parish Members in such proportions as are determined at each Annual meeting. The remaining Members will be appointed to the Programmes and Resources Committee”.

2. Recommendations

- 1. To agree to the request from Cllr O’Leary, the Cheshire East representative, to move from the Planning Committee to the Programmes and Resources Committee and to confirm his appointment to the Programmes and Resources Committee until the annual Authority meeting in July 2024.**
- 2. If recommendation 1 is agreed then to appoint another Local Authority Member to the vacant Cheshire East place on the Planning Committee until the annual Authority meeting in July 2024.**

How does this contribute to our policies and legal obligations?

3. The Environment Act 1995 requires that membership of the Committees should as far as possible reflect the makeup of the membership of the Authority. This means that each Committee should, in most cases, have a majority of Local Authority appointed Members over the Members appointed by the Secretary of State, which includes Parish Members. The Authority’s Standing Order 1.40 (3) (ii) refers to the allocation of places to the Planning Committee and the Programmes and Resources Committee. The changes proposed would be in accordance with this.

Background Information

4. The Authority has previously agreed to fix the 2 Standing Committees to 15 with half of the Authority Membership appointed to each Committee. According to the proportionality requirements in the Environment Act 1995 there should be 8 Local Authority Members on each Committee and 7 Members appointed by the Secretary of State (this includes Parish Members). The Local Authority Member places on the Planning Committee are currently allocated, at the annual Authority meeting each year, with regard to appointing Authorities as follows:

Derbyshire CC	1
Derbyshire Dales DC	1
High Peak BC	1
Cheshire East BC	1
Staffordshire CC/Staffordshire Moorlands DC	1
Metropolitan District Councils/NE Derbyshire DC	3

5. At the annual Authority meeting last year the new Member representative for Cheshire East, Cllr O’Leary, was appointed to the Planning Committee in accordance with the allocation of places for Local Authority Members detailed above. Unfortunately, Cllr O’Leary has found that his work commitments conflict with Planning Committee meetings and have prevented him from attending therefore he has requested to not be appointed to the Planning Committee and be appointed to the Programmes and Resources Committee instead.
6. If Cllr O’Leary’s request is agreed it is suggested that the Cheshire East place on the Planning Committee be offered to another Local Authority Member until the next annual Authority meeting in July. The Chair of Planning Committee, Cllr Brady, is supportive of this suggestion as is Cllr O’Leary. There is precedent for this as the previous Cheshire East Council representative, Cllr Gregory, requested not to be on Planning Committee for 2 years in 2021 and 2022.

Proposals

7. To agree to the request from Cllr O’Leary, Cheshire East Council representative, to not be appointed to the Planning Committee and instead be appointed to the Programmes and Resources Committee. Then if the requested change is agreed to appoint another Local Authority Member to the vacant Cheshire East Council place on the Planning Committee.

Are there any corporate implications members should be concerned about?

Financial:

8. No issues.

Risk Management:

9. No issues.

Sustainability:

10. No issues.

Equality, Diversity and Inclusion:

11. No issues.

12. Climate Change

No issues.

13. Background papers (not previously published)

None.

14. Appendices

None.

Report Author, Job Title and Publication Date

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