

CONSTITUTIONAL CHANGES REGARDING DEVELOPMENT CONTROL DELEGATIONS

Governance Committee - 6 November 2018

Report of Chief Planning Officer
Status For Decision
Also considered by Council - 20 November 2018
Key Decision No

Portfolio Holder Cllr. Robert Piper
Contact Officer Richard Morris, Ext. 7139

Recommendation to Governance Committee: That it be recommended to Council that the Head of Legal and Democratic Services be authorised to amend the Constitution as he sees fit to enable written requests for consideration of planning applications by the Development Control Committee to be submitted no later the relevant consultation expiry date.

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Reason for recommendation: To allow the constitution to be updated to be consistent with Members’ wishes.

Introduction and Background

- 1 Part 13 paragraph 14 (a) (1) (iii) of the constitution sets out that a written request for consideration of a planning application by the Development Control Committee, supported by an appropriate planning reason, should be submitted by a Member of the Council no later than 21 calendar days following despatch of the weekly list of planning applications on which such applications appear, or such lesser period as may be notified by the Chief Planning Officer in relation to any application where a decision could not otherwise be made by Committee before the statutory deadline for determination.
- 2 Members have indicated that it is desirable to alter the wording so as to permit such written requests no later the expiry date of the consultation relating to the application. This extends the opportunity for applications to

be referred to committee, and should overcome confusion that occasionally occurs as a result of differing deadlines being applied to consultations, notifications, press and site notices and the weekly list.

3 It is therefore proposed that the new wording would be;

a written request for consideration of a planning application by the Development Control Committee, supported by an appropriate planning reason, should be submitted by a Member of the Council no later than the expiry date of the consultation or such lesser period as may be notified by the Chief Planning Officer in relation to any application where a decision could not otherwise be made by Committee before the statutory deadline for determination.

Other Options Considered and/or Rejected

The option of not making any change remains open to Members.

Key Implications

Financial

None.

Legal Implications and Risk Assessment Statement.

No legal implications arise from this modest change to the constitution and there is a low risk in making the amendment proposed.

Equality Assessment

The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

Conclusions

This report proposes a modest change to the Constitution at Members' request.

Appendices None

Background Papers None

Richard Morris

Chief Planning Officer