

Report to Council

Subject: Review of Operation of Planning Committees and Terms of Reference

Committee: Constitution and Member Services Scrutiny Panel

Date: 21 April 2015

Committee Chairman: Councillor M Sartin

Recommendations:

That:

- (1) the adoption of the attached revised draft Article on the operation of and arrangements for planning committees including the proposals for the renaming of the District Development Management Committee be agreed;**
- (2) the inclusion of the provisions within the Council's Constitution with immediate effect subject to a review during 2016 be agreed; and**
- (3) the approval of consequential amendments to the constitution by the Monitoring Officer including the removal of old provisions and areas of duplication be agreed.**

Report:

1. (Chairman of Panel – Councillor M Sartin) The Overview and Scrutiny Committee, at its meeting on 16 September 2014, referred a PICK request to the Planning Services Panel. The request was sponsored by the Chairman of the District Development Control Committee, Councillor Brian Sandler.

2. The Planning Services Scrutiny Panel, at its meeting on 9 December 2015 and the Constitution and Member Services Scrutiny Panel, at its meeting on 16 February 2015 had looked at the following matters:

(i) The operation of the speaking arrangements and deadlines for submission of material for the Planning subcommittees as currently contained within the rules for participation on planning matters to include:

- (a) Classes and types of speakers, duration and registration arrangements and deadlines;
- (b) The extent of Chairman's discretion on such matters;
- (c) Procedure for other submissions and photographic material;

(ii) The terms of reference of the Planning subcommittees and District Development Control Committee to include:

- (a) Definitions of applications of major importance;
- (b) Clarification of the mechanism for referrals from Planning Subcommittees
- (c) The role of the Leader as currently defined in the DDCC's terms of reference.
- (d) How the Council's own applications are dealt with.

3. The operation of arrangements for speaking at planning meetings has never been substantively reviewed since they began in 2006. The review was timely for two reasons; firstly the review of the Constitution into which this review fits neatly. Secondly there have

recently been a number of 'complaints' about operation (mainly from applicants/objectors).

4. Having discussed, in some detail, the operation of the Planning meetings at the Planning Services Scrutiny Panel, the Constitution and Member Services Scrutiny Panel and the Overview and Scrutiny Committee, Officers have been able to codify member's wishes into the attached revised Article of the Constitution. The article brings together all references to the Planning Committees in one place within a new Constitution.

5. This revised Article sets out the membership of the committees, responsibility for functions, terms of reference and participation and site visits rules. In particular it seeks to draw a clear line between the main bulk of applications dealt with at area level and those which would be considered, either directly, or by reference, by the District Development Management Committee (renamed as part of these proposals).

6. The changes will also bring clarity to the role of the Chairman in controlling the business at the meeting, particularly for speakers.

7. It was considered by the Panels and the Overview and Scrutiny Committee that these rules should be implemented in advance of the completion of the Constitution Review to allow a period of operational experience to be undertaken with a check in 2016 to make sure that they are still appropriate.

8. Members are asked to consider the revised Article for incorporation into the Constitution for adoption. We recommend as set out at the commencement of this report.