

Constitution Reference	Existing Wording	Proposed Wording
Page 113 Part 3.1.31.3	<p><b>31.3 Planning Decisions which have significant cost implications</b></p> <p>(a) If the Head of Planning and Development, on the advice of the Legal Officer present at the meeting, believes that the Planning Committee’s reasons to justify refusal/the imposition of conditions are not sustainable, the decision of the Planning Committee will be deferred to its next meeting. The Committee itself may also agree to defer consideration of an application for the same reasons.</p> <p>(b) If, at that meeting, the Planning Committee votes to continue with a decision which it has been advised cannot be sustained at appeal and which could have significant cost implications for the Council’s budget, the Head of Planning and Development, on the advice of the Legal Officer present, will request Councillors to refer the consideration of the application to Part II of the meeting, to offer Councillors further advice on the legal and financial implications, and the likelihood of success at appeal. If the Committee still decides to refuse the application/impose an unreasonable condition, the Head of Planning and Development will on the advice of the Legal Officer present and in consultation with the Chairman of the meeting, immediately after the vote has been taken, refer the application to the Policy and Resources Committee for determination.</p>	<p><b>31.3 Planning Decisions which have significant cost implications</b></p> <p>(a) If during consideration of an application, after a motion has been proposed and seconded, the Head of Planning and Development or their representative, in consultation with the Legal Officer present at the meeting, believes that the Planning Committee’s reasons to justify refusal/the imposition of conditions would not be sustainable at appeal and would more likely than not cause significant costs to be incurred by the Council because of unreasonable behaviour (see 31.3(d) below), then they will inform the Committee that if the motion is agreed it will stand deferred to the next meeting of the Committee. Following the vote, if the motion is agreed the decision will be deferred to the next meeting of the committee. The Committee itself may also agree to defer consideration of an application for the same reasons.</p> <p>(b) If, during consideration at the next meeting of an application deferred under Rule 31.3(a), after a motion has been proposed and seconded, the Head of Planning and Development or their representative, in consultation with the Legal Officer present at the meeting, believes that the Planning Committee’s reasons to justify refusal/the imposition of conditions would not be sustainable at appeal and would more likely than not cause significant cost to be incurred by the Council because of unreasonable behaviour, then they will inform the Committee that if the motion is agreed it will be referred to the Policy and Resources Committee upon the agreement of the Planning Committee Chairman and Vice-Chairman; or failing which, a resolution of the Planning Committee to that effect.</p> <p>(c) Following the vote, if the motion was agreed, the Head of Planning and Development or their representative will ask the Chairman and</p>

		<p>Vice-Chairman if they agree to refer the decision to Policy and Resources Committee. If they do not both agree to the referral, the Committee will take a vote on whether to refer the item to the Policy and Resources Committee. If either consent is given, the item will be referred. If neither consent is given, the decision will be implemented.</p> <p>(d) For the purposes of this rule significant cost is defined as the Chief Finance Officer’s virement limit set out in the financial procedure rules within this Constitution and relates to any punitive award of costs granted against the Council by the Planning Inspectorate or Secretary of State for unreasonable behaviour. [That limit is currently set at £50k].</p> <p>(e) Unreasonable behaviour is defined as set out in the National Planning Guidance and/or any Guidance issued by the Planning Inspectorate or Secretary of State; and</p> <p>(f) For the avoidance of doubt, when Policy and Resources Committee sit as the planning referrals body to determine an application referred to them under this rule they are acting as a regulatory planning body on behalf of the Local Planning Authority and will reconsider the planning application afresh from the Planning Committee, but within the same planning framework and requirements as the Planning Committee, this does not include budgetary implications for the Council.</p>
Page 219 Part 4.4.1(c)	The Council has agreed that no member will be able to serve on the Planning Committee without having agreed to undertake a minimum period of training on the policies, procedures, legislation and guidance relevant to the Committee as specified by the Committee. This training should be completed to an agreed level according to an agreed programme within an agreed time period set by the Committee for newly appointed Councillors and substitutes of the Committee. If the	The Council has agreed that no Councillor will be able to serve on this Committee without having agreed to undertake a minimum period of training on the policies, procedures, legislation and guidance relevant to this Committee as specified by the Committee. This training must be completed to an agreed programme set by the Committee annually with a due date for completion. New members must receive training, but the programme may

