

# Item 3

## SEDGEFIELD BOROUGH COUNCIL

### DEVELOPMENT CONTROL COMMITTEE

Council Chamber,  
Council Offices,  
Spennymoor

Friday,  
20 July 2007

Time: 10.00 a.m.

**Present:** Councillor A. Smith (Chairman) and

Councillors W.M. Blenkinsopp, D.R. Brown, D. Chaytor, Mrs. K. Conroy, Mrs. P. Crathorne, Mrs. L. M.G. Cuthbertson, D. Farry, T.F. Forrest, G.C. Gray, Mrs. S. Haigh, Mrs. I. Hewitson, J.E. Higgin, A. Hodgson, T. Hogan, Mrs. L. Hovvells, Mrs. S. J. Iveson, J.M. Khan, B. Lamb, B.M. Ord, Mrs. E.M. Paylor, B. Stephens, K. Thompson, T. Ward, W. Waters and Mrs E. M. Wood

**Apologies:** Councillors Mrs. A.M. Armstrong, B.F. Avery J.P, Mrs. D. Bowman, T. Brimm, J. Burton, V. Chapman, V. Crosby, P. Gittins J.P., Mrs. B. Graham, A. Gray, Mrs. J. Gray, B. Haigh, D.M. Hancock, G.M.R. Howe, J.G. Huntington, Mrs. H.J. Hutchinson, Ms. I. Jackson, Mrs. E. Maddison, C. Nelson, D.A. Newell, Mrs. C. Potts, J. Robinson J.P, A. Warburton and J. Wayman J.P.

**DC.29/07      DECLARATIONS OF INTEREST**

The following declarations of interest were received :

Councillor G.C. Gray	-	Item 6 – Consultations from Durham County Council - Personal and Prejudicial – Member of Durham County Council.  Item 6 – Consultations from Durham County Council – Application 4 – School Governor.
Councillor Mrs.S. Iveson	-	Item 6 – Consultations from Durham County Council – Personal and Prejudicial – Member of Durham County Council.

**DC.30/07      MINUTES**

The Minutes of the meeting held on 22<sup>nd</sup> June, 2007 were confirmed as a correct and signed by the Chairman. (For copy see file of Minutes).

**DC.31/07      READOPTION OF ACS<sub>e</sub>S MODEL MEMBERS' PLANNING CODE OF GOOD PRACTICE - JUNE 2007**

Consideration was given to the revised Member's Planning Code of Good Practice. (For copy see file of Minutes).

It was explained that the Code of Good Practice had been prepared in response to the Local Government Association's Guidance Note on the

Preparation of Local Codes of Good Practice on Planning Matters in the light of the introduction of new ethical framework and in consultation with the District Audit Service, Local Government Ombudsman and the Standards Board for England. It had also been updated following the introduction of the New Member Code of Conduct adopted by Council at its meeting on 29<sup>th</sup> June, 2007.

The Member's Planning Code of Good Practice set out the following :-

- Relationship to the Members' Code of Conduct
- Development Proposals and Interests under the Members' Code of Conduct
- Fettering Discretion in the Planning Process
- Contact with Applicants, Developers and Objectors
- Lobbying of Councillors
- Lobbying by Councillors
- Site Visits
- Public Speaking at Meetings
- Officers
- Decision-making
- Training
- Dual Hatted Members and Members as Community Advocates

Specific reference was made to Paragraph 3 – Fettering Discretion in the Planning Process. It was emphasised that Councillors must not fetter their discretion and therefore their ability to participate in the decision-making process at the Council by making up their mind or appearing to have made up their mind on how they would vote on planning matters prior to formal consideration of the matter at the meeting of the Planning Authority or hearing the officer's presentation and evidence and arguments on both sides.

With regard to Paragraph 11 – Training – it was reported that the Code recommended that as a mandatory requirement Member's attend at least one training event prior to their first attendance at Development Control Committee.

Member's attention was drawn to Paragraph 12 – Dual Hatted Members and Members acting as Community Advocates. It was noted that a number of changes had been made to the advice contained in this paragraph.

