

PROCEDURES COMMITTEE

14 September 2016

Present:-

Councillors A Moulding (Chairman), A Connett, T Dempster, J Hart, S Hughes, R Julian and R Westlake

Apologies:-

Councillors J Owen and N Way

11 ***Minutes**

RESOLVED that the minutes of the meeting held on 13 July 2016 be signed as a correct record.

12 **Urgent Matters: Electoral Review of Torridge and Teignbridge District Councils**

(An item taken under Section 100B(4) of the Local Government Act 1972).

The Chairman had decided that the Committee should consider this item as a matter of urgency, to determine whether or not the Council should respond formally to the undermentioned consultations and, if so, the means by which it might do so.

The County Solicitor reported that the Local Government Boundary Commission for England had, on 7 September 2016, published draft recommendations on the future electoral arrangements for Torridge and Teignbridge District Councils which would both be the subject of an eight-week public consultation, closing on 31 October 2016.

The Commission was proposing that Torridge District Council should continue to have 36 Councillors - as now - and that Teignbridge District Council should have 47 Councillors in the future - 1 more than the current arrangements.

Having previously sought the views of County Councillors representing Electoral Divisions within the District Council areas, at the initial stage of the Review process, the County Council had not made any specific comment on future arrangements other than emphasising the value placed upon the coterminosity and consistency of electoral boundaries as between District and County Councils, which allowed for more effective representation and joint working between Councillors of both Councils and minimised any possible confusion and misunderstanding by the electorate at large of any new arrangements.

It was **MOVED** by Councillor Moulding, **SECONDED** by Councillor Hart, and

RESOLVED that County Councillors representing Divisions in the affected District Council areas be made aware of the Commission's draft recommendations and be invited to submit comments direct but the County Council do not make any formal representations at this stage.

[NB: An interactive map of the Commission's recommendations for each Council, electorate figures etc., is available on the Commission's website at: www.lgbce.org.uk.]

13 **Constitutional Matters**

(a) **Proposed Changes to Senior Management Structure**

The Committee noted that, as a consequence of the revised management structures endorsed by the Appointments & Remuneration Committee on 29 July 2016 (Minute 6, Report CX/16/21) and subject to their adoption by the County Council at its next meeting, the Council's Constitution would also need to be amended throughout to reflect Officers' revised descriptions, roles and responsibilities in line with the detailed proposals set out in the aforementioned Report.

It was **MOVED** by Councillor Moulding, **SECONDED** by Councillor Hart, and

RESOLVED that the County Solicitor be authorised to make all necessary changes to the Constitution consequent upon implementation of the aforementioned revised senior staffing structures, when approved.

(b) **Public Rights of Way Committee - Delegations**

The Committee noted that the Public Rights of Way Committee on 8 July 2016 had examined the need for revisions to the Council's procedures for determining and making Definitive Map Modification Orders for public rights of way and the current Scheme of Delegation enshrined in the Council's Constitution as a consequence of the Deregulation Act 2015.

While implementation of the Act's provisions was not anticipated before the Autumn of 2016 that Committee had recognised that the County Council would need to revise its Definitive Map policies and procedures to give effect to the new legislation (when that came into effect) and while detailed Regulations and Guidance would clarify future processes, it was clear that the current scheme of delegations could benefit from some minor amendments now to ensure the County Council was best placed and prepared for the introduction of the new legislation.

It was **MOVED** by Councillor Moulding, **SECONDED** by Councillor Hart, and

RESOLVED

(i) that the views of the Public Rights of Way Committee (Minute *3/8 July 2016 refers) be noted;

(ii) that the Head of Highways, Capital Development and Waste be authorised to make Modification Orders in respect of administrative errors (where applicable under the new streamlined procedure) and Modification Consent Orders, as set out in Report HCW/16/47, and the Scheme of Delegation in the Council's Constitution be amended accordingly; and

(iii) that the County Solicitor be authorised to further amend the aforementioned Scheme of Delegation, in consultation with the Chairman of this Committee, to reflect any other necessary changes thereto arising from legislation endorsed by the Public Rights of Way Committee.

*[NB The Report of the Head of Service (HCW/16/47) previously considered by Public Rights of Way Committee the Cabinet is available at:
<http://democracy.devon.gov.uk/ieListDocuments.aspx?Cid=171&Mid=1902&Ver=4>].*

14 ***Calendar 2017/18**

The Committee considered the draft calendar of meetings for 2017/18 prepared in line with the pattern of previous years, known determinants and relevant factors acknowledging the possibility of changes following the next County Council Quadrennial elections in May 2017.

It was **MOVED** by Councillor Moulding, **SECONDED** by Councillor Hart, and

RESOLVED that the draft Calendar for 2017/18 be approved for publication.

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***Future Meetings**

RESOLVED that the next meeting of this Committee be held on 1 December 2016 and the meeting scheduled for 17 October 2016 be cancelled.

***DENOTES DELEGATED MATTER WITH POWER TO ACT**

The Meeting started at 2.15 pm and finished at 2.27 pm