

<b>Council Meeting</b>		<b>Agenda Item</b>
<b>Meeting Date</b>	10/10/18	
<b>Report Title</b>	Planning Committee Procedure Notes	
<b>Cabinet Member</b>	Cllr Gerry Lewin, Cabinet Member for Planning	
<b>SMT Lead</b>	Emma Wiggins	
<b>Head of Service</b>	James Freeman	
<b>Lead Officer</b>	Andy Jeffers	
<b>Key Decision</b>	No	
<b>Classification</b>	Open	
<b>Recommendations</b>	<ol style="list-style-type: none"> <li>1. To agree the revised wording for Part 4.12 of the Constitution as presented in Appendix I</li> <li>2. To change the wording throughout the Constitution to reflect the new revised procedure note.</li> </ol>	

## **1 Purpose of Report and Executive Summary**

- 1.1 Reviewing the Planning Committee procedures regularly ensures it is fit for purpose and maintains good governance and decision making arrangements. The review of the procedures is an ongoing task and it is timely to look at the items presented in this report. In particular to make clearer the procedures for how members, officers and the general public should conduct themselves when participating at the Council's Planning Committee meetings.
- 1.2 The purpose of this report is to agree the attached revised Planning Committee Procedure Note Part 4.12

## **2 Background**

- 2.1 Over recent months it has been noticeable on several occasions that decisions have been made by the Planning Committee which have not been clear to those observing how the Committee had made that decision . It has also been noted that occasionally visitors in whatever capacity attending the Committee have struggled to easily follow the proceedings of the meetings.
- 2.2 Member discussions and officer inputs have often been "ad hoc" in nature and there appears to be some merit in separating the questions Members ask seeking clarity to understand the planning applications reported to the Planning Committee and to then enable Members of the Planning Committee to debate the merits of a planning application without necessarily needing any further input from officers.

### **3 Proposals**

3.1 The purpose of the proposed changes to the Planning Committee procedure Note are the following:

- To make the proceedings of a Planning Committee more understandable to all visiting members and the general public attending such meetings.
- That there is a clear demarcation between members discussing and asking questions seeking clarity on the planning application submitted and then moving to the debate on the merits of an application with full knowledge of the proposals involved before making a decision.
- To re- emphasise the need to be clear in the decision making process on planning applications that all decisions are based on material planning considerations.

### **4 Alternative Options**

- 4.1 There is discretion on the proposals set out in the attached paper, matters where there is no discretion in relation to law and statutory guidance do not form part of this report.
- 4.2 One option is to continue with the existing procedures. Whilst on most occasions this has not caused any major issues in making planning decisions, on occasions it has given rise to confusion both amongst officers, members and the general public.
- 4.3 Another option would be to be even more prescriptive in terms of procedures as to when officers can provide advice to the Committee , however such a restrictive approach could undermine the ability of the Planning Committee to gain all the relevant information from officers that they may require in order to make a well balanced and sound planning decision.

### **5 Consultation Undertaken or Proposed**

5.1 Preliminary consultations have been carried out with the Chairman of the Planning Committee and the Cabinet Member who raise issues in principle as in 2.1 above. The Cabinet Member has recently in an email also added the following comment:

“ In addition to the benefits to applicants , visitors etc I do believe the changes provide benefits to Members of the Committee as well.”

5.2 This item was reported to the General Purposes Committee on 25 September meeting and the comments and suggestions of that Committee have been included in the attached proposed amendments at appendix 1 to this report.

## 6 Implications

Issue	Implications
Corporate Plan	Having an up to date Procedure Note for the Planning Committee is important for good governance and decision making and is part of the Council to be proud objective.
Financial, Resource and Property	None identified at this stage
Legal, Statutory and Procurement	The Council's Codes of Conduct sets out the minimum standards by which the Council and its staff work .Planning Officers are also required to follow the code of conduct that their professional body the Royal Town Planning Institute sets out. Whereas Legal officers are required to follow a professional code of conduct set out by the Law Society.
Crime and Disorder	None identified at this stage.
Environment and Sustainability	None identified at this stage.
Health and Wellbeing	None identified at this stage.
Risk Management and Health and Safety	None identified at this stage.
Equality and Diversity	None identified at this stage.
Privacy and Data Protection	None identified at this stage.

## 7 Appendices

7.1 The following documents are to be published with this report and form part of the report:

- Appendix 1: Revised wording for Part 4.12 of the Constitution – Planning Committee Procedure Notes .
- Appendix 2: Current Part 4.12 Planning Committee Procedure Notes

## 8 Background Papers

None