

## RECORD OF DECISION MADE UNDER DELEGATED AUTHORITY

### PART 1 – PUBLIC DOCUMENT

Any interest to declare/ or conflict and any dispensation granted [N/A]

#### SERVICE DIRECTORATE: LEGAL AND COMMUNITY

##### 1. DECISION TAKEN

Following notification of a change to the membership of the Planning Control Committee, subsequent to appointments made at the Annual Council meeting, that:

Cllr Martin Prescott (appointed as a Substitute Member of the Planning Control Committee) replace Cllr Michael Muir (who then becomes the Conservative Substitute Member of the Planning Control Committee).

##### 2. DECISION TAKER

Melanie Stimpson, Democratic Services Manager.

##### 3. DATE DECISION TAKEN:

19 December 2024.

##### 4. REASON FOR DECISION

4.1 As per the constitution, the Service Director: Legal and Community and the Democratic Services Manager (given as a sub delegation) have delegated authority to make appointments (or where relevant nominate) Councillors or Substitutes to Committees, Sub-Committees, panels, boards and outside bodies, in consultation with Group Leaders during the civic year in respect of the appointments that have previously been made at Annual Council.

##### 5. ALTERNATIVE OPTIONS CONSIDERED

5.1 None considered. Appointments to seats allocated to each political party under the provisions of Section 15 of the Local Government and Housing Act 1989 are made on a politically proportionate basis at the Annual Council meeting. It is therefore a matter for the respective Group Leaders on who they wish to nominate as an appointment or replacement.

5.2 Regarding outside organisation and other bodies to which the Council has a seat, it is for Group Leaders to discuss and determine which Members be appointed.

##### 6. CONSULTATION (INCLUDING THE EFFECT ON STAKEHOLDERS, PARTNERS AND THE PUBLIC)

6.1 In accordance with the Constitution, the delegated decision is made in consultation with Group Leaders.

##### 7. FORWARD PLAN

7.1 This decision is not a key Executive decision and has therefore not been referred to in the Forward Plan.

## **8. BACKGROUND/ RELEVANT CONSIDERATIONS**

- 8.1 The Leader of the Conservative Group provided notification on 10 December 2024 of a change to the Conservative membership of the Planning Control Committee – that Cllr Martin Prescott (who was serving as a Substitute Member of the Planning Control Committee) replace Cllr Michael Muir (to then become a Substitute Member of the Planning Control Committee).
- 8.2 The Group Leaders were notified of the change on 18 December 2024, subsequent to appointments made at the Annual Council meeting.

## **9. LEGAL IMPLICATIONS**

- 9.1. 14.6.9 (a) Delegation of Authority – Service Director: Legal and Community of the Constitution states:

*(xix) To make appointments (or where relevant nominate) Councillors or Substitutes to Committees, Sub-Committees, panels, boards and outside bodies, in consultation with Group Leaders during the civic year in respect of the appointments that have previously been made at Annual Council.*

- 9.2 14.6.2 (c) Scheme of Delegations to Officers – General Principles - *All officers discharging these functions may authorise any member of their staff to act on their behalf and shall keep a written record of all sub-delegations in a register held by the Monitoring Officer (subject to the limitations at 14.6.3 and within specific policies).*

- 9.3 Sub delegation to Democratic Services Manager under 1.14.1 of officer's delegations:

*e) The appointment, nomination or revocation of appointment of any individual to any office/ body other than to Full Council in the event of vacation of office, in consultation with Group Leaders in respect of elected Councillors (in accordance with any requirements under the Local Government (Committees and Political Groups) Regulations 1990, or any legislation replacing the same under section 14.5.1 of the Constitution.*

- 9.4 4.8.4 Appointment of Substitute Members of Committees, Sub-Committees and Panels states:

*(c) The Democratic Services Manager ('the Proper Officer') may change substitutes on Committees, Sub-Committees or Panels for a meeting at the request and in consultation with the relevant Group Leader providing:*

- (i) any Member substituting must have undertaken any pre-Committee compulsory training before such a request is made to act as the substitute; and*
- (ii) the request is sent via email to the Proper Officer at least 7 clear working days before the meeting.*
- (iii) The appointment as substitute is for a particular meeting and shall then cease.*

## **10. FINANCIAL IMPLICATIONS**

- 10.1. There are no direct financial implications. There is a Members' Allowance budget which is approved via the budget setting propose.

## **11. RISK IMPLICATIONS**

- 11.1 A vacancy on a Committees, Sub-Committees or Panel be that as a Full Member or as a Substitute Member could result in the respective political party not being fully represented at a particular meeting and that the district council is not represented at the outside organisation/bodies meetings.

## **12. EQUALITIES IMPLICATIONS**

- 12.1 In line with the Public Sector Equality Duty, public bodies must, in the exercise of their functions, give due regard to the need to eliminate discrimination, harassment, victimisation, to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not.
- 12.2 There are no direct equalities implications arising from this report.

## **13. SOCIAL VALUE IMPLICATIONS**

- 13.1 The Social Value Act and “go local” policy do not apply to this decision.

## **14. ENVIRONMENTAL IMPLICATIONS**

- 14.1. There are no known Environmental impacts or requirements that *apply to this report*.

## **15. HUMAN RESOURCE IMPLICATIONS**

- 15.1 The Committee, Member and Scrutiny Team are responsible for updating the committee management system to ensure the membership on committees etc is accurate as well as ensuring the relevant members are notified of any summons to a meeting and agenda publication.
- 15.2 In addition, the Committee, Member and Scrutiny Team are responsible for notifying changes to the outside organisations and other bodies as well as notifying the payroll provider (in respect of members allowances’ and where relevant the appointment attracts a special responsibility allowance).

## **16. BACKGROUND PAPERS**

- 16.1 [Annual Council – 23 May 2024](#)

## **17. APPENDICES**

- 17.1 N/A

## **NOTIFICATION DATE**

**Date: 20 December 2024**

**Signature of Decision Taker**



**Call-in does not apply to NON-EXECUTIVE DECISIONS**