

Subject: Planning Decisions Committee, Membership and amended Terms of Reference

Agenda item: Public item 11

Report No: 8

Meeting date: 26/03/2013

Report to: Board

Report of: Dennis Hone, Chief Executive

FOR DECISION

This report will be considered in public

1. SUMMARY

- 1.1. At the December 2012 meeting the Board received a report reviewing the governance of the organisation and agreed the committee structure, membership and terms of reference of various committees. As part of that report the Board noted the intended recruitment of four independent members to the Planning Decisions Committee (PDC) and that it would be asked to agree revised membership following the recruitment exercise.
- 1.2. The recruitment exercise has now been undertaken with a remit to find four people with significant relevant experience in construction, development, regeneration, planning and architecture with a strong commitment to East London and the planning and development of the Olympic Park.
- 1.3. Good candidates have been selected following interviews. This paper therefore sets out the proposed committee membership and consequential amendments to the committee terms of reference.

2. RECOMMENDATIONS

- 2.1 The Board is invited to **AGREE** the revised membership of the PDC, subject to the agreement to the appointment of the independent members by the Mayor of London.
- 2.2 Subject to the above agreements, the Board is invited to **DELEGATE** to the Chief Executive to issue appointment letters to the independent members.
- 2.1 The Board is invited to **NOTE** that the Corporation Chairman will be asked to approve a PDC committee member to chair PDC meetings in the absence of the Committee Chair. This is provided for in the Standing Orders and if neither the Committee Chair nor the named committee member were available to chair a particular meeting, then the procedures in the Standing Orders would apply.
- 2.2 The Board is invited to **AGREE** the revised terms of reference for the Planning Decisions Committee.

3. BACKGROUND

- 3.1. At its September 2012 meeting the Board agreed to the establishment of the PDC comprising six Board members and five councillors nominated by the four local boroughs. That agreement included the naming of three substitutes for Board members unable to attend any particular committee meeting and provided for the boroughs to put forward named substitutes for their nominees.
- 3.2. Subsequently, it was agreed at the December Board meeting that the membership of the committee be amended to include four independent members which would allow three Board members to stand down from the committee and obviate the need for substitutes for Board members.
- 3.3. A recruitment process has been undertaken which included advertising the opportunity, long listing, short listing and final interviews led by Philip Lewis and Nick Bitel with advice from the Director of HR and the Director of Planning Policy and Decisions.
- 3.4. The appointments process sought to ensure the recruitment of people with a genuine personal interest in the planning and development of the LLDC area and an understanding of convergence, preferably bringing a range of skills to the committee from backgrounds in architecture, construction, development, planning and regeneration. The opportunity attracted a lot of interest even though the appointments are unremunerated and the recruitment panel have selected three strong candidates (Appendix 3). The Mayor has been asked to agree to these appointments.
- 3.5. There was general agreement that it would be beneficial to include an independent member with a background in design and architecture and therefore a further round of recruitment has been initiated. Board members will be updated on progress.

4. PROPOSAL

- 4.1. It is proposed to amend the committee membership as set out in appendix 1, which reflects the inclusion of the independent members and allows for the reduction of six Board members to three, thus freeing up Board members for other duties. It also removes the need for substitutes for Board members as a generality. However, it is apparent from experience and looking at general practice that it would be sensible for there to be a named substitute for the Chair of the Planning Decisions Committee to take the Chair in their absence. The Appendix therefore outlines that provision.
- 4.2. The inclusion of independent members, having a named substitute for the Chair, reducing Board membership, removing Board substitutes requires consequential amendments to the terms of reference of the Planning Decisions Committee. The current quorum which requires a majority of Board members (once at 5) is also amended to a simple quorum of 5.
- 4.3. The revised terms of reference is attached at Appendix 2.

5. FINANCIAL IMPLICATIONS

- 5.1. The independent members are unremunerated.

6. LEGAL IMPLICATIONS

- 6.1. Pursuant to Schedule 21 paragraph 6 of the Localism Act 2011, Mayoral approval is required for the co-option of any person(s) who are not Corporation Board members onto a committee.

7. PRIORITY THEMES

- 7.1. The recruitment has sought to bring additional skills to the Planning Decisions Committee and reflect equalities objectives.

