

**TO:** PLANNING & REGULATORY COMMITTEE **DATE:** 27 SEPTEMBER 2023

**BY:** PLANNING GROUP MANAGER

**DISTRICT(S)** All  
All

**ELECTORAL DIVISION(S):**

**PURPOSE:** FOR DECISION

**GRID REF:** N/A

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**TITLE:** **CHANGES TO THE CODE OF BEST PRACTICE PLANNING AND STANDING ORDERS**

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**Purpose of the Report:**

The outcome of a review of the Planning and Regulatory Committee (P&R) undertaken by the Planning Advisory Service (PAS) was reported to the July meeting. Several of the recommendations will require amendments to committee procedures. These can only be implemented through amendments to the County Council's Constitution, specifically the Code of Best Practice Planning and Part 4 of the Standing Orders governing public speaking.

**Recommendation:**

1. The Committee is asked to approve the proposed changes to the Code of Best Practice and the Standing Orders and to ask Council to formally amend them at the meeting on 10 October 2023. The revised documents are attached at Annex 1 and Annex 2.

**Introduction:**

2. The Planning Advisory Service was asked to review the operation and effectiveness of the Planning and Regulatory Committee, to compare it against national best practice and to identify possible improvements. The implementation of these improvements is expected to result in improved decision making by the committee.
3. The review made a number of recommendations including several relating to the conduct and running order of the Planning & Regulatory Committee. As the governance of the committee is governed by the County Council's constitution, this needs to be amended in order to implement the recommendations.

**Amendments:**

4. The proposed amendments are as follows:

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5. **Annual Planning Committee Monitoring Visit.** The PAS review recommended that councillors visit a sample of implemented planning permissions on an annual basis to assess the quality of their decisions to help improve the quality and consistency of decision making, strengthen public confidence in the planning system, and help with reviews of planning policy. This has been added to the Code of Best Practice.
  6. **Speaking at Committee Process.** The PAS review recommended that the applicant to be allowed to speak regardless of whether there are objectors/supporters and to consider whether 10 speakers for 30 minutes as a maximum is the appropriate number. The consensus at the July P&R meeting was that 6 speakers (3 for and 3 against) would be appropriate given the proposed changes to the committee running order. Changes are proposed to Standing Orders Part 4 paras 86.1 to 86.11 'Public speaking at meetings of the Planning and Regulatory Committee'.
  7. **Running Order at Planning Committee.** The PAS review recommended that the running order of the Planning and Regulatory Committee follows the proposed order as follows:
    - 7.1. Chairman introduces the item
    - 7.2. Introduction of item by officer(s)
    - 7.3. Representations by objector(s)
    - 7.4. Points of clarification from Members
    - 7.5. Representations from supporter(s)
    - 7.6. Points of clarification from Members
    - 7.7. Representations by applicant or agent
    - 7.8. Points of clarification from Members
    - 7.9. Representation by local Member(s)
    - 7.10. Points of clarification from Members
    - 7.11. Consideration of application by committeeThe Code of Best Practice has been amended to reflect this new running order.
  8. **Site Visit Conduct and Reporting.** The PAS review recommended that the importance of site visits should be emphasized and there should be a procedure protocol as to how site visits should be conducted. This has been added to the Code of Best Practice. A further recommendation that a report of the site visit should be added as an addendum to the Planning and Regulatory Committee papers to include who attended, what particular things were pointed out to Members, questions raised and answers given is not being taken forward at the present time. As it is made clear in the Code of Best Practice, site visits are not a formal part of the decision making process and therefore this degree of recording is not considered appropriate.
  9. More broadly, the County Council's Code of Best Practice Planning was adopted in 2014 and has been under review since late 2021. This was paused to await the outcome of the PAS review. There are a number of additional amendments that have been proposed by officers arising from that Code of Best Practice Review that have also been incorporated into the revised version. These are primarily by way of clarification.
  10. Officers will continue to work in conjunction with the Committee Chairman, Planning and Committee Services to implement the remaining changes

recommended by the PAS review that do not require Council approval.

**Recommendation:**

11. The Committee is recommended to approve the proposed changes to the Code of Best Practice and the Standing Orders governing public speaking at committee meetings and to ask Council to formerly amend them at the meeting on 10 October 2023.

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ANNEX 1

PLANNING & REGULATORY COMMITTEE

AMENDED CODE OF BEST PRACTICE PLANNING

ANNEX 2

PLANNING & REGULATORY COMMITTEE

AMENDED STANDING ORDERS PART 4 PARAGRAPHS 86.1 TO 86.11

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