

## **Council Constitution, Part 3.2 - Responsibility for Functions: Terms of Reference, Section 6 (Groups (non Decision Making and non-proportional))**

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### **1 Constitution Working Group**

- a) This Group is exempt from the Committee Balance Rules to allow the following membership and representation by each Political Group: Presiding Member, Deputy Presiding Member, Leader & Deputy Leader of Ruling Group and Largest Opposition Group, Leader of other Political Groups and Cabinet Member with responsibility for Constitutional matters.

**Note:** Each Political Group Leader may substitute their Deputy Political Group Leader with another of their Group Members if required but the membership must be approved by Council.

- b) To keep under review all aspects of the Council Constitution and to make appropriate recommendations for change.
- c) To administer the requirements of the Election of Lord Mayor and Deputy Lord Mayor Protocol as outlined in the Council Constitution.
- d) To consider all aspects of any Boundary Reviews and make recommendations to Council as appropriate.

### **2 Local Development Plan Advisory Group**

- a) There will be twelve appointed Members on the Group. These will comprise:
- i) Cabinet Member with Planning portfolio (chair);
  - ii) Members appointed from the political groups.
- b) The political groups shall be entitled to nominate at least one Member to the Group. All Members will be given appropriate training on the LDP preparation process.
- c) A deputy or vice chair shall be appointed by the Group.
- d) The Group will be supported by the Director of Place, the Head of Planning & City Regeneration, or other officers from the Planning Policy Team and Legal and Democratic Services as appropriate.
- e) The scope of the Group will be to:

- i) Monitor the progress of LDP delivery and performance;
  - ii) Examine the process of LDP preparation and advise upon improving reporting mechanisms;
  - iii) Consider ways to promote/ encourage sustainable development;
  - iv) Consider in detail proposals for inclusion in the LDP and be able to report upon their findings;
  - v) Consider the preparation of Supplementary Planning Guidance (SPG) in support of the LDP;
  - vi) Advise on methods of helping facilitate improved community involvement;
  - vii) Improve linkages with other Council plans and strategies
  - viii) Ensure equality and diversity issues pertaining to these matters are addressed;
  - ix) Provide a link to the political party groups to enable the views of all elected Members to inform the development of the LDP.
- f) The Group will not:
- i) Be able to make decisions;
  - ii) Be a public Group for debate on the content of the LDP or for the discussion of planning applications or appeals;
  - iii) Duplicate the work of other Boards or Committees.
- g) Ordinary Meetings will take place on a regular basis (approximately every 6 months) throughout the LDP preparation process, but with more frequent meetings in the lead up to key stages.
- h) The quorum for a meeting shall be three Members being present.
- i) The Chair may, in consultation with the Head of Planning & City Regeneration, arrange additional meetings as and when required.
- j) Minutes will be kept and circulated by Legal and Democratic Services.
- k) Meetings shall take place at the Civic Centre, Swansea at the time specified on the agenda for the meeting unless otherwise required, for example a site visit.
- l) The Chair will be responsible for orderly and fair conduct of the meetings.
- m) The Group will need to consider whether:
- n) The LDP has been prepared in accordance with the approved Delivery Agreement and Community Involvement Scheme
- o) Proposals are founded on a robust and credible evidence base

- p) The preferred strategic options are the most appropriate when considered against reasonable alternatives
- q) The LDP is well related to other relevant policies and strategies
- r) The LDP is realistic and consistent
- s) The Group will:
  - i) Devise its own rolling work programme including work to be undertaken between meetings, for example site visits, focus groups, research, the establishment of topic working groups, etc;
  - ii) Identify the issues to be considered at each meeting. These issues should be focused on the sustainability principles of environmental protection; economic growth; social progress (community need prudent use of resources and accessibility for all;
  - iii) Receive reports from the Planning Policy Team on the LDP;
  - iv) Consider reports and information from other sources related to the LDP and referrals from members of the public/stakeholders;
  - v) Review the options and techniques for facilitating community involvement in the LDP preparation process;
  - vi) Prepare progress reports for Cabinet for consideration and decision as appropriate.

### **3 Social Services Rota Visits**

- a) The Council accept the proposals contained in the report to ensure the Authority's Corporate Parenting and Protection of Vulnerable Adults responsibilities were met;
- b) The Council nominate fourteen Members to carry out rota visits and those Members identified take advantage of an induction/briefing provided by the Directorate prior to undertaking the visits;
- c) The Council agree to the reporting on rota visits activity to the Health and Social Care Scrutiny Board as set out in the report;
- d) The Council agree to amending the rota visits arrangements as set out Minute No. 42 of Council of 29th July 2004.

