

CP92 **REVIEW OF THE OPERATION OF PLANNING SIFTING PANEL**

The Assistant Director presented the report which provided a review of the Planning Sifting Panel after 12 months operation.

The Assistant Director presented the options that were considered as set out below:

- 1 Continue with the sifting panel – this is the preferred option, given the benefits considered to come from the sifting panel.
- 2 Discontinue with the sifting panel – going back to a system where the scheme of delegation is used as a blunt instrument without any sort of discretion which is not considered advisable.

Under Standing Order 34, Councillor P Gidney addressed the Panel and made the following comment:

‘If a Parish Council wished an item/application to be heard by the Planning Committee then the Parish Council should have the right to request this, i.e. that the sifting panel respects tis request.’

‘In addition, in such an event a member of the Parish Council and/or Ward Councillor should attend the Planning Committee to speak on that application.’

Councillor Blunt, Portfolio Holder for Development advised that he attended sifting panel meetings. He confirmed that Members looked at comments from the Parish Councils in careful detail and the sifting panel particularly focussed on planning reasons for objections to an application. If there were strong planning reasons given then the application would be determined by the Planning Committee. Councillor Blunt commented that Members were encouraged to call in an application and added that Members of Parish Councils could register to speak at the Planning Committee and those that attend to present the Parish Council’s view were listened to. The Panel was informed that both general and 1 to 1 training sessions were given to Parish Councillors.

The Chairman, Councillor Humphrey added that the Planning Committee was a public meeting and therefore Parish Councils could attend to observe the process.

Under Standing Order 34, Councillor T Parish addressed the Panel and commented that he was not against the sifting panel. The introduction of the sifting panel had reduced officer time in writing reports for the Planning Committee and also Member time in reading the reports prior to the Planning Committee.

Councillor Parish commented that the 28 day call in period was not enough time and the full details of the application, including consultee responses, were not always available to enable Parish Councils to decide to comment on the application or a Member to determine whether to call in an application.

Councillor Parish also referred to Members being able to call in an application not within their own ward or on the boundary of their ward which may affect a neighbouring ward.

Councillor Parish asked what consultation had been undertaken in the review of the sifting panel and commented that a questionnaire could have been sent to Parish

Councils, Ward Councillors and the Planning Committee before the final recommendation to Cabinet.

In response to the questions raised by Councillor Parish, the Portfolio Holder for Development explained that the original Cabinet report determined that the review was to be undertaken by the relevant scrutiny panel, which in this case was the Corporate Performance Panel.

In response to the comment on the 28 day call in period, the Portfolio Holder for Development explained that the timetable was tight, but that the Council was as flexible as possible within the process. The Panel was advised that the Planning Committee now visited all major application sites prior to a decision being made by the Planning Committee, which had helped. The Assistant Director advised that the Council had to work to an 8 week target for most applications and added that if additional information was received after the 28 day call in, the comments were still taken on board.

With regard to the calling-in of applications not within a Councillor's own ward, the Portfolio Holder for Development advised that a Councillor should discuss the application with their neighbouring Ward Member and agree an approach to potentially calling in an application.

Under Standing Order 34, Councillor Mrs Spikings addressed the Panel.

The Panel was advised that operation of the sifting panel for the past 12 months had been a successful trial. A number of Councillors had attended and observed the process. A Member of the Planning Committee attended each sifting panel on a rotational basis and positive feedback had been received. Councillor Mrs Spikings explained that no debate on the planning merits took place at the sifting meeting, the planning officer displayed a map of the proposed site on the screen and outlined the proposal. The sifting panel then decided if an application ought to go to the Planning Committee or determined under delegated powers. Councillor Mrs Spikings reiterated that site visits were undertaken by the Planning Committee prior to determining the application. It was highlighted that some Parish Councils attended the Planning Committee to present their views and Parish Councils would always be welcome to attend.

In conclusion, Councillor Mrs Spikings advised that the number of applications being determined by the Planning Committee had reduced. Councillor Mrs Spikings reminded those present that the planning officers had to work to Government deadlines and encouraged the Panel to support the recommendations set out in the report.

Councillor Crofts stated that he was pleased to note the comments of the Portfolio Holder in that Parish Councils would need to present sound planning reasons for an application to be determined by the Planning Committee and that most applications which received objections from the Parish Council would be determined by the Planning Committee. Councillor Crofts added that he did not see that any power was being taken away from Parish Councils in their ability to raise an objection to a planning application.

The Assistant Director advised that the Executive Director – Environment and Planning and himself were members of the sifting panel and if a Parish Council submitting good planning reasons objecting to an application, then the application would be determined by the Planning Committee.

