

Report to: Full Council

Date: 16 November 2022

Title: Proposed changes to Conservation Advisory Group Terms of Reference

Report of: Simon Russell, Head of Democratic Services

Ward(s): All

Purpose of report: To propose a minor amendment to the terms of reference for Conservation Advisory Group (CAG).

Officer recommendation(s):

- (1) To approve a minor amendment to the revised Terms of Reference (ToR) in respect of the Council's Heritage Champion, as set out at Appendix 1 to the report;
- (2) To authorise the Head of Democratic Services and Deputy Monitoring Officer to make the necessary changes to the Council's Constitution in order to give effect to these changes.
- (3) To re-confirm the appointment of Councillor Hugh Parker as the Council's Heritage Champion for the remainder of the municipal year, following his election to the Council.
- (4) To authorise the Head of Democratic Services and Deputy Monitoring Officer to appoint a nominee (as the Council's Heritage Champion sits on the membership of Planning Committee), to act as a Co-opted advisor to the Conservation Advisory Group, in consultation with the relevant Group Leader, Chair of Conservation Advisory Group and Head of Planning for the remaining municipal year.

Reasons for recommendations: It is proposed to make a minor amendment to the terms of reference for Conservation Advisory Group, to allow Full Council flexibility to appoint a nominee to the Group, if the Council's Heritage Champion is appointed to the Planning Committee.

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1 Introduction

- 1.1 At its meeting on 20 July 2022, Full Council agreed changes to the Terms of Reference for the Conservation Advisory Group (CAG).
- 1.2 The changes agreed expanded the remit for CAG, enabling more discussion and a broader input into the decision-making process in respect of matters affecting Conservation Areas, Listed Buildings and Heritage Assets.
- 1.3 At the Annual Meeting of the Council on 18 May 2022, Mr Hugh Parker was appointed as the Council's Heritage Champion for the municipal year.
- 1.4 Following the St Anthony's By-Election on 6 October 2022, Hugh Wayne Parker was duly elected a Councillor for the St Anthony's Ward.
- 1.5 Following his election, the Leader of the Council advised Democratic Services that Councillor Parker was to be appointed to the Planning Committee. He also proposed that he remain as the Council's appointed Heritage Champion.
- 1.6 The terms of reference for the Conservation Advisory Group preclude a member of the Planning Committee from sitting on the Group. The Council's Heritage Champions sits on the Group as a co-opted advisor (with non-voting rights), however an elected Councillor's participation on the Group would preclude their participation as a voting member on the Planning Committee.

2 Proposal

- 2.1 It is proposed to make a minor amendment to the terms of reference for Conservation Advisory Group, to allow Full Council flexibility to appoint a nominee to the Group, in the event that the Council's Heritage Champion is appointed to the Planning Committee.
- 2.2 In addition, given that Councillor Parker was originally appointed as the Council's Heritage Champion as an external individual, Full Council is asked to formally ratify that he remains as the Council's Heritage Champion, following his election to the Council.
- 2.3 Currently, the membership of CAG and Council's Heritage Champion is appointed at the Annual Council meeting. Co-opted advisors are determined by the Head of Planning in liaison with the Chair of the Conservation Advisory Group on an annual basis.
- 2.4 As this proposal would necessitate a change to CAAG's Terms of Reference, as set out in the Council's Constitution, it requires Full Council approval. The proposed amended ToR is set out in Appendix 1.

3 Consultation

- 3.1 Prior to Full Council consideration, officers have been consulted on the report and no objections have been received. The Chair of Conservation Advisory Group has also raised no objections.

4 Financial appraisal

- 4.1 There are no additional financial and resource implications as a result of this report.

5 Legal implications

- 5.1 The Council's Legal Team have been consulted and provided the following comment:

Representations from CAG are material considerations to be taken into account by the Planning Committee in deciding whether to grant planning permission. To maintain transparency and fairness in decision-making, members of CAG should not be members of the planning committee. If adopted, the recommendations in this report will ensure that CAG has the appropriate number of members whilst achieving the necessary separation between these 2 bodies.

Legal Implications provided 02.11.22 - Proposed Changes to Conservation Advisory Group Terms of Reference - 011524-EBC-JCS

6 Risk management implications

- 6.1 There are no new risks arising from the proposals in this report.

7 Equality analysis

- 7.1 The proposed minor amendment will allow Full Council flexibility to appoint a nominee if the Council's Heritage Champion is appointed to the membership of Planning Committee, precluding their participation as a co-opted advisor on the Group.

8 Environmental sustainability implications

- 8.1 There are no new implications arising from the proposals in this report.

9 Appendices

- Appendix 1 – Recommended changes to CAG's Terms of Reference as set out in the Council's Constitution, in accordance with the recommendations in this report.

10 Background papers

The background papers used in compiling this report were as follows:

- [Full Council Report – 20 July 2022](#)