

Meeting: Council

Date: 22 February 2024

Wards affected: All Wards

Report Title: Constitution Amendments – Planning Committee Various

When does the decision need to be implemented? As soon as possible

Cabinet Member Contact Details: Councillor Jackie Thomas, Cabinet Member for Culture, Tourism & Events and Corporate Services, jackie.thomas@torbay.gov.uk

Lead Officer Contact Details: Amanda Barlow, Monitoring Officer, amanda.barlow@torbay.gov.uk

1. Purpose of Report

- 1.1 This report sets out a number of changes to the Council's Constitution in respect of operational arrangements for the Planning Committee and to reflect the current status of the Neighbourhood Forums.

2. Reason for Proposal and its benefits

- 2.1 The proposals in this report ensures that the following sections of the Constitution are up to date and fit for purpose:
- Standing Orders – Council Meetings; and
 - Local Protocol Consultation Arrangements with Town/Parish Councils and Neighbourhood Forums.

3. Recommendation(s) / Proposed Decision

1. That Council approves the following revised Constitution documents, as set out in Appendices 1 and 2 to this report:
- Appendix 1 - Standing Orders – Council Meetings; and
 - Appendix 2 - Local Protocol Consultation Arrangements with Town/Parish Councils and Neighbourhood Forums.

Appendices

- Appendix 1 - Standing Orders – Council Meetings
- Appendix 2 – Local Protocol Consultation Arrangements with Town/Parish Councils and Neighbourhood Forums

Background Documents

None

Supporting Information

1. Introduction

- 1.1 Article 13 – Review and Revision of The Constitution sets out the arrangements for revisions to the Council's Constitution. This enables the Monitoring Officer to keep the Constitution under review and to make changes that are required for technical or legal reasons. The Monitoring Officer to also make other changes to the Constitution that he/she believes are in the best interests of the Council and/or local people, in consultation with Group Leaders, with an escalation provision to report matters to full Council for a decision. Whilst the proposed changes are technical and operational the Liberal Democrat Group Leader has determined that these matter should come before the Council to approve, as the sovereign body.
- 1.2 The following amendments are proposed to the Standing Orders in relation to Council Meetings, as set out in Appendix 1:
 - To include reference to the Broadsands, Churston and Gamlpton Neighbourhood Forum and remove reference to the Paignton Neighbourhood Forum, as the Paignton Neighbourhood Forum no longer exists.
- 1.3 The following amendments are proposed to the Local Protocol Consultation Arrangements with Town/Parish Councils and Neighbourhood Forums, as set out in Appendix 2:
 - To include reference to the Broadsands, Churston and Gamlpton Neighbourhood Forum and remove reference to the Paignton Neighbourhood Forum, as the Paignton Neighbourhood Forum no longer exists.
 - To provide clarity on the areas covered by Brixham Town Council, the Broadsands, Churston and Galmpton Neighbourhood Forum and Torquay Neighbourhood Forum.
 - To provide clarity that Forum Status does not affect the Status of any adopted Neighbourhood Plan.

- To provide clarity that minutes etc. from the Qualifying Body (e.g. Neighbourhood Forum) should be available on their website to provide openness.
- Confirming that Neighbourhood Forums do not have to submit formal representations to be able to speak at the Planning Committee.

2. Options under consideration

- 2.1 To leave the current sections of the Constitution in place. However, this does not reflect the current/intended operational processes in respect of the Planning Committee.

3. Financial Opportunities and Implications

- 3.1 None

4. Legal Implications

- 4.1 None

5. Engagement and Consultation

- 5.1 The revised sections of the Constitution have been circulated to all Councillors and discussed with Group Leaders and their suggestions have been incorporated into the final version of the documents, in accordance with the current Article 13 of the Constitution.

6. Purchasing or Hiring of Goods and/or Services

- 6.1 Not applicable

7. Tackling Climate Change

- 7.1 Not applicable.

8. Associated Risks

- 8.1 None

9. Equality Impacts - Identify the potential positive and negative impacts on specific groups

	Positive Impact	Negative Impact & Mitigating Actions	Neutral Impact
Older or younger people	We live stream our Planning Committee meetings which helps makes them more accessible to everyone to be involved as well as those who can attend in person.	There is no differential impact.	
People with caring Responsibilities	We live stream our Planning Committee meetings which helps makes them more accessible to everyone to be involved as well as those who can attend in person.	There is no differential impact.	
People with a disability	We live stream our Planning Committee meetings which helps makes them more accessible to everyone to be involved as well as those who can attend in person.	There is no differential impact.	

Women or men	We live stream our Planning Committee meetings which helps makes them more accessible to everyone to be involved as well as those who can attend in person.	There is no differential impact.	
People who are black or from a minority ethnic background (BME) (Please note Gypsies / Roma are within this community)	We live stream our Planning Committee meetings which helps makes them more accessible to everyone to be involved as well as those who can attend in person.	There is no differential impact.	
Religion or belief (including lack of belief)	We live stream our Planning Committee meetings which helps makes them more accessible to everyone to be involved as well as those who can attend in person.	There is no differential impact.	
People who are lesbian, gay or bisexual	We live stream our Planning Committee meetings which helps makes them more accessible to everyone to be	There is no differential impact.	

	involved as well as those who can attend in person.		
People who are transgendered	We live stream our Planning Committee meetings which helps makes them more accessible to everyone to be involved as well as those who can attend in person.	There is no differential impact.	
People who are in a marriage or civil partnership	We live stream our Planning Committee meetings which helps makes them more accessible to everyone to be involved as well as those who can attend in person.	There is no differential impact.	
Women who are pregnant / on maternity leave	We live stream our Planning Committee meetings which helps makes them more accessible to everyone to be involved as well as those who can attend in person.	There is no differential impact.	
Socio-economic impacts (Including impact on	We live stream our Planning Committee meetings which	There is no differential impact.	

child poverty issues and deprivation)	helps makes them more accessible to everyone to be involved as well as those who can attend in person.		
Public Health impacts (How will your proposal impact on the general health of the population of Torbay)	We live stream our Planning Committee meetings which helps makes them more accessible to everyone to be involved as well as those who can attend in person.	There is no differential impact.	

10. Cumulative Council Impact

10.1 None

11. Cumulative Community Impacts

11.1 None