

APPENDIX B

CONSULTATION RESPONSES:

PORTFOLIO HOLDER OF HOUSING AND PLANNING RESPONSE:

- 1) Paragraph 5 – Member Training: All training concerning planning should be mandatory for all members, and substitutes, the planning committee.
- 2) 5.2: Training should be more frequent than minimum of once a year, to take into account any appeal decisions etc
- 3) 5.4: take out ‘Do endeavour’ and insert ‘You must’ attend any other
- 4) 6.11: Agree with the highlighting of sub para 4.
- 5) 6.12: Take out the words ‘are advised to’ in the last sentence and insert the words ‘MUST’
- 6) 6.13: Should some wording be put in last sentence about leaving the room if necessary?
- 7) 7.1: Replace word ‘should’ with ‘must’.
- 8) 7.2.: Suggest putting something in here that going against this could be considered a breach of Code of Conduct (if it is).
- 9) 7.4: 1st sentence, is there a link to this, if so put it in here.
- 10) 7.8: Suggestion there is something added that a declaration at Committee about such attendance, and declare predetermined or not.
- 11) 8.5: Suggestion that the last bullet point be made clearer in wording
- 12) 8.6: Remove word ‘should’ and insert ‘must’.
- 13) 8.7: Make second sentence a separate paragraph.
- 14) 8.9: Expand on what might be/is considered excessive.
- 15) 8.10: Remove word ‘should’ and insert ‘must’.
- 16) 9.3: Insert wording around ‘Chairman will explain to all present purpose of site visit, how it will be conducted, warn others attending (public) of their limitations (speeches/questions) etc, and consequences if they do (site visit will be terminated)
- 17) 9.7: Second sentence remove word ‘should’ and insert word ‘must’.
- 18) 9.9: remove word ‘will’ and insert word ‘must’.
- 19) 9.10: after last sentence, and in reference to last sentence, insert wording similar to ‘if they do, then they could be seen to be pre-determined, and would therefore be unable to participate in any debate on that particular application’.
- 20) 9.14: after last sentence put in wording similar to ‘if continually spoken to/approached they should politely decline, bring it to the attention of Chair/Vice Chair and officer, before leaving the site, as well as declaring they did so at the subsequent Committee meeting.
- 21) 9.21: after last sentence, insert wording similar to ‘ and must not mention or discuss the application prior to, of after, the site visit, with other members of the Committee.....’
- 22) 12.1: third bullet point, should the words ‘and public speakers’ be removed completely, as it implies committee members can do so.
- 23) 12.1 final bullet point, extra emphasis on the words already underlined. Put them in BOLD. Maybe put something in that Chairman will not accept a proposal made with no relevant reasons give, after taking advice of legal/planning officers.
- 24) 12.5: First sentence remove word ‘should’ and insert ‘must’. Second sentence should read that they cannot propose/vote etc: Personal view is that if committee members have not heard all the ‘evidence and debate’ they must not be allowed to, similar to not being on site visit.
- 25) 12.7: Second sentence remove word ‘ should’ and insert word ‘must’.
- 26) 12.9: Second sentence remove word ‘should’ and insert word ‘must’.
- 27) 14.5: First sentence, remove word ‘is’ insert word ‘are’.
- 28) 14.6: Check that NPPF paragraph number has not changed due to recent changes within NPPF 2024 version.

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Wording similar to “Members of the Committee MUST adhere to the Risk Assessment document, and its guidance, during all site visits. Failure to do so will mean that you will not be able to sit on any planning application listed”.

STANDARDS COMMITTEE RESPONSE:

- (1) to highlight the vital necessity of the Committee membership staying together as one group whilst attending a site visit and not to allow itself to be split up into smaller groups thereby leaving Members vulnerable to acts of lobbying, physical or verbal intimidation et cetera;
- (2) to highlight that Planning Committee members should refrain from expressing their personal views, opinions, emotions at meetings but should instead restrict themselves to matters of planning policy (whether national or local);
- (3) to acknowledge that being a member of the Planning Committee can be a difficult role to carry out; and
- (4) to reflect within paragraph 9.21 that if Members are in doubt as to whether they have an Interest in a particular matter then they should discuss it with Officers and to also cross-reference that paragraph to the information provided by the Monitoring Officer to Members in respect of the Declaration of Interests.

PLANNING COMMITTEE MEMBERS, PLANNING OFFICERS AND INDEPENDENT PERSONS RESPONSES:

3. Relationship to Members’ Code of Conduct:

- Emphasis that Committee members understand their declarations of interests ideally not just before the committee meeting starts – MO or DMO may not be able to answer immediately before the meeting has started.

4. Applications submitted by the Council, Members or Officers:

- “Officers” – over a certain level, all Members of Planning Service and Legal Services to go to Planning Committee if application sent in.

5. Member Training:

- STRESS how important the training is for Members both for exercising committee functions and complying with the Probity Protocol.

6. Predisposition, predetermination and bias:

- Bias needs to be emphasised more.

7. Contact with Applicants, Developers and Objectors/8. Lobbying of and by Councillors:

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- 7.2 – There is no problem for Members of the Planning Committee to attend public meetings, but to be careful with behaviours and not to place themselves in a situation which could be perceived as giving a view on the application, advice would be not to say anything to anyone in case of getting lobbied.
- Should say Planning Officer throughout the Protocol – not ‘Officer’.

9. Site Visits:

- 9.13 – make stronger.
- Exceptional circumstances – make stronger
- Developers/applicants, Objectors and Parish/Town Councillors should be made aware that they should be pally with Planning Committee members.
(Guidance around not shaking hands etc from Councillors to developers/applicants, Objectors and/or Parish/Town Councillors – at the meeting. This also includes Planning Officers.
- Public and speakers should not approach members of the Committee. Reference Public Speakers Scheme.

10. Post-Submission Discussions:

- Gary Guiver & John Pateman-Gee to have input.