

**PLANNING REFERRALS PROCESS - ADVANTAGES/DISADVANTAGES OF ALTERNATIVE REFERRAL BODIES**

<b>Advantages of Referral to Full Council – Extraordinary Meeting</b>	<b>Disadvantages of Referral to Full Council – Extraordinary Meeting</b>
<p>Relieves pressure on a small group of Members (Planning Referrals Committee comprising three Members).</p> <p>Provisions relating to public speaking would apply – details to be determined.</p>	<p>Unwieldy.</p> <p>Could result in delays in decision making and additional costs, including loss of the planning fee, which could be substantial, if an extension of time has not been agreed with the applicant</p> <p>Issues relating to pre-determination to be resolved - would need to discuss with the individual Members involved.</p> <p>Logistics of training 55 Members on relevant planning issues.</p>
<p>Note: The Working Group was initially under the impression that at Shepway District Council particularly controversial applications are reported to full Council for determination. However, it was established that at Shepway planning applications are delegated within the Council’s Constitution to the Planning and Licensing Committee. There is no provision for referral by an individual. The only applications that have been reported to full Council (Lydd Airport and the sea front) were due to resolutions of the full Council for these applications to be determined there as there were major issues relating to employment and site sensitivity. In the case of a critical application, this approach could be adopted, but the issues described above would apply.</p>	
<b>Advantages of Referral to Other Body – Policy and Resources Committee – Special Meeting</b>	<b>Disadvantages of Referral to Other Body – Policy and Resources Committee – Special Meeting</b>
<p>Relieves pressure on a small group of Members (Planning Referrals Committee comprising three Members).</p> <p>Provisions relating to public speaking would apply – details to be determined.</p> <p>Responsible for co-ordinating financial management and performance across the Council.</p>	<p>Issues relating to pre-determination to be resolved – would need to discuss with the individual Members involved, but Substitutes could be used.</p> <p>Perception that the determination of planning applications is driven by financial considerations.</p>

<p>Policy and Resources Committee Members and Substitute Members could be included in the mandatory training arranged for Members and Substitute Members of the Planning Committee.</p> <p>It would be necessary to make clear that applications were being referred to the Policy and Resources Committee for final determination (with no provision for referral of the Committee’s decision to full Council).</p> <p>All Groups represented and membership includes all Group Leaders.</p>	
<p><b>Advantages of Referral to Other Body – Strategic Planning, Sustainability and Transportation Committee – Special Meeting</b></p>	<p><b>Disadvantages of Referral to Other Body – Strategic Planning, Sustainability and Transportation Committee – Special Meeting</b></p>
<p>Relieves pressure on a small group of Members (Planning Referrals Committee comprising three Members).</p> <p>Provisions relating to public speaking would apply – details to be determined.</p> <p>Responsible for overseeing, inter alia, the development, review and implementation of the Council’s strategic planning policies, including the Council’s Development Plan.</p> <p>Strategic Planning, Sustainability and Transportation Committee Members and Substitute Members could be included in the mandatory training arranged for Members and Substitute Members of the Planning Committee.</p> <p>It would be necessary to make clear that applications were being referred to the Strategic Planning, Sustainability and Transportation</p>	<p>Issues relating to pre-determination to be resolved – would need to discuss with the individual Members involved, but Substitutes could be used.</p> <p>Issues relating to the Committee being asked to arbitrate on the application of its own policies.</p>

<p>Committee for final determination (with no provision for referral of the Committee’s decision to the Policy and Resources Committee).</p>	
<p><b>Advantages of Increasing the Membership of the Planning Referrals Committee</b></p>	<p><b>Disadvantages of Increasing the Membership of the Planning Referrals Committee</b></p>
<p>Relieves pressure on a small group of Members (Planning Referrals Committee currently comprises three Members).</p> <p>Membership excludes Members and Substitute Members of the Planning Committee so pre-determination should not be an issue.</p> <p>Provisions relating to public speaking would apply – details to be determined.</p> <p>Planning Referrals Committee Members and Substitute Members could be included in the training arranged for Members and Substitute Members of the Planning Committee.</p>	<p>Difficult to find additional Members to serve on the Committee and there may be unwillingness on the part of Political Groups to be allocated seats on a Committee that has only been required to meet twice in ten years to exercise its functions.</p>

The Working Group also considered the advantages and disadvantages of a third party independent review as follows:

<p><b>Advantages of a Third Party Independent Review</b></p> <p>Relieves pressure on a small group of Members (Planning Referrals Committee currently comprises three Members).</p> <p>Objective approach by an independent party.</p>	<p><b>Disadvantages of a Third Party Independent Review</b></p> <p>Cost implications and issues associated with ratification of the third party’s conclusions.</p>
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