



# Uttlesford District Council

Chief Executive: Peter Holt

## Planning Committee Working Group

**Date:** Thursday, 6th January, 2022

**Time:** 2.00 pm

**Venue:** Zoom - <https://zoom.us/>

**Chair:** Councillor S Merifield

**Members:** Councillors P Fairhurst, R Freeman, M Lemon, J Loughlin and R Pavitt

### AGENDA

**1 Apologies for absence and declarations of interest**

To receive any apologies and declarations of interest.

**2 Minutes of the previous meeting**

3 - 5

To consider the minutes of the previous meeting.

**3 Member Training requirements for Planning Committee - Final wording**

6 - 7

To agree the final wording regarding Member training requirements for Planning Committee.

**4 Report template**

To consider the revised report template. (Verbal item)

**For information about this meeting please contact Democratic Services**

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# Agenda Item 2

## **PLANNING COMMITTEE WORKING GROUP held at ZOOM on THURSDAY, 16 DECEMBER 2021 at 2.00 pm**

Present: Councillor S Merifield (Chair)  
Councillors R Freeman, M Lemon, J Loughlin and R Pavitt

Officers in attendance: N Brown (Development Manager), B Ferguson (Democratic Services Manager), A Lindsell (Democratic Services Officer), A Lockhart (Interim Legal Services Manager) and J Walsh (Planning Transformation Lead)

### **1 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST**

There were no declarations of interest.

### **2 WELCOME FROM THE CHAIR**

The Chair welcomed everyone to the meeting.

### **3 CHANGES TO CALL IN PROTOCOL FOR PLANNING APPLICATIONS**

The Planning Transformation Lead confirmed the need to consider changes to the call in of planning applications protocol as recommended in the peer review. She highlighted the existing arrangements as set out in the report pack and confirmed that the protocol was clear and explicit. She asked Officers to explore why the call in period was five weeks and whether there was a form that councillors could fill in to undertake a call in.

The Chair agreed that no changes to the protocol were necessary but noted that UDC did receive a high number of call ins.

The Development Manager explained that the call in period was currently five weeks to accommodate Parish Councils and enable them to consider the applications within their monthly meeting structure. Currently elected members contact the Development Manager and request call ins accompanied by a valid planning reason and it was agreed that the introduction of a proforma form for call ins could help reduce the submission of applications inappropriate for call in and provide a valuable paper trail and professional feedback.

Following discussion regarding political pressure the Planning Transformation Lead reminded the working group that this existing protocol is constitutional.

The Planning Transformation Lead questioned whether the protocol caused/generated a lot of call ins to be made and the Development Manager confirmed that there were a high number of call ins but the protocol is not necessarily the reason that so many applications are heard by Committee.

It was agreed that the five week consultation period built in an unnecessary two week delay and increased the need for extensions of time (EOTs). It was agreed that the District Council did not have to configure themselves around the parishes, who had the power to co-ordinate Extraordinary Meetings to accommodate untimely planning applications and often had Planning Committees who would only meet once applications had been submitted.

The meeting considered whether the scheme of delegation would benefit from review and the Development Manager confirmed that this could result in additional call ins.

The meeting agreed that it was a sensible suggestion on the part of the Planning Transformation Lead to produce a proforma for Councillors to use to make a call in and to recommend reducing the call in period to four weeks, from five.

AGREED to:

- I. The introduction and use of a pro-forma to help Councillors provide all details required when calling in an application
- II. Recommend to the Governance, Audit and Performance Committee (GAP) that the call-in protocol be amended to reduce the call-in period from five weeks to four.

4

#### **CHANGES TO MEMBER TRAINING REQUIREMENTS FOR PLANNING COMMITTEE**

The Planning Transformation Lead detailed the current wording within the constitution as;

“Councillors will be given regular updates to keep them informed of important changes in legislation, procedures or practises either verbally at meetings or as briefing notes (for example in the members bulletin.)”

The Planning Transformation Lead recommended that the following wording was added to the constitution and put forward for adoption by GAP;

“Officers will arrange a mandatory training session for Councillors who are members or substitute members of Planning Committee which must be undertaken before participating in decision making at Planning Committee. Training will be reviewed annually. All Councillors will be invited to attend.”