In response to a Member's question regarding membership of community groups, it was explained that although Councillors were encouraged to join community groups as part of their role as a community advocate, it was recognised that in certain circumstances this could limit their ability in the decision-making process.

Members sought clarification in relation to Paragraph 10 – Decision-Making. It was explained that in cases where Members proposed, seconded or supported a decision, contrary to officer recommendation, the reasons must be given prior to the vote and be recorded.

*RESOLVED : That the ACSeS Model Members 'Planning Code of Good Practice be adopted.*

**DC.32/07**

**DEVELOPMENT CONTROL - ADDITIONAL APPLICATIONS**

Consideration was given to a schedule detailing an application for consent to develop. (For copy see file of Minutes).

*RESOLVED : That the report be received and the recommendation contained therein be adopted.*

**DC.33/07**

**CONSULTATIONS FROM DURHAM COUNTY COUNCIL**

**NB : In accordance with Section 81 of the Local Government Act, 2000 and the Members Code of Conduct Councillors G.C. Gray and Mrs. S. Iveson declared personal and prejudicial interests in this item and left the meeting for the duration of the discussion and voting thereon.**

A schedule of applications which were to be determined by Durham County Council and upon which the views and observations of this Council had been requested was considered. (For copy see file of Minutes).

Detailed discussion took place in relation to Application No : 5 – Application not to Comply with Conditions 1 and 7 of Application 7/2003/0045/CM in order to extend the date for completion of mineral extraction to 31<sup>st</sup> December, 2015, revise the method of extraction and revise the phasing of inert landfill operations, The Quarry, Bishop Middleham, County Durham – Plan Ref : 7/2007/0388/CM.

Although Members supported the proposal in general concerns were raised regarding the impact the increase in timescale by 50% and the impact future proposals from nearby quarries could have on the residential amenity. It was agreed that a letter be sent to Durham County Council setting out the concerns of the Committee.

Reference was also made to the demand for limestone, the method of mineral extraction and the close proximity of the site to the A1(M) motorway.

- RESOLVED :**
- 1. That the recommendations detailed in the schedule be adopted.*
  - 2. That a letter be sent to Durham County Council setting out the concerns of the Committee in respect of Application No: 5 – Application not to Comply with Conditions 1 and 7 of Application 7/2003/0045/CM in order to extend the date for completion of mineral extraction to 31<sup>st</sup> December, 2015, revise the method of extraction and revise the phasing of inert landfill operations, The Quarry, Bishop Middleham, County Durham – Plan Ref : 7/2007/0388/CM.*

**DC.34/07**

**CONSULTATIONS FROM NEIGHBOURING AUTHORITIES**

Consideration was given to a schedule detailing an application which was to be determined by Stockton-on-Tees Borough Council and upon which the views and observations of this Council had been sought. (For copy see file of Minutes).

- RESOLVED :** *That the report be received and the recommendation contained therein adopted.*

**DC.35/07**

**DELEGATED DECISIONS**

Consideration was given to a schedule of applications which had been determined by officers by virtue of their delegated powers. (For copy see file of Minutes).

- RESOLVED :** *That the schedule be received.*

**DC.36/07**

**APPEALS**

Consideration was given to a schedule detailing outstanding appeals to 11<sup>th</sup> July, 2007. (For copy see file of Minutes).

- RESOLVED :** *That the schedule be received.*

**EXCLUSION OF PRESS AND PUBLIC**

- RESOLVED:** *That in accordance with Section 100(a)(4) of the Local Government Act 1972 the press and public be excluded from the meeting for the following item of business on the grounds that it may involve the likely disclosure of exempt information as defined in Paragraphs 1 and 6 of Part 1 Schedule 12a of the Act.*

**DC.37/07**

**ALLEGED BREACHES OF PLANNING CONTROL**

Consideration was given to a schedule of alleged breaches of planning control and action taken. (For copy see file of Minutes).

*RESOLVED : That the schedule be received.*

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**ACCESS TO INFORMATION**

Any person wishing to exercise the right of inspection, etc., in relation to these Minutes and associated papers should contact Lynsey Walker 01388 816166 ext 4237 email: [lwalker@sedgefield.gov.uk](mailto:lwalker@sedgefield.gov.uk)

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