



Uttlesford District Council

Chief Executive: Peter Holt

Planning Committee Working Group

Date: Thursday, 21st April, 2022

Time: 2.00 pm

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

Chairman: Councillor S Merifield

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

AGENDA PART 1

Open to Public and Press

1 Apologies for absence and declarations of interest

To receive any apologies and declarations of interest.

2 Minutes of the previous meeting

4 - 9

To consider the minutes of the previous meeting.

3 Member Training

To confirm the details for the annual mandatory training scheduled for May 2022.

4 To View an Episode of Uttlesford District Council's Planning Committee

To view an episode of Uttlesford District Council's Planning Committee.

5 Equipment in the Chamber

To discuss the microphones and cameras within the Chamber.

6 Feedback from Planning Committee

To receive feedback from the Planning Committee meeting held 13 April 2022.

7 Future Agenda Items

To consider items for discussion at future meetings.

For information about this meeting please contact Democratic Services

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Agenda Item 2

PLANNING COMMITTEE WORKING GROUP held at ZOOM on WEDNESDAY, 23 MARCH 2022 at 2.00 pm

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

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 (Interim Planning Transformation Lead)

1 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

There were no apologies for absence or declarations of interest.

2 MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 2 March 2022 were approved as accurate.

3 CHANGES TO THE PROTOCOL FOR PUBLIC SPEAKING

The Interim Planning Transformation Lead presented the report on the proposed changes to Section 2 Part 5 of the Constitution – Codes and Protocols – Procedure for public attendance at meetings of the Planning Committee. She proposed the following changes to save time;

- Where an application is recommended for approval and there are no other registered speakers, the applicant/agent will not have a right to speak.
- The proposal is to reduce the overall time taken for public speaking. Members of the public would have a speaking time reduced from 4 to 3 minutes.
- Applicants and their representatives may speak for up to 10 minutes rather than 15 minutes.
- Supporters have five slots available and objectors have five slots available. This is a change from Ten slots are available between supporters/ objectors.

In response to the first proposed change Members made the following comments:

- That the proposed change limited opportunities to speak and were a step backwards.
- That the applicant would have spent a great deal of time preparing their application and could not have much more to bring to the table if the application was recommended for approval.

The Development Manager suggested the addition of “if no registered speakers against the application.”

In response to the remaining three proposed changes Members made the following comments:

- Members did not support the proposed reduction of public speaking time from 4 to 3 minutes.
- Members were happy to support the proposal to reduce Applicants time from 15 to 10 minutes.
- Members did not support the proposed changes to the slot allocations.
- It was suggested that the introduction of a last minute warning would be useful in preventing speakers overrunning.
- Members agreed to propose the introduction of a one minute warning before speaking time expires, notice of which would be provided within the joining details despatched to speakers.

The Development Manager noted concern that applicants speaking time should not be reduced if the public speaking time was not being reduced.

The Chair suggested that the Planning Department could advise public speakers to plan their speeches and co-ordinate to reduce repetition

The Democratic Services Officer confirmed that the current system in the Chamber does not have a function to turn off a microphone when a speaker exceeds their allocated time.

The Democratic Services Manager confirmed that a one minute warning function could be provided through the projector.

Members agreed to introduce a one minute warning before speaking time expires, notice of which would be provided within the joining details despatched to speakers.

RESOLVED: To recommend to GAP Committee the following change to the procedure for public attendance at meetings of the Planning Committee should be agreed as changes to the constitution and recommended to Full Council for adoption;

- 2.1 Where an application is recommended for approval and there are no other registered speakers to speak against the application, the applicant/agent will not have a right to speak.

4 INTRODUCTION OF MANDATORY TRAINING

The Interim Planning Transformation Lead presented the report on the proposed introduction of mandatory training and proposed the following change to the wording of the Constitution in relation to the need to stipulate the mandatory nature of annual training for Committee members as this is a recommendation

from the EELGA PEER Review of Planning and has already been agreed as a recommendation to be implemented.

She proposed that the current wording was proposed to be replaced as detailed below:

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 basic 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. Officers will arrange and offer (in consultation with the Chair of Planning) a programme of topic focussed training including to run throughout the year. Topics to include review of decision made, visits to implemented schemes and updates on changes to planning law.

The Interim Planning Transformation Lead noted that the recommendation was best practise as acknowledged by PAS Probity in Planning.

Councillor Loughlin acknowledged that the proposed wording was an improvement.

Members discussed:

- The importance of remaining informed through specific training.
- Whether it was necessary to add this to the constitution.
- The need for ongoing training sessions.
- Concerns that the introduction of mandatory could mean that changes were not picked up.

The Interim Planning Transformation Lead noted that the mandatory training is basic to understand the logistics of decision making.

The Chair asked the Development Manager whether Officers get a briefing note when planning matters and legislation change.