Councillor Mrs Fraser explained that she had attended sifting panels both as an observer and as a Member of the Planning Committee and emphasised that the views of Parish Councils were considered and if there was any doubt the application would be determined by the Planning Committee. Councillor Mrs Fraser added that Parish Councils needed to be more active in the planning process and attend a Planning Committee to view the process.

In conclusion, Councillor Mrs Fraser commented that both visiting major applications prior to determination and the introduction of the sifting panel had been two positive moves in the planning process within the last 12 months.

The Portfolio Holder for Development advised that previously a workshop had been held for Parish Councils and a further workshop would be scheduled following the Borough and Parish Council Election in May to encourage people to become involved in the process. Parish Councils had also been given the opportunity to engage in a 1 to 1 session to discuss any particular issues in their parish. The Borough Council was keen to support and encourage Parish Councils to engage in the planning process.

The Assistant Director informed Members that he had met with a number of Parish Councils and had 1 to 1 discussions on specific issues they had raised and reiterated that general planning sessions would be scheduled for Parish Councils following the May elections.

In response to questions from Councillor Gidney on insufficient detail being available to enable Parish Councils to form an opinion, the Executive Director – Environment and Planning advised that if a Parish Council had a concern they could submit planning reasons for objecting to an application or alternatively contact the case officer to discuss the application.

The Chairman, Councillor Humphrey explained that the Parish Council would know their own area and if the deadline had been missed to submit comments on an application then it should be drawn to the attention of the relevant planning officer so it could be addressed accordingly.

The Executive Director – Environment and Planning explained that there was ongoing dialogue following the 28 day call in period and advised that up to the day the decision was taken if additional information was received, the Council would listen and adjust the application if necessary. The Executive Director added that the Council wished to encourage both parishes and others to engage with planning officers if they had any concern. The council had to balance the speed of taking a decision in accordance with legislative provision.

Councillor Moriarty explained that he wished to ask questions on the four areas set out below:

- Parish consultation.
- Agenda for sifting panels.
- Exceptional circumstances.
- Article in the Lynn News today which had quoted: “The plan to extend the system is set to be the subject of a forthcoming report to the Council’s Cabinet.

In response to the above questions raised by Councillor Moriarty, the Assistant Director explained that each council had its own Scheme of Delegation and could decide how it determined planning applications. It was highlighted that the Scheme of Delegation had been amended over previous years but had not been subject to a consultation process. The sifting panel was part of the democratic process and Members determined which applications went to the Planning Committee. Members were reminded that the Cabinet decision had recommended that a review of the operation of the sifting panel be undertaken by the relevant scrutiny panel, which was the Corporate Performance Panel, and therefore there was no requirement to consult with Parish Councils.

Regarding the Agenda for sifting panels and no details being published, the Assistant Director advised that it was a sifting panel and not a public meeting but that Members could attend to observe the process.

With regard to what was meant by 'exceptional circumstances', the Assistant Director drew Members' attention to the Scheme of Delegation which could allow a councillor from another ward to call-in an application to Committee. The Panel's attention was drawn to paragraph 2.14 of the report. Members were advised that this particular issue had not come up within the last 12 months.

In response to reference to the article in the Lynn News, the Assistant Director advised that after the Corporate Performance Panel a report would be submitted to Cabinet on 26 March 2019.

Following comments from Councillor Morrison on Members being aware of Parish Councils being able to attend Planning Committee meetings, the Chairman, Councillor Humphrey explained that this would be included as part of the Councillor Induction Programme following the May 2019 elections. It was noted that the training would be available to both new and existing Councillors.

Councillor Mrs Spikings commented that regular training sessions for the Planning Committee was important and advised that the subject of the next training session was the Code of Conduct, and explained that not all Members were available to attend, but focus should be placed on better attendance at training sessions.

Members were reminded that the Planning Committee received late correspondence on the applications to be determined on the working day prior to the meeting. Upon receipt of late correspondence or if new information was presented there was the option to defer the application.

In response to questions from the Chairman, Councillor Humphrey the Executive Director Environment and Planning explained that prior to the introduction of the sifting panel 20+ applications would frequently go to each meeting of the Planning Committee.

The Chairman, Councillor Humphrey informed the Panel that a number of emails had been received from Parish Councils. The Portfolio Holder for Development and the Assistant Director confirmed they thought that all the questions contained in the emails had been answered during the debate. However, the Assistant Director undertook to check all issues had been covered, and if they hadn't he would response to the Parish Councils.

The Chairman, Councillor Humphrey thanked the Portfolio Holder, Members attending under Standing Order 34 and officers for their input.

RESOLVED: The Panel:

- 1) Noted the results of the review of the sifting panel which had been operating for 12 months.
- 2) Endorsed the continued operation of the sifting panel.
- 3) Noted the comments made on the issue of 'exceptional circumstances.'