	<p>specified training has not been completed by the due date, the Councillor will cease to be a member/substitute member of the Committee until the training has been completed. The Head of Policy, Communications and Governance will keep a record of the training requirements of the Committee and of the Councillor's compliance with the requirements. Existing members and substitute members of the Committee should be updated regularly on changes of legislation and procedures and must receive refresher training on an annual basis. Failure to undertake the refresher training will result in the Councillor ceasing to be a member/substitute member of the Committee until the refresher training has been completed. No Member will be able to serve on the Policy and Resources Committee when discharging its function as the Planning Referral body without having agreed to undergo the mandatory training required to be taken by Members and Substitute Members of the Planning Committee. The training must be completed before the Committee first meets to discharge its function and must be refreshed as appropriate. All members of the Council will be provided with training on planning processes.</p>	<p>include no training provision for experienced members unless there have been relevant changes to legislation, policies, or guidance.</p> <p>If a Councillor has not completed the specified training by the due date, the Councillor will cease to be a member/substitute member of this Committee until the training has been completed. The Head of Policy, Communications and Governance will keep a record of the training requirements of this Committee and of Councillors' compliance with the requirements.</p>
<p>Page 240 Part 4.5.1(c)</p>	<p>The Council has agreed that no Councillor will be able to serve on this Committee without having agreed to undertake a minimum period of training on the policies, procedures, legislation and guidance relevant to the Committee as specified by the Committee. This training should be completed to an agreed level according to an agreed programme within an agreed time period set by the Committee for newly appointed members and substitute members of the Committee. If the specified training has not been completed by the due date, the Councillor will cease to be a member/substitute member of this Committee until the training has been completed. The Head of Housing and Community Services will keep a record of the training requirements of this Committee and of Councillors' compliance with the requirements. Existing members and substitute members of the Licensing Committee should be update regularly on changes of legislation and procedures</p>	<p>The Council has agreed that no Councillor will be able to serve on this Committee without having agreed to undertake a minimum period of training on the policies, procedures, legislation and guidance relevant to this Committee as specified by the Committee. This training must be completed to an agreed programme set by the Committee annually with a due date for completion. New members must receive training, but the programme may include no training provision for experienced members if there have been no relevant changes to legislation, policies or guidance.</p> <p>If a Councillor has not completed the specified training by the due date, the Councillor will cease to be a member/substitute member of this Committee until the training has been completed. The Head of Housing and Community Services will keep a record of the training requirements of this Committee and of Councillors' compliance with the requirements.</p>

	and must receive refresher training on an annual basis. <i>Members will not be eligible to sit on Licensing Act 2003 Sub-Committee until training, which will be open to all Councillors, has been completed.</i> Failure to undertake the refresher training will result in the Councillor ceasing to be a member/substitute member of the Committee until the refresher training has been completed.	
Page 91 3.1.5	<p><b>APPOINTMENT OF SUBSTITUTE MEMBERS OF COMMITTEES AND SUB-COMMITTEES</b></p> <p><b>5.1 Allocation...</b></p>	<p><b>APPOINTMENT OF <u>MEMBERS AND</u> SUBSTITUTE MEMBERS OF COMMITTEES AND SUB-COMMITTEES</b></p> <p><b>5.1 Appointments of Members</b></p> <p><i>Appointments to Committees and Sub-Committees will be made at the Annual Council meeting and can be amended by full Council enacting the wishes of Group Leaders.</i></p> <p><i>Where a Group Leader wishes to make a change to the membership of a committee or sub-committee outside of a Council meeting, the Chief Executive is authorised to enact the wishes of Group Leaders for this purpose as long as the membership change is set out in writing to the Chief Executive.</i></p> <p><b>5.2 Allocation <u>of Substitute Members...</u></b></p>
Page 108 3.1.24.3	Minutes will contain all motions and amendments in the exact form and order the Mayor put them and shall record all questions and answers to questions from members of the public.	Minutes will contain all motions and amendments in the exact form and order the Mayor put them and shall record all questions and answers in accordance with rule 14.10.
Page 40 2.2.6	<p><b>Function:</b> Functions relating to licensing exercisable by a District Council as set out in Schedule 1 of the Local Authorities (Functions and Responsibilities) (England) Regulations [2000] (SI 2000/2853 as amended)</p> <p><b>Delegation of Functions:</b> Director of Regeneration and Place / Head of Housing and Community Services or their delegated officers.</p>	<p><b>Function:</b> Functions relating to licensing exercisable by a District Council as set out in Schedule 1 of the Local Authorities (Functions and Responsibilities) (England) Regulations [2000] (SI 2000/2853 as amended)</p> <p><b>Delegation of Functions:</b> Director of Regeneration and Place / Head of Housing and Community Services or their delegated officers <i>except for</i></p>

	<p>Licensing Act and Gambling Act matters will be dealt with by the Head of Housing and Community Services.</p> <p>Responsible authority functions will be dealt with by the Director of Regeneration and Place except for:</p> <ol style="list-style-type: none"> <li>1. Where this is inconsistent with legislation.</li> <li>2. Where the function is otherwise delegated under this Constitution.</li> </ol>	<ol style="list-style-type: none"> <li>1. <u>The determination of policy.</u></li> <li>2. <u>The setting of fees and charges.</u></li> </ol> <p>Licensing Act and Gambling Act matters will be dealt with by the Head of Housing and Community Services.</p> <p>Responsible authority functions will be dealt with by the Director of Regeneration and Place except for:</p> <ol style="list-style-type: none"> <li>1. Where this is inconsistent with legislation.</li> <li>2. Where the function is otherwise delegated under this Constitution.</li> </ol>
General		References to planning training throughout the constitution be amended to reflect the new code of conduct wording and/or be removed.
General		Any corrections, inconsistencies, or other minor matters arising as a result of amending the wording in accordance with this table.