

SPECIAL REGENERATION COMMITTEE

31st MARCH 2005

PRESENT	Councillor Townsend (Chair) Councillors Mrs Brown, Dobinson, Foote Wood, Grogan, Hayton, Laurie, Mowbray, Perkins and Mrs Seabury
ALSO PRESENT	Councillors V Shuttleworth and Des Wilson (observers)
APOLOGIES	Councillors Nevins and Stonehouse
ADVISERS	DK Townsend, Head of Development and Building Control; Mrs C Prest, Head of Legal Services and Mrs L Spence, Committee Administrator

426. PROTOCOL ON PLANNING

The Chair indicated that he would take comments on the Protocol section by section. The following is a summary of the outcome of the discussions including, where necessary, a more detailed account of the discussion to allow the reader to understand how the outcomes were arrived at:-

Section 1 – Purpose and Status
No amendments suggested

Section 2 – The Human Rights Act
No amendments suggested

Section 3 – General Principles
No amendments suggested

(although the Leader of the Council reinforced, in response to paragraph 3.3, and later on in the Protocol at paragraph 10.5, that the Labour Group never discussed individual planning applications)

Section 4 – Training Requirements
Considerable debate took place on the proposed introduction of compulsory training.

Councillor Foote Wood, although agreeing that training was desirable, fundamentally disagreed with the introduction of compulsory training. The only requirement a person must fulfil before being eligible to stand for election was to be over the age of 21. To

insist on compulsory requirements, in any area, after that was contrary to the principles of democracy.

Councillor Laurie, on the other hand, advocated compulsory training which would allow members of the Development Control Committee a degree of professionalism in their considerations of planning applications.

It was noted that although recommended by the Government, compulsory training was not yet statute.

The Committee was unable to reach a decision by consensus and the motion was put by Councillor Laurie and seconded by Councillor Mrs Seabury, that compulsory training remain part of the Protocol.

Upon a vote being taken it was **RESOLVED** that the Committee recommend to the Standards Committee that training remain compulsory.

Councillor Foote Wood requested that his name be recorded as voting against the motion.

Discussion then took place regarding the content of paragraph 4.2 which inferred, as decisions on departures from the Local Plan were referred to full Council for consideration, that all members of the Council would be made to undertake compulsory training. It was **AGREED** that this paragraph be rewritten so that it was clear that training would be compulsory only for those members with full voting rights on the Development Control Committee.

Suggested amendments:-

Rewrite paragraph 4.2 to show clearly that training will be compulsory only for those members with full voting rights on the Development Control Committee.

Section 5 – General Conduct of Councillors and Officers
No amendments suggested

Section 6 – Declaration and Registration of Interests
No amendments suggested

Section 7 – “Dual Hatted” Councillors
No amendments suggested

Section 8 – Fettering the Members’ Discretion
No amendments suggested

Section 9 – Development Proposals involving Councillors, Council Staff and the Council
No amendments suggested

Section 10 – Lobbying of and by Councillors
Suggested amendments:-

paragraph 10.3 should read “When a Councillor asks for a planning application to be referred to the Development Control Committee for a decision, **planning** reasons

The same addition should be made to Appendix A.

Section 11 – Pre-application Discussions
No amendments suggested

Section 12 – Officer Reports to Committee
Suggested amendment: :-

Addition to paragraph 12.3 “ Following discussion with the Chair **and/or Vice Chair** of the Development Control Committee.....

Section 13 – Pre Meeting with Chair/Vice Chair
No amendments suggested

Section 14 – Viewing Panel
Suggested amendment:-

Delete the entire second sentence of paragraph 14.2. (This is because any Councillor who wishes to can join the Panel for site visits.)

Section 15 – Public Speaking at Development Control Committee
Members noted the proposed amendments to Appendix D, circulated at the meeting. These amendments aimed to further clarify the procedure and were supported by officers.

Debate ranged around the number of times the Chair/Vice Chair was allowed to speak and also on when a motion should be put. However the outcome of the discussions resulted in no changes being suggested to the Protocol.

Discussions also ensued regarding the removal of the automatic right of a ward member, who was also a member of the Development Control Committee, to speak first. It was **AGREED** that the following amendments be made to the circulated Appendix D, after which it was accepted.

Suggested amendments:-

Accept the report with the replacement Appendix D – from paragraph 7 onwards to include the following changes:-

Paragraph 7(d) to read “ Councillors who are not Members of the Committee have the right to address the Development Control Committee in relation to planning applications in their ward. The Chair to be notified of this intention prior to the meeting.”

Paragraph 7 (f) to read “ Committee debates the application.”

Section 16 – Determination of Planning Applications

Suggested amendment:-

Delete the word “**usually**” from the first line of paragraph 2 in Appendix E.

Section 17 – Decisions contrary to Officer recommendation

No amendments suggested

Section 18 – Voting at Development Control Committee

No amendments suggested

Section 19 – Voting by Chair

No amendments suggested

Section 20 – Second or casting vote of Chair

No amendments suggested

RECOMMENDED that the Standards Board be asked to take the above comments into account in their consideration of the Protocol on Planning:-

The meeting concluded at 5.45pm

CHAIR