

TRAFFORD COUNCIL

Report to: Planning and Development Management Committee
Date: 9th May 2019
Report for: Consultation
Report of: Head of Planning and Development

Report Title

Planning Committee Code of Practice

Summary

In assist in the transparency and efficiency of decision making at Planning Committees the Head of Planning and Development has drawn up amendments to the current Code of Practice for Members and Officers involved with the determination of applications for planning permission by the Planning Committee.

Recommendation(s)

- (1) That Committee members consider the amendments to the Planning Committee Code of Practice (appendix 1) and recommend the same to Council for adoption under the Council's Constitution

Contact person for access to background papers and further information:

Name: Helen Milner
Extension: 0161 912 5868

Background Papers: None

1. Introduction and Background

- 1.1 In May 2017 a Code of Practice tailored specifically for those Councillors/Officers who sit upon/support the Planning Committee was proposed by the Director of Legal and Democratic Services and Monitoring Officer and agreed by the Planning Committee Members.
- 1.2 Members had previously suggested, before the adoption of the Code of Practice that given the unique role that members of the Planning Committee have and the impact their decisions/actions can have upon residents of Trafford and private interests an additional Code of Practice would assist to provide clarity and to ensure that Members/Officers act appropriately.

1.3 The Code of Practice is now successfully implemented and established and followed for Planning Committee procedures. Officers are however mindful that from time to time the Code of Practice may need to be reviewed and amended to improve the running procedure of the Planning Committee. It is therefore proposed by Officers to introduce three further procedural clarifications within the Code of Practice.

2. **Proposed Planning Committee Code of Practice amendments**

2.1 In section 9 of the Planning and Development Management Committee Code of Practice it outlines the conduct and procedure of Planning Committee Meetings. Within this section it outlines the procedure for the public and other Elected Members wishing to speak at committee in section 9.2 b) and c). Officers proposed to introduce three points of clarification relating to speakers at committee, detailed below.

2.2 The first point is that it will not be permitted for speakers to distribute or display additional information at the Planning Committee meeting for Members to review. This includes reports, photographs, computer generated graphics or any other information.

2.3 The second point is that when an application is returning to Members, with a technical change to the recommendation, which has previously had a resolution agreed by Members, then speakers for or against the application will not be permitted. This only relates to cases where there a technical change to the recommendation is required, e.g in relation to a s106 agreement. It would not apply in cases where there have been material changes to a scheme and / or the changes to the resolution affect the planning merits of the proposal. Whether or not this is the case will be evident from the reporting – where there is a technical change to the resolution the report will be short and will focus on that change only rather than a full update report being provided which covers all the previously considered issues.

2.4 Thirdly, where an application is brought before Members for a confirmation of recommendation following the submission to the Planning Inspectorate for an appeal against non-determination, then speakers for or against the application will not be permitted.

2.5 The above amendments proposed to the Code of Conduct are included and have been highlighted within the attached Code of Practice (Appendix 1).

2.6 Once agreed by both Planning Committee and Full Council the amendment to the Code of Practice will be added to the Council's Constitution. The Code of Practice is also available to members of the public enabling them to consult the Code regarding a planning application.