

APPENDIX 1 Area of Review	Proposal and Rationale	Sections of the Constitution to be revised
Contract Procedure Rules – Contract Formalities	<p>Following a recent internal audit recommendation an officer review has taken place of the Contract Procedure.</p> <p>As a result of the review a number of changes are suggested mainly for clarification purposes and to ensure that the rules do not conflict with the Council's Procurement Policy. The proposed changes are shown as tracked changes and are mostly self-explanatory. Change to rule 4.1. do however require further explanation:</p> <p>All contracts should follow the procurement route as set out in the rules unless one of the exemptions in rule 4.1. It is expected that an exemption should apply only in exceptional circumstances and officers consider that approval to use all the exemption needs to be approved by senior officers and recorded appropriately. The proposed changes now require that if the Council wishes to utilise an exemption a senior officer must approve it by way of a formal Delegated Decision.</p>	<p>Part 4 of the Constitution, Contract Procedure Rules.</p> <p>Pages 150 to 163 of current constitution.</p>
Planning Committee – Ward Members	<p>To have regard to the deliberations of the Planning Committee in respect of, and to consider, the requirement for Members of Planning Committee not to be involved in determining an application in their own ward.</p>	<p>Part 5 of the Constitution, Protocol on Planning</p>

	<p>This was agreed previously by Council, and then suspended by delegated decision in order to allow further debate and consultation on this change.</p> <p>Planning Committee at their meeting on 22nd September will receive rational for the proposal and feedback to officers and the Chair of Standards (who will be present), and then this feedback will be given verbally at this meeting of Standards.</p> <p>There are a number of reasons why the proposal is made to move ward members from committee benches during discussion of items within their constituencies. Whilst Members are fully aware of pre-determination matters, removing voting rights on local applications can protect Ward members from pre-determination claims from local residents or developers.</p> <p>Some elected representatives may view that Members appointed to planning committee have an advantage to those not on planning committee to influence decisions within their wards.</p> <p>The proposal protects Members from pressures within their electorate and electioneering – removing complications of voting against or for applications and the constituents view on this and allows members to fully represent the views of their wards.</p>	<p>2.1 When an application is put before the Committee where the site is situated in a Planning Committee (or Substitute) Member's ward, that Member should withdraw from Committee benches. This will allow them to speak on behalf of the residents they represent if required. Planning Committee members should not vote on applications within their electoral ward</p>
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