8. Appendices

- Appendix 1 – Proposed membership of the Planning Decisions Committee.
- Appendix 2 – Proposed revised terms of reference.
- Appendix 3 – Proposed independent members of the Planning Decisions Committee (exempt information as defined in Part 1, paragraph 1 of Schedule 12A of the Act, that is “Information relating to any individual”)

List of Background Papers:

Local Government (Access to Information) Act 1985

LLDC Standing Orders

- Report to Board 5 December 2012 – Governance Review
- Report to Board 27 September 2012 – Planning Functions
- Report to Board 27 September 2012 - Amendment to Standing Orders

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Appendix 1 – proposed membership of the Planning Decisions Committee

C U R R E N T	Planning Decisions Committee
	Philip Lewis (C) David Gregson Andrew Mawson Sonita Alleyne Nick Bitel Nicky Dunn Cllr Geoff Taylor Cllr Conor McAuley Cllr Lester Hudson Cllr Rabinah Khan Cllr Terry Wheeler
P R O P O S E D	Planning Decisions Committee
	Philip Lewis (C) Nick Bitel Andrew Mawson Independent member – see Appendix 3 Independent member – see Appendix 3 Independent member – see Appendix 3 Independent member to be recruited Cllr Geoff Taylor Cllr Conor McAuley Cllr Lester Hudson Cllr Rabina Khan Cllr Terry Wheeler

C indicates Chair

Appendix 2 – proposed Terms of Reference - Planning Decisions Committee terms of reference

- Status:** Taking decisions within its terms of reference. Part VA of the Local Government Act 1972, which deals with access to meetings and documents, applies to this committee.
- Membership:** The Committee shall be appointed by the Board and shall comprise three Board members, five members co-opted from the Olympic Park boroughs (two from the London Borough of Newham, and one each from the London boroughs of Hackney, Tower Hamlets and Waltham Forest) on their nomination and four independent members agreed by the Board and approved by the Mayor of London.
- Substitutions will be allowed: each borough will be asked to nominate a named substitute for each of their nominated member/s.
- Chair:** The Committee Chair shall be appointed from time to time by the Board. In the absence of the Committee Chair at a meeting of the Committee, the Member of the Committee approved by the Chairman of the Corporation shall chair the meeting, or the remaining members present shall elect one of themselves to chair the meeting.
- In attendance:** Other Board members (with the approval of the chair)
Chief Executive (at his/her discretion)
Executive Director of Finance and Corporate Services (at his/her discretion)
Director of Planning Policy and Decisions
- Subject to the rights of the public to attend meetings, attendance of other officers, advisers or other persons shall be at the invitation of the Chair for all or part of the meeting. The Chair may authorise the Director of Planning Policy and Decisions or the Chief Executive to issue invitations generally or in specific cases.
- Secretary:** To be agreed by the Proper Officer
- Quorum:** Five members of the Committee,

Frequency of meetings

1. The Committee will meet as determined by the Committee Chair, in light of the need for advice and decisions. Meetings of the Committee shall be convened by the Chief Executive or the Director of Planning Policy and Decisions at the request of its Chair.

Purpose of the Committee

2. To enable transparent, efficient and effective discharge of the London Legacy Development Corporation's functions to determine planning applications and to respond to consultation on applications on which the Corporation is a consultee, and to advise the Board on planning policy matters

Terms of Reference and Delegated Authority

3. The Planning Decisions Committee will take decisions in accordance with the Planning Scheme of Delegations, which will also set out matters that are delegated to the Director of Planning Decisions and Policy.
4. Advise the Board on planning policy matters.

Procedural and reporting arrangements

5. The Chief Executive, Executive Director of Finance and Corporate Services, and Director of Planning Policy and Decisions shall be entitled to attend all meetings of the Committee, subject to any limitations in the Planning Code of Practice. Subject to the rights of the public to attend meetings, attendance of other officers, advisers or other persons shall be at the invitation of the Chair for all or part of the meeting. The Chair may authorise the Chief Executive to issue invitations generally or in specific cases, pursuant to Standing Order 5.2.
6. Unless otherwise agreed, notice to each Committee member confirming the venue, time and date, together with an agenda of items to be discussed, shall be forwarded to each Committee member and any other person required to attend no later than five (5) clear days before the date of the meeting..
7. The Chief Executive will nominate a secretary for the Committee (and in the case of absence a deputy) who shall minute the proceedings and resolutions of all Committee meetings, including recording the names of those present and in attendance.
8. The Secretary or a nominated deputy shall promptly circulate the minutes of the meetings to all Committee members and the minutes shall be approved (or amended as appropriate) at the next Committee meeting.
9. Further procedural provisions are set out in Standing Orders, and will be supplemented by procedural arrangements to be agreed by the Committee from time to time.

Amendments

10. Any of these procedures and terms of reference may be altered or amended from time to time by resolution of the Board. Notice shall be given of the proposed alteration(s) in a paper for the meeting of the Board at which they are to be discussed.