

Planning Committee Terms of Reference – 6 Month Update

Final Decision-Maker	Democracy and General Purposes Committee
Lead Head of Service	Angela Woodhouse, Head of Policy, Communications and Governance
Lead Officer and Report Author	Ryan O’Connell, Democratic and Electoral Services Manager
Classification	Public
Wards affected	All

Executive Summary

In April 2019 Council agreed changes to the terms of reference for planning committee and requested that the impact of the changes be reviewed after they had been in place for 6 months. This report sets out the results of the review.

Purpose of Report

Decision

This report makes the following recommendations to this Committee:

That no further amendments are required to the Planning Committee Terms of Reference as a result of the review.

Timetable

Meeting	Date
Democracy and General Purposes Committee	29 January 2020

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1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	The terms of reference for Planning Committee ensure that appropriate decision making is taken for all planning applications which could potentially impact on any of the Corporate Priorities.	Democratic and Electoral Services Manager
Cross Cutting Objectives	None directly, but the terms of reference for Planning Committee ensure that appropriate decision making is taken for all planning applications which could impact on any of the Corporate Priorities.	Democratic and Electoral Services Manager
Risk Management	See paragraph 5.1	Democratic and Electoral Services Manager
Financial	None	Democratic and Electoral Services Manager
Staffing	None	Democratic and Electoral Services Manager
Legal	There are no new legal implications from accepting the recommendation as the changes are functioning as intended.	Democratic and Electoral Services Manager
Privacy and Data Protection	None	Democratic and Electoral Services Manager
Equalities	None	Democratic and Electoral Services Manager
Public Health	None	Democratic and Electoral Services Manager
Crime and Disorder	None	Democratic and Electoral Services Manager
Procurement	None	Democratic and Electoral Services Manager

2. INTRODUCTION AND BACKGROUND

- 2.1 In April 2019 Council agreed to amend the Planning Committee terms of reference. This included amending the provisions relating to referral for Parish Councils in order to bring them in line with those for Ward Members. The main change was that Ward Members and Parishes could only call in applications that impacted on their respective areas.
 - 2.2 When Council made the decision to adopt the changes, because no formal consultation had been carried out with parishes, the Council requested that the impacts be reviewed through consultation with parishes and the outcome be reported back to Committee in 6 months.
 - 2.3 After 6 months, when the terms of reference had been in place for sufficient time to allow for viable feedback, the Democratic and Electoral Services Manager contacted parishes, via Kent Association of Local Councils (KALC) and Tovil Parish Council directly, to receive feedback. Tovil Parish Council did not respond, but KALC invited the Democratic and Electoral Services Manager to attend a KALC meeting (this resulted in this report being delayed from November 2019 to January 2020).
 - 2.4 The feedback from that meeting was that parishes had not noticed a discernible difference as a result of the changes and were assured that if an application impacted on their area they could still call it in. This outcome is considered to be what was expected from the changes.
 - 2.5 It is therefore recommended that the terms of reference be unchanged as a result of the consultation.
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3. AVAILABLE OPTIONS

- 3.1 The Committee could agree with the outcome of the short review and leave the terms of reference unchanged. This is the recommended option.
 - 3.2 The Committee could request further changes to the terms of reference, or to recommend to Council that the changes be reversed. Given the changes were relatively minor and feedback suggests that they have been successful this is not recommended.
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4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 4.1 See 3.1
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5. RISK

- 5.1 The risks associated with this proposal, including the risks if the Council does not act as recommended, have been considered in line with the Council's Risk Management Framework. We are satisfied that the risks

associated are within the Council's risk appetite and will be managed as per the Policy.

6. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

- 6.1 Following the decision of Council on 10 April 2019 KALC and Tovil Parish Council were contacted for feedback on the decision. This resulted in the Democratic and Electoral Services Manager attending a meeting of KALC to answer questions and receive KALC's response.
- 6.2 The response from KALC was that no changes had been noticed in terms of the impacts on parishes, and that they were assured that if an application impacted on their parish they could still call it in.

7. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

- 7.1 None. The changes to the terms of reference will remain.

8. REPORT APPENDICES

- 8.1 None

9. BACKGROUND PAPERS

- Report to Democracy and General Purposes Committee 13 March 2019 – Planning Committee Terms of Reference
- Minutes of the Council Meeting Held on 10 April 2019.