

BUSINESS COMMITTEE

REPORT TO THE ASSEMBLY ON PROPOSALS FOR CHANGES TO THE ASSEMBLY'S STANDING ORDERS IN ACCORDANCE WITH STANDING ORDER 26.1

In accordance with Standing Order 26.1, the Assembly Business Secretary proposed to the Business Committee at its meeting on 14th December that new Standing Orders should be introduced to provide for the setting up of a planning panel.

Full details of the proposals are contained within the motion which has been tabled alongside this report.

Background

In brief, the proposal implements the recommendation of the National Assembly Advisory Group that those planning decisions which were previously decided by the Secretary of State personally, should be dealt with by a Panel drawn from the relevant subject committee in the Assembly.

A Planning Decision Committee will consist of not more than four members at any one time. Of the 4 members, one will be the Assembly Secretary with responsibility for the Local Government and Environment Committee or (if he or she is ineligible) the chair of that committee. The other members will be drawn from a rota comprising the members of the Local Government and Environment Committee, and will reflect party balance. This process is designed to be open and transparent. The intention is to avoid any political element entering the quasi-judicial process.

Planning Decision Committees will decide those matters previously adjudicated upon by Ministers, but will not decide **all** planning cases. It is proposed that **all** planning appeals recovered from the Inspectorate and **all** called in planning applications shall be determined by a Planning Decision Committee. These are usually major cases raising significant planning issues.

Codes of practice have been drafted to secure the proper conduct of members of a committee in the exercise of their planning functions and to deter other Assembly Members from interfering by lobbying or otherwise with their work. The proposed revision to Standing Orders provides safeguards by securing the confidentiality of proceedings and disqualifying a member

with any constituency or other interest in the case from sitting on a Planning Decision Committee.

Consideration by the Committee

The Committee considered two alternative drafts for paragraph 27.8 which concerns the procedure for determining members if the Committee Clerk is unable to compile a list. The Committee's preferred choice has been included.

The Committee also suggested an amendment to para 27.12 so that the Committee would itself determine its chair if the Assembly Secretary is not a member of the Committee rather than the Chair being nominated by the Business Secretary. If the Committee could not reach a decision then the Chair would be determined by the Chair of the Local Government and Environment Committee. This has also been incorporated into the proposed revision.

The Committee also took account of views expressed by the Party Leaders.

In the light of this consideration, the Committee recommends the proposed new Standing Order to the Assembly.

Jane Davidson

Deputy Presiding Officer

Chair, Business Committee