

## DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
DEVELOPMENT SERVICES DIRECTORATE	COUNCIL	18 OCTOBER 2021	12
<b>CONSTITUTION AMENDMENT – TERMS OF REFERENCE – PLANNING COMMITTEE</b>			

### PUBLIC ITEM

This item is for consideration in the public part of the meeting.

### SUMMARY

In line with its constitutional role to review and recommend amendments to Council, the Audit and Standards Committee were asked to consider an amendment to the terms of reference of the Planning Committee, at its meeting on 29 September 2021.

Audit and Standards Committee recommended the amendment for consideration by Council.

### RECOMMENDATION

1. To approve the proposed amendment to the terms of reference of the Planning Committee (Section 2, Part 3 of the Council's Constitution – Responsibility for Functions).

### SUMMARY OF PREVIOUS DECISIONS

#### Audit and Standards Committee – 29 September 2021

Item 9 - It was RESOLVED to recommend the proposed amendment to the terms of reference of the Planning Committee (Section 2, Part 3 of the Council's Constitution – Responsibility for Functions), to Council.

#### Council – 26 May 2021

Item 5 - It was therefore RESOLVED to recommend the proposed amendments to the terms of reference of the committees (Part 2 and Part 3 of the Council's Constitution – Responsibility for Functions), as reported by Councillor Singleton.

#### Audit and Standards Committee – 20 May 2021

Item 5 - Constitution Amendment – Terms of Reference - Committees

It was RESOLVED to recommend the proposed amendments to the terms of reference of the committees (Part 2 and Part 3 of the Council's Constitution – Responsibility for Functions) to Council.

#### Council – 7 December 2020

Item 13. Constitution Amendment – Terms of Reference - Committees

It was RESOLVED to approve the recommended proposed amendments to the terms of reference of the committees (Part 2 and Part 3 of the Council's Constitution – Responsibility for Functions), as reported by Councillor Singleton.

#### Audit and Standards Committee – 26 November 2020

Item 12. Constitution Amendment – Terms of Reference – Committees

It was RESOLVED to recommend the proposed amendments to the terms of reference of the committees (Part 2 and Part 3 of the Council's Constitution – Responsibility for Functions), as they appear at Appendix A, to Council.

Audit and Standards Committee - 19 January 2017

Item 4. Governance Review

To add the following wording to the constitution under the remit of the Operational Management Committee; "Considering reports, reviewing and formulating where necessary policies relating to building control and land charges"

CORPORATE PRIORITIES	
Economy – To create a vibrant and healthy economy	√
Environment – To deliver services customers expect	
Efficiency – By spending money in the most efficient way	√
Tourism – To create a great place to live and visit	

**REPORT**

1. A suggested amendment was put before Audit and Standards Committee for consideration relating to the Planning Committee with regards to its role in the management of land and property.
2. In Part 3 of the Council's Constitution, Responsibility for Functions, two of the programme committees (Tourism and Leisure and Operational Management) include the following term of reference:  
*To consider any management issues arising in relation to land or property within the remit of the committee*
3. Meanwhile the Finance and Democracy Committee has a slightly different term of reference:  
*To manage any land and property owned by the council and not specifically held for the purposes of another committee*
4. The above allows each committee to manage, adopt or dispose of land or property in the discharge of their wider terms of reference. This was brought about following the move to a committee system of democracy which replaced the Cabinet model used up to 2015.
5. To date this approach has worked well with each of the above committees considering a number of reports relating to land and property under their control.
6. However, there are two major committees that do not have this authority (Environment, Health and Housing and Planning).
7. The Environment, Health and Housing Committee no longer has any direct responsibility for land and property following the transfer of the Lytham Park Cemetery and Crematorium to the Operational Management Committee in 2020.
8. The Planning Committee meanwhile has responsibility for the delivery of economic regeneration initiatives and is currently overseeing the [www.kirkhamfutures.org/](http://www.kirkhamfutures.org/) "[Kirkham Futures](#)" programme which includes the need to manage, purchase and dispose of land and property. As the committee does not currently have the authority to manage any land or property it is suggested that the following be added as an additional term of reference in Section 2, Part 3 of the Council's Constitution – Responsibility for Functions:  
*To consider any management issues arising in relation to land or property within the remit of the committee*
9. Audit and Standards Committee resolved to recommend the amendment to Council.

IMPLICATIONS	
Finance	No implications arising from this report
Legal	No implications arising from this report
Community Safety	No implications arising from this report
Human Rights and Equalities	No implications arising from this report
Sustainability and Environmental Impact	No implications arising from this report
Health & Safety and Risk Management	No implications arising from this report

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BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
Constitution	May 2021	HYPEutionGovernanceMatters.aspx" <a href="https://fylde.cmis.uk.com/fylde/ConstitutionGovernanceMatters.aspx">https://fylde.cmis.uk.com/fylde/ConstitutionGovernanceMatters.aspx</a>