



Subject:	Annual updates to the Council Constitution documents (including the Scheme of Delegation)
Date:	19 th May 2017
Reporting Officer:	John Walsh, Town Solicitor
Contact Officer:	Sarah Williams, Programme Manager

Restricted Reports	
Is this report restricted?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If Yes, when will the report become unrestricted?	
After Committee Decision	<input type="checkbox"/>
After Council Decision	<input type="checkbox"/>
Sometime in the future	<input type="checkbox"/>
Never	<input type="checkbox"/>

Call-in	
Is the decision eligible for Call-in?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

1.0	Purpose of report or summary of main issues
1.1	The purpose of this report is to submit for approval updates to the Council Constitution and it's appendices, specifically: <ul style="list-style-type: none">• Council Constitution• Standing Orders• Roles and Functions of Committees• Scheme of Delegation

2.0	Recommendations
2.1	The Committee is asked to: <ul style="list-style-type: none"> • Approve the proposed amendments
3.0	Main report
3.1	<u>Background</u> As Members will be aware, the Council approved a Constitution in April 2015 comprising key governance documents including the Standing Orders and Scheme of Delegation. In order to reflect recent organisational changes in the Council, the NI Executive departments and new legislation, these documents have been updated. Tracked changes versions of all the updated documents are set out as appendices to this report.
3.2	In addition, in order to improve the service delivery of the Planning function, the powers delegated to the Director of Planning and Place were discussed at a special meeting of the Planning Committee on 14 th March 2017 where it was agreed to recommend the changes proposed.
3.3	<u>Key Issues</u> Constitution Some minor amendments have been made to the Constitution to reflect internal and external changes. This updated document is set out in Appendix 1 to this report.
3.4	Standing Orders Some minor amendments have been made to the Standing Orders to reflect organisational changes and new legislation. This updated document is set out in Appendix 2 to this report.
3.5	Roles and Functions of Committees Some minor amendments have been made to this document to reflect internal changes. The updated document is set out in Appendix 3 to this report.
3.6	Scheme of Delegation A summary of the amendments which have been made are set out below and an updated document is at Appendix 4 to this report. Recent organisation and legislative changes <ul style="list-style-type: none"> • New Director of City & Neighbourhoods

	<ul style="list-style-type: none"> • New Director of City Centre Development • Move of Parks & Leisure • Move of Building Control • Move of Community Services • Establishment of Belfast Waterfront and Ulster Hall Limited • Establishment of Innovation Factory • Updated references to legislation, statutory guidance and bye-laws <p>Please note that the powers relating to newly-vacant post of Director of Organisational Development can be delegated by Chief Executive. A report outlining the re-assignment of these powers will be brought to Members at a later date.</p>												
3.7	<p>In addition, a clause has been added allowing the Town Solicitor to make minor amendments to the Scheme of Delegation to reflect organisational or legislative changes (see 3.3.12) without having to bring the full Scheme of Delegation to Committee for approval. Significant amendments to the Scheme of Delegation will continue to be brought to Strategic Policy & Resources Committee for approval.</p>												
3.8	<p>Planning-related changes in order to improve service delivery</p> <p>These changes have been proposed to ensure that the Planning Committee can operate more efficiently. At present the Planning Committee considers on average 17 applications (12 local and five major) each month. The key changes proposed would reduce the average number of local applications considered at each meeting from 12 to four. This would mean the Committee would deal with an average of nine applications (five major and four local). The ability of Members to bring matters before the Planning Committee is unaffected.</p> <table border="1" data-bbox="560 1469 1129 1677"> <thead> <tr> <th></th> <th>Current</th> <th>Proposed</th> </tr> </thead> <tbody> <tr> <td>Local</td> <td>12</td> <td>4</td> </tr> <tr> <td>Major</td> <td>5</td> <td>5</td> </tr> <tr> <td>Total</td> <td>17</td> <td>9</td> </tr> </tbody> </table>		Current	Proposed	Local	12	4	Major	5	5	Total	17	9
	Current	Proposed											
Local	12	4											
Major	5	5											
Total	17	9											
3.9	<p>The Planning Committee at their meeting on 14th March 2017 agreed to recommend the proposed changes. For clarity, the proposed changes have been set out in a table in Appendix 5 of this report.</p>												
3.10	<p>Licensing-related changes to give effect to the Pavement Café Act 2014</p> <p>A new provision for the granting, renewal and variation of pavement café licences has</p>												

	<p>been added. The Licensing Committee at their meeting on 14th December 2016 agreed to recommend the proposed changes (see 3.8.8 l).</p>
3.11	<p>Building control-related changes for dealing with dual-language street signs</p> <p>Following a judicial review of a Council decision not to erect a dual-language street sign, the Scheme of Delegation has been updated to provide the power for refusing an application where the required survey quota is not met and no exceptional circumstances have been submitted. Where the submitted exceptional circumstances relate to matters other than the carrying out and processing of the survey, the matter will be presented to Committee (see 3.8.8 m and n).</p>
3.12	<p><u>Next steps</u></p> <p>If these changes are approved by Members, the changes would take effect after the next Council meeting except the Standing Orders which must be passed at one Council meeting and confirmed at the next.</p>
3.13	<p><u>Financial & Resource Implications</u></p> <p>The key aim of the proposed changes to the powers delegated to the Director of Planning and Place is to improve the efficiency and service delivery of the Planning function.</p>
3.14	<p><u>Equality or Good Relations Implications</u></p> <p>None</p>
4.0	<p>Appendices – Documents Attached</p>
	<p>Appendix 1 – Constitution</p> <p>Appendix 2 – Standing Orders</p> <p>Appendix 3 – Roles and Functions of Committees</p> <p>Appendix 4 – Scheme of Delegation</p> <p>Appendix 5 – Summary of proposed changes to Director of Planning and Place’s delegated powers</p>