

QUESTION BY A MEMBER OF THE PUBLIC UNDER COUNCIL PROCEDURE RULE 12

Council Meeting: **Wednesday, 23 July 2025**

Question from: **Nigel Marklew**

Question to: **Councillor Jane Scullion, Leader of the
Council**

QUESTION

On 30 January 2025, Place Scrutiny unanimously recommended changes to allow permitting decisions—such as those affecting the Sowerby Bridge incinerator—to be debated and voted on by elected members in public meetings. Cabinet has not publicly considered this recommendation, despite cross-party support and growing public concern. Given the passage of six months, can the Cabinet confirm whether this recommendation will appear on the formal agenda of the next Cabinet meeting, and if not, explain why a constitutional reform backed by scrutiny and supported in principle by Cabinet has still not reached formal discussion?

RESPONSE

This issue was brought to a Leader's Briefing (a meeting of Cabinet Members and the Corporate Leadership Team) in March of this year. Members were advised by the Head of Legal and Democratic Services that the authority for taking decisions on matters for which the Council was responsible was set out in the Council's Constitution. That authority is given to Cabinet, Council, Council Committees and Officers of the Council, dependant on the particular decision required and taking into account, where relevant, statutory requirements.

The recommendation received from Place Scrutiny Board needed to be considered fully to ensure that any amendment to an existing decision making route did not risk infringing any statutory requirement and that Members were satisfied that an amendment to the current decision making structure was appropriate. A Members' Constitutional Working Party is currently undertaking a review of the Constitution and will report later in this calendar year with recommendations for amendment.

However, I have agreed with the Head of Legal and Democratic Services that this is something that will be dealt with at the next Cabinet meeting.