



Planning applications committee

10:00 to 11:25

9 July 2020

Present: Councillors Driver (chair), Maxwell (vice chair), Bogelein, Button, Huntley, Lubbock, Neale, Peek, Sands, Sarmezey, Stutely and Utton

Apologies: Councillor Ryan

1. Declarations of interest

There were none.

2. Minutes

RESOLVED to approve the accuracy of the minutes of the meetings held on 23 April 2020.

3. Review of the Scheme of Delegation

The area development manager (outer) presented the report and, together with the area development manager (inner), answered members' questions on the proposal to amend the committee's scheme of delegation and to temporarily suspend the rules relating to public speaking at the committee (as set out in Appendix 11 of the council's constitution) for three months, proposing that members of the public might instead submit written statements. The report also contained a summary of the ten decisions made under temporary arrangements (adopted by the committee on 23 April 2020) which had required the chair's and, in one case where the chair had an interest, the vice chair's approval.

During the presentation, the area development manager (outer) provided an update to the report and confirmed that officers had considered the proposals against the public sector equality duty. The changes to the scheme of delegation were not considered to have any equality implications. In relation to public speaking arrangements, the proposed approach would ensure that there was no discrimination against users of the service with protected characteristics whom do not have access to IT equipment. The requirement for statements and the inability to speak at the meeting could have implications for users of the service with protected characteristics who were unable to put comments in writing. The council normally sought all representations on planning applications in writing to avoid any ambiguity in the submissions being made. However appropriate adjustments and assistance

would always be provided where a user had a protected characteristic which meant this was not possible. Should such a situation arise, it was therefore recommended that appropriate adjustments were put in place and, that at the chair's discretion, public speaking arrangements were adjusted on a case by case basis.

During discussion on the proposals for the amendment to the scheme of delegations, members expressed concern that the proposal to increase the number of objections for minor applications to be considered at committee from two to four would be unfair to immediate neighbours who were likely to be the only and most affected party by the planning proposal and denied an opportunity to speak at committee. Several members said that, whilst they understood that the proposals to amend the scheme of delegation was to make better use of the committee's time, they appreciated the importance to residents of proposals which affected their homes. It was noted that councillors could use the call-in procedures. The area development manager (outer) confirmed that ward councillors could call in any planning application provided that the grounds were material planning considerations. This included concerns about loss of light and daylight shadowing. A member said that members of the public needed to be made aware of the call-in arrangements and be provided with their ward councillors' details. The area development manager (inner) advised that the majority of household applications were approved in accordance with officer recommendations and ward councillors could call in cases for consideration by the committee. The officers confirmed that they would review the correspondence to applicants and respondents to planning consultations accordingly. A member commented that she considered that it was unnecessary to make "drastic" changes to the scheme of delegation at this time. She considered that the review should be of the temporary arrangements agreed at the last meeting so as to involve the committee and enable public participation in determining planning applications going forward. Another member said that retrospectively she had been disappointed with the delegation of decisions to the chair/vice chair and said that she was aware that there had been issues with at least two decisions made under delegated powers which were of concern to residents.

The area development manager (outer) confirmed that although meetings were being held remotely at present; the situation leading to return to in person meetings was under constant review. New guidelines for public meetings had been issued earlier in the week. The committee was not being asked to make a decision on the format of meetings which would be made elsewhere. The report proposed temporary arrangements for public participation to take part while virtual meetings were being held. Members commented that paragraph 7 of the report was misleading because it indicated that all meetings going forward would be virtual which would not be the case in the longer term. Discussion ensued in which members suggested that depending on the platform used, members of the public could sign in or phone in so they could speak at virtual meetings. A member suggested that ward councillors should be permitted to speak at committee on behalf of local residents. During discussion a member suggested that the proposed arrangements for public speaking were adopted and reviewed after the August meeting rather than waiting until November. Members concurred with this proposal.

The chair moved and the vice chair seconded the recommendations as set out in the report.

Councillor Bogelein moved an amendment to the proposed scheme of delegations (set out in Appendix C), seconded by Councillor Neale, to reduce the number of objections from four to two, thus amending (2)(a) to “two or more objections”. She also pointed out that communications regarding planning applications should explain the councillor call-in arrangements and provide councillor contact details rather than an automated letter of acknowledgement.

Discussion ensued on the amendment, in which some members welcomed the proposed amendment to 2(a). In reply to a question, the area development manager (inner) explained that if the proposed scheme of delegation as set out in Appendix C was not approved the current arrangement of delegation to the chair and vice chair would continue. Councillor Lubbock, supported by Councillor Utton, indicated that if this was the case, she would move that the committee reverted to the agreed scheme of delegation set out in Appendix A. She said that she considered that the changes to the scheme of delegation as proposed and at this critical time were unacceptable and unnecessary.

On being put to the vote, with 8 members voting in favour (Councillors Bogelein, Neale, Huntley, Utton, Sarmezey, Peek, Lubbock and Sands) and 4 members voting against (Councillors Driver, Maxwell, Button and Stutely) the amendment to 2(a) was approved and became part of the substantive motion to approve the scheme of delegations as set out in Appendix C. It was then:

RESOLVED, with 10 members voting in favour (Councillors Driver, Maxwell, Huntley, Bogelein, Sarmezey, Sands, Peek, Neale, Button and Stutely) and 2 members abstaining (Councillors Lubbock and Utton) to approve the scheme of delegation as set out in Appendix C and amended in accordance with the minutes above, and to adopt it with immediate effect.

Discussion ensued on the temporary proposals for public engagement with committee meetings. It was agreed that ward councillors should be given the option to speak on planning applications at the meeting and that this could be arranged. Members also noted that assistance would be given to members of the public who could not provide a written statement and that these cases would be considered on a case by case basis. The arrangements would be reviewed immediately after the August committee meeting. Councillor Bogelein moved and Councillor Stutely seconded that the rules relating to ward councillors were not suspended and that ward councillors would be admitted to the meeting on Zoom or the appropriate platform.

RESOLVED, unanimously, to allow ward councillors to speak at the next meeting of the planning applications committee and to review the temporary arrangements for public participation, as set out in the report and minuted above, following the next meeting.

4. Date of next meeting

RESOLVED to hold the next meeting of the committee at 10:00 on 13 August 2020 and each second Thursday of the month thereafter.

CHAIR