

# Planning Committee Review Sub-Committee – 7 February 2006

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Minutes of the meeting of the **Planning Committee Review Sub-Committee** held on **7 February 2006** when there were present:-

Cllr T G Cutmore  
Cllr K H Hudson  
Cllr A J Humphries

Cllr M G B Starke  
Cllr Mrs M S Vince

## **VISITING**

Councillor C A Hungate

## **OFFICERS PRESENT**

S Scrutton - Head of Planning Services  
J Bostock - Principal Committee Administrator

### **1 APPOINTMENT OF CHAIRMAN**

Councillor M G B Starke was appointed Chairman of the Sub-Committee.

### **2 TERMS OF REFERENCE**

The Sub-Committee noted its Terms of Reference.

### **3 REVIEW OF PLANNING SERVICES COMMITTEE**

The Sub-Committee considered the report of the Head of Planning Services outlining the context for the review of the operation of the Planning Services Committee and explaining progress to date and the way forward to the completion of the review.

With specific regard to training, it was noted that a view of the Environmental Services Committee had been that any compulsory training session should be a minimum of four hours duration (not continuous).

Prior to detailed debate, the Chairman sought the initial views of each of the Members present on the various factors that are subject to review. It was recognised that the Sub-Committee would need to be in a position whereby final recommendations can be supported by clear and distinct evidence. Arrangements associated with recommendations would also need to be clear. For example, if training is to be compulsory, then the actions that may flow for inappropriate non-attendance would need to be identified. Any facility for the public to speak at Planning Meetings would need to be both fair and clear to the public and the Council.

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It was noted that:-

- . The Terms of Reference meant that the Sub-Committee could consider all aspects of the operation of the Planning Services Committee, including the matter of public speaking.
- . Officers were further developing a draft guide for public speaking.
- . It would be inappropriate to consider any particular issues in isolation. For example, should it be concluded that there should be a smaller committee, this could have implications for the nature of a Member Training Programme and bring a different perspective to public speaking arrangements as it may be possible for non-committee members to take the role of promoting a case for or against an application.
- . Given that only two Local Authorities retained all Member Planning Committees, any recommendations associated with continuing such an arrangement would need to be capable of addressing questions around why a change cannot work for Rochford.
- . All Authorities operated rules based on the same legislative requirements, a key aspect of which was that all appointees to a Planning Committee must seek to promote and enhance the environment of the District as a whole. This does not necessarily sit well with current protocols associated with giving weighting to the specific views of Ward Members.
- . Whilst it is important to give ongoing consideration to improvements that can be introduced to officer presentations at meetings, particularly in terms of the technology available, there is always a need for caution when considering the use of material that has not been supplied by an applicant so as to avoid any suggestion of bias. It is also the case that full colour elevations of a proposed building/location can produce an image that is not matched by the end result.
- . With regard to site visits, an Ombudsman report relating to another Authority included an observation that Committee Members who do not attend site visits are disadvantaged at Committee Meetings because they do not have all the information that they need. This raises the question of whether non-attendance should have implications for the ability to vote. In terms of current practice, it can be observed that there is an implicit obligation on Members to be familiar with a site. It can also be observed that, given that some arguments offered in favour of smaller committees relate to a reduction in resources used, it would not be appropriate for issues around difficulties in attending site visits to be present in the context of any recommendation to retain an all Member Planning Committee.

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- . A number of factors point to a likelihood that any arrangement associated with a rolling membership of separately constituted Sub-Committees would be impracticable. These include that:-
  - The Authority is often unlikely to know which items will end up on an Agenda until relatively near to a meeting, which could lead to difficulties in relation to the timely identification of membership.
  - In terms of the administration of applications, it would be likely to have adverse implications for the application prioritisation process.
  - It would be inconsistent with the requirement of the Local Government Act 1972 that District Council Committees and Sub-Committees should have fixed and not fluctuating memberships (the facility for the Council's Licensing Committee to set up Sub-Committees being related to separate provisions under the Licensing Act 2003).
  - The public may feel it more difficult to ascertain which Councillors are serving them on a Planning Services Committee at any particular point in time.
- . Statistics indicated that the mean average attendance at Meetings of the Planning Services Committee is 25 Members. In commenting on arrangements at East Hampshire District Council (where all Councillors sit on one of two area Committees), the Audit Commission had observed that a smaller Planning Committee would allow for substitution arrangements and facilitate a position whereby all Planning Committee Members can be present at Meetings. The Commission had also stated that poor attendance at Planning Committee Meetings could leave customers with the impression that Councillors do not place a high level of importance or commitment to the Planning function, contrary to Councillors intentions.

During discussion, reference was made to the potential value of observing the operation of Planning Committees in other Authorities and asking the Members and Officers of other Authorities about matters such as Member training arrangements, the relationship between Planning Committee appointees and other Members and public speaking mechanisms. The Sub-Committee also considered that an opportunity to ascertain the views of the press and the public (perhaps via a focus group) would facilitate review activity.

In view of the possibility that each political structure arrangement can display a particular ethos, it was felt that visits to other Fourth Option Authorities would be the most appropriate.

In terms of the presentation of applications at Planning Meetings, reference was made to the possibility that a plan capable of demonstrating the superimposition of a proposed building on the existing street scene could be useful.

Mindful of Audit Commission comments relating to East Hampshire District Council together with the fact that the Commission has criticised other Councils that operate on an Area Committee basis, the Sub-Committee felt that it would be appropriate for the review to concentrate on the question of whether there should be a Planning Committee of all Members or a smaller sized Planning Committee. It was clear that thought needed to be given to the Ward Member role, including whether it would be appropriate to adjust arrangements so that Members can perhaps champion particular Wards without being restricted by planning requirements. Reference was made to how the subject of planning can lead to emotive approaches from the public and how elements of conflict can be identified between an objective of wanting to maintain public support with a view to winning an election and the requirement to make decisions purely on the grounds of planning law with which the public may disagree. It was observed that a smaller committee would not necessarily preclude visiting Members.

In terms of progressing the Review it was:-

### **Resolved**

- (1) That arrangements be made for Sub-Committee Members to visit two Authorities – Brentwood Borough Council and Mid-Suffolk District Council (or East Cambridgeshire District Council should Mid-Suffolk not be possible) with a view to observing their Planning Committee in operation and asking questions of Members and officers.
- (2) That representatives of the four newspapers operating within the District be invited to attend the next Meeting of the Sub-Committee to relay their views on the operation of the Planning Services Committee.
- (3) That a report be submitted to the next Meeting of the Sub-Committee on:-
  - . A mechanism for achieving the views of a public focus group on the operation of the Planning Services Committee.
  - . A revised draft protocol on public speaking at Meetings of the Planning Services Committee. (HPS)

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The Meeting commenced at 10.00am and closed 12.21pm

Chairman .....

Date .....