Councillors discussed the value of the annual formal training and agreed that the Democratic Services Manager would circulate the final wording regarding Part 5 – Probity in Planning – clause 4.1 of the constitution to recommend to GAP regarding the proposed refresher training.

The Planning Transformation Lead explained that the proposed Basic Defensible Planning Decision training was a half day course and recommended that two or three different sessions were offered to Councillors.

AGREED that the Democratic Services Manager circulate the final wording pertaining to clause 4.1 - Member Training for recommendation to GAP.

## 5 COMMITTEE REPORT TEMPLATE

The Planning Transformation Lead apologised that due to significant background work being undertaken with all the templates, they were not currently finalised. She thanked Councillors Loughlin and Merifield for their feedback and welcomed further comments from the group.

The meeting discussed the pros and cons of various structures to the report and the Planning Transformation Lead detailed a mechanism whereby conditions would be inserted towards the end of the report. Councillors agreed that this was preferable.

The Planning Transformation Lead suggested that the introduction of section heads would be of benefit to the public and help them work through the report.

Councillor Freeman noted the value of understanding the site and application's history in order to truly comprehend each case.

The Planning Transformation Lead resolved to bring the finalised template to the next meeting on 6 January 2022.

## 6 DATES OF FUTURE MEETINGS

The following meeting dates were agreed, with all meetings starting at 2pm;

6 January 2022

27 January 2022

17 February 2022

10 March 2022

31 March 2022

21 April 2022

12 May 2022

Future items recommended for review included;

- i. Officer attendance at planning committee meetings in different districts, virtually or in person.
- ii. Scheme of delegation.
- iii. Public speaking protocol.

The meeting agreed that the Chair and the Planning Transformation Lead would finalise agenda items for each meeting and circulate to members.

*The meeting ended at 15.31.*

# Agenda Item 3

<b>Committee:</b>	Planning Committee Working Group	<b>Date:</b>	
<b>Title:</b>	Changes to Member Training Requirements for Planning Committee		6 January 2022
<b>Report Author:</b>	Ben Ferguson, Democratic Services Manager		

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## Summary

1. At the previous meeting of the [Planning Committee Working Group](#) (PCWG), members discussed the current wording contained in the council's Constitution regarding Planning Committee training.
2. Particular attention was paid to the need to stipulate the mandatory nature of annual training for Committee members.
3. Members agreed that the exact wording would be shared with the working group before being recommended to the Governance, Audit and Performance Committee (GAP).
4. For this purpose, the proposed wording has been brought back to the PCWG for recommendation to GAP Committee.
5. It should be noted that the final decision on constitutional changes are reserved to Full Council on the recommendation of the GAP Committee.

## Recommendations

6. To recommend to GAP Committee that the following change to Part 5 – Probity in Planning – clause 4.1 of the Constitution is recommended to Full Council for adoption:

### **Current wording:**

Officers will arrange training on planning issues. All members of the Council will be invited to attend. All members of the Planning Committee should attend.

### **To be replaced with:**

*Officers will arrange an annual mandatory training session for Councillors who are members or substitute members of Planning Committee. This training must be undertaken before participating in decision making at Planning Committee. All members of the Council who are not on Planning Committee or a substitute member of planning committee will be invited to attend on a voluntary basis.*

## Financial Implications

7. Any proposed changes to the constitution to be facilitated within existing budgets.

**Background Papers**

8. None

**Impact**

- 9.

Communication/Consultation	None
Community Safety	None
Equalities	None
Health and Safety	None
Human Rights/Legal Implications	None
Sustainability	None
Ward-specific impacts	None
Workforce/Workplace	None

**10.Risk Analysis**

Risk	Likelihood	Impact	Mitigating actions
Inadequately trained committee members are more likely to make poor decisions.	3	3	To ensure the Constitution reflects the need for committee members to be provided training on an annual basis.

- 1 = Little or no risk or impact
- 2 = Some risk or impact – action may be necessary.
- 3 = Significant risk or impact – action required
- 4 = Near certainty of risk occurring, catastrophic effect or failure of project.