The Development Manager confirmed that this was an area that was improving and he noted the increased involvement of Officers and Members.

RESOLVED: To recommend to GAP Committee the proposed change to the wording of the Constitution in relation to the need to stipulate the mandatory nature of annual training for Committee members.

5

ARRANGEMENTS TO VISIT AN EXEMPLAR PLANNING COMMITTEE

The Development Manager confirmed that there wasn't currently a definitive decision corporately about in office meetings and it was anticipated that the visit would be arranged nearer the summer.

The Chair raised concerns of 11 Members and a number of Officers descending on another Committee and suggested the visit was conducted virtually.

Councillor Loughlin requested the definition of an exemplar planning committee.

The Interim Planning Transformation Lead have asked the Planning Advisory Service (PAS) to recommend exemplar Councils which could be addressed at the proposed training.

The Development Manager recalled when a Northern Ireland Planning Committee visited UDC's Planning Committee and supported the Chair's suggestion of virtual attendance at an exemplar Planning Committee.

The Chair noted the desire to visit an exemplar planning committee with similar issues and constraints to UDC.

Councillor Fairhurst noted that Members are currently unaware of what they need to improve to become exemplar and noted the value of getting the PAS in to explain exemplar committees and what action is required to achieve that status.

RESOLVED: To ask the PAS to sit in on Planning Committee to review what they do and suggest what improvements could be made, other than length of public speaking. To revisit the proposal to visit an exemplar Planning Committee once covid restrictions were eased.

6 TRAINING RECOMMENDED BY THE PLANNING ADVISORY SERVICE

The Democratic Services Manager suggested 30 May, 31 May, 1 June, 15 June 2022 for training dates.

The Interim Planning Transformation Lead resolved to liaise with PAS regarding their availability to provide training, ideally offering a daytime and evening opportunity for Members.

The Development Manager noted that he would be unavailable 15 June 2022.

7 TO REVIEW THE SCHEME OF DELEGATION

The Interim Planning Transformation Lead presented the report on the review of the Scheme of Delegation. She requested that Members reconsidered one of the changes to the Scheme reviewed at the 27 January 2022 Planning Committee Working Group, following the Designation of the Local Authority on 8 February 2022.

She proposed to recommend to the GAP Committee that the changes set out in Appendix 2 paragraph 1.4 contained in Section 2 Part 3 – Responsibility for Functions should be agreed as changes to the constitution and recommended to Full Council for adoption:

Current wording: All applications which fall into the category of a major application (as defined by the GDPO).

Proposed wording: Approval of Major Applications (as defined by the GDPO)

Councillor Freeman noted the importance of visibility and transparency and that members of the public have raised issues with him of which he had been unaware. He confirmed that there was a need for a process to ensure matters are automatically brought to Members' attention.

The Interim Planning Transformation Lead confirmed that there was a 50/50 split between decisions made by Councillors and decisions made by Officers and that the Constitution sets out that decision.

She confirmed that the new planning applications bulletin was despatched every week and Members confirmed that the bulletin was useful.

Councillor Loughlin noted that the airport application should have gone to the Secretary of State, but this was denied. She asked what would happen if the airport submitted a further application.

The Interim Planning Transformation Lead noted Members call in powers and that a major application would go to Planning Committee if recommended for approval.

The Development Manager confirmed that the authority wished to move away from Councillor or Officer decision responsibility and acknowledge that they were local authority decisions.

Councillor Freeman questioned whether Members could call in an application that is not in their ward.

The Development Manager confirmed that Members could, but that Members should notify the ward Member as a matter of courtesy.

RESOLVED: To recommend to GAP Committee that the changes set out in Appendix 2 paragraph 1.4 contained in Section 2 Part 3 – Responsibility for Functions should be agreed as changes to the constitution and recommended to Full Council for adoption

8 FUTURE AGENDA ITEMS

- Arrangements to visit an exemplar Planning Committee
- Officer presentations and audio visual system in the Council Chamber
- Next meeting 21 April 2022

The Interim Planning Transformation Lead confirmed that the PCWG's recommendations to date would go to GAP 30 March 2022 then Full Council in April and agreed to circulate her report once it was available.

The Chair thanked The Interim Planning Transformation Lead for her hard work.

The Development Manager resolved NB to liaise with Planning Committee regarding the 13 April 2022 meeting which starts at midday start due to a wedding.

The Chair proposed two sessions hopefully midday – 2pm and 3pm - 6 pm with a reserve day 27 April 2022 due to the Easter break. It was hoped that this would reduce issues that arise as a result of adjourned meetings.

The Development Manager asked whether Members would prefer to have two site visit days 11 April and 25 April or one long site visit day, and resolved to liaise with the Chair nearer the time.

The meeting ended at 16:19.