**Statutory Role & Function**

- 1) The Countryside and Rights of Way (CRoW) Act 2000 places a duty upon the City & County of Swansea ('the Council') to "prepare and publish a management plan which formulates their policy for the management of the Area of Outstanding Natural Beauty and for the carrying out of their functions in relation to it".
- 2) The Act also places a statutory duty on other relevant authorities to have regard to the purpose of conserving and enhancing the natural beauty of the AONB when exercising or performing any functions affecting land in the AONB. "Relevant authorities" are any public bodies including local and statutory authorities, parish councils and statutory regulators.
- 3) The Gower AONB Advisory Group is an advisory group to the Council, convened by them, to facilitate the management of the Gower AONB, in fulfilment of their legal responsibilities and duties with regard to the Gower AONB.

**Structure**

- 4) The **Gower AONB Advisory Group** will comprise:
  - a maximum of 6 Councillors (including the Councillor who is Chair of the Planning Committee), who will be appointed by the Council.
  - 2 representatives from Natural Resources Wales
  - 10 other local members, drawn from the following local interests as appropriate:
    - Community Councils
    - Nature conservation
    - History and archaeology
    - Land owning/farming/forestry
    - Commoners
    - Rural business
    - Tourism
    - Recreation
    - Local interest groups
    - Residents of the Gower AONB
- 5) The Advisory Group will be chaired by the Chair of the Planning Committee, with a Vice Chair selected from the members of the Advisory Group.
- 6) The term of appointment will be the same as the electoral term.
- 7) The Advisory Group will invite applications for new members towards the end of the term of appointment. The new members will be appointed by the incoming Councillors appointed to the Advisory Group following Local Government elections.
- 8) The Advisory Group will encourage applications from individuals who are local, and can represent local interest groups, with a selection process

based on their ability to contribute to the Advisory Group, through their local knowledge, experience and representation of that interest group.

### **Purpose & Responsibility**

- 9) The Advisory Group's purpose is to oversee the management of the AONB and is responsible for the development of policy and strategy for the AONB, particularly through the AONB Management Plan, and influencing the policies and strategies of others. The Advisory Group will also take and support action to conserve and promote the AONB.
- 10) The members of the Advisory Group will appoint the following sub-groups:
  - a) **Sustainable Development Fund (SDF) Grants Panel.**
    - This panel will decide on grant applications to the SDF from funding obtained from the Welsh Government. It will determine how best to use that funding and will operate an appeals process when considering how funding should be spent.
    - This panel will comprise the Chair of the Planning Committee (who will act as Chair) and seven other members.
    - The panel will be supported by the AONB Officer, and a representative from NRW, as observers.
  - b) **The SDF Grants Appeals Panel**
    - This Panel will handle disputes on how funding should be spent and will decide on appeals for grant applications refused by the SDF Grants Panel.
    - The SDF Appeals Panel will comprise the Vice Chair of the Advisory Group (who will act as Chair of the SDF Appeal Panel) and seven other members, who do not already sit on the SDF Grant Panel.
    - The panel will be supported by the AONB Officer, and a representative from NRW, as observers.
  - c) **Other sub-groups as required**
- 11) The Advisory Group will have the power to co-opt individuals or organisations (to itself, or to sub-groups), or to set up further sub-groups as deemed necessary to fulfil the aims and objectives of the AONB Management Plan.
- 12) Members of the Advisory Group and of any sub-group will be expected to abide by the City and County of Swansea Members Code of Conduct.

### **Meetings**

- 13) An officer from Swansea Council Democratic Services will be present at all meetings to record proceedings. Minutes of each meeting shall be kept and circulated to Advisory Group members, and made available to the public, as soon as possible after each meeting.
- 14) The Advisory Group: will meet quarterly, and the meeting dates published annually. Additional meetings will be convened if required. In

the absence of the Chair or Vice-Chair at a meeting, the Advisory Group may elect a Chair for that meeting. The quorum for the Advisory Group meetings will be six.

- 15) All meetings of the Advisory Group will be open to the public for observation.
- 16) Decisions by the Advisory Group shall be made by show of hands with the Chairman having the casting vote.
- 17) **The SDF Grants Panel:** will be called to meet by the Grants Panel members and advised by the AONB Team and NRW representative, determined by the timing and number of applications to received. Quorum of the SDF Grants Panel will be four.
- 18) **The SDF Appeals Panel:** will be called to meet by the Grants Panel and advised by the AONB Team and NRW representative, determined by the timing of appeals received. Quorum of the SDF Appeals Panel will be four.
- 19) Further information in relation to the election of Advisory Group members and other procedural matters can be found in the Gower AONB Partnership Procedural/ Guidance notes available from the AONB Team.

#### **The Aonb Partnership**

- 20) **The Gower AONB Partnership** will be a membership body, open to any individual, group or organisation that has an interest in the AONB and will be chaired by the Councillor who is Chair of the Planning Committee.
- 21) The role of the partnership is to:
  - protect, conserve and enhance the natural and cultural heritage of the Gower AONB (“the primary purpose”),
  - promote the sustainable social and economic development of the area, where it is consistent with the primary purpose of the AONB,
  - encourage the enjoyment and understanding of the area, where it is consistent with the primary purpose of the AONB.

#### **5. Employing Authority**

To make decisions and determine discretions of the Employer/Employing Authority under the Local Government Pension Scheme Regulations which may from time to time exist.