
Governance Committee: Minor Changes to the Constitution

Amendments to the Delegation Code of Practice for Rights of Way

Background and context

- 1** The current code of practice sets out the process for delegated decisions on Public Path Orders made by the County Council and by district and borough councils and the South Down National Park Authority (the local planning authorities).
- 2** Currently there is no distinction between County Council orders and those processed by the local planning authority. The following changes are proposed to improve consistency and clarity in this area.

Proposal details

- 3** It is proposed that the Code of Practice be split into two parts, part one being County Council Public Path Orders and part two local planning authorities' Public Path Order proposals. Consequential amendments to the Delegation Code of Practice for Rights of Way (Public Path Orders) in the Scheme of Delegation in Part 3 of the Constitution are set out at **Appendix 1**.
- 4** In part one it is proposed that the two-week time period for publication of a new proposal in the Bulletin is removed. This will eliminate risks where staffing is reduced. It is also proposed that details will be published once not twice.
- 5** In part two it is proposed that the 21-day time limit for local planning authorities' proposals be reduced to 10 days. This time, whilst still affording members enough time in which to consider a proposal and make their views known, also means that officers can submit responses within the statutory 28-day time period.

Recommended

- (1) That the proposed changes to the Delegation Code of Practice for Rights of Way (Public Path Orders), as set out at Appendix 1, be approved;

Reasonable Adjustments

Background and context

- 6** For employees with disabilities, an employer has a responsibility to make reasonable adjustments to the workplace to avoid employees being put at a disadvantage as a consequence of their disability. While this does not formally extend to elected members, members with disabilities are encouraged to speak to Democratic Services to see if the Council can provide reasonable adjustments to help them to be effective in their roles. Council's Standing Orders do not make any explicit reference to reasonable adjustments for members.

Proposal details

- 7** It is therefore proposed to add a new Standing Order to Section 1 of Standing Orders. This is the introductory section of Standing Orders that sets out how they are governed, enforced, changed or waived. This is the most appropriate place to add mention reasonable adjustments.
- 8** The proposed wording is for a new Standing Order 1.07:

'Subject to legal requirements any Standing Order may be waived or amended for an individual member requiring a reasonable adjustment to enable effective working on Council business, in line with best practice. The Director of Law and Assurance will actively consider any requests for such reasonable adjustments.'

Recommended

- (2) That Council be recommended to add a new Standing Order 1.07 to Part 4, Section 1 of the Constitution, as set out in paragraph 8.

Pete Bradbury

Chairman of Governance Committee

Contact Officer: Clare Jones, Senior Democratic Services Officer: 033 022 22526, email address: clare.jones@westsussex.gov.uk

Appendices

- Appendix 1 - Changes to the Rights of Way Delegation Code of Practice

Background papers

None