



Corporate Performance Panel
Wednesday, 22nd July, 2020 at 3.00 pm
in the Remote Meeting on Zoom and available for the
public to view on WestNorfolkBC on You Tube - Zoom
and You Tube

Reports marked to follow on the Agenda and/or Supplementary Documents

1. **Chair's Correspondence** (Pages 2 - 6)

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Dear [REDACTED]

Consulting Parish Councils on Planning Applications

Prior to 2018 if a Parish Council, when consulted on a planning application, had a view which differed from that of the planning officer, the application was automatically considered by the full elected Planning Committee.

This right was then removed without proper notice by the Borough Council. Instead such applications, unless 'called in' by the local councillor, would go before a Sifting Panel, held behind closed doors without a detailed agenda which decides if the planning application should be decided by unelected officers alone under delegated authority.

To make the change without asking for the views of the Parishes was in direct contravention of the Borough's own published 'Scheme of Community Involvement'. Some might think the Council publishes these 'virtue-signalling' documents and then locks them in a cupboard.

The decision was reviewed in early 2019 by the Corporate Performance Panel (CPP) and some Parish Councils wrote to the Borough to give their views. They were wasting their time as these letters were not shared with other elected members by the then Chair of the CPP (probably ended up in the same cupboard).

So, in October 2019 I put a motion to the Council that it should officially consult with Parishes to learn their views, be they good or bad, on the new sifting system. The Leader of the Council, Cllr Brian Long was determined that the motion would be defeated and whipped all Conservative councillors to vote against asking Parishes what they think of the revised system. Said councillors duly did as they were told and the motion was defeated.

However, the sifting system is now again coming up for review. I write to you in my new role as Vice Chair (but currently chairing meetings) of CPP to invite you to contribute to this review. I ask those who have written before to be kind enough to resubmit their letters and for any other Parish Councils who wish their views to be heard, to write to me at my Castle Acre address. This exercise is intended to be my way of consulting with Parishes and whatever your thoughts, be they for or against, I still invite you to contact me.

It would be useful to receive written replies by the end of June. Emailed correspondence which arrives before 22nd July will also be shared with officers and councillors who sit on CPP as part of the current review.

My contact details are above and I would be happy to discuss any aspect of this matter should that be helpful.

Thank you for your time.

Chairman's correspondence forwarded to officers

27 Parish Councils*/** and 3 individuals have written in response to the letter sent to them by Councillor Moriarty regarding Sifting Panel (see attached). The comments raised in the correspondence relating to the sifting panel are summarised below. The number of the same/similar comments made are highlighted at the end of each comment:

- Sifting process is not democratic and do not agree with it. 12
- Government regulations state that Parish Councils must be consulted.
- As lowest tier of Government Parish Councils' are closest to the planning issues affecting their Parish.
- Part of democratic process to have the opportunity to present appropriate arguments on behalf of their Parish.
- Planning department should come to conclusions in an open and transparent manner. 5
- At a Planning Committee the Parish Council can further represent their view in addition to Ward Councillors. 2
- If sifting takes place it is important Parish Councils and individual objectors have the opportunity of giving their reasons for reflection/objection.
- The Parish Council is in the process of preparing a Neighbourhood Plan which will further inform planning decisions.
- Should be automatically referred to Committee when views of Parish Council and officers differ. 8
- Sifting Panel is not transparent and open, behind closed doors and no minutes are taken. 4
- Parish Councils are not informed if their items are going to Panel, nor are they able to attend to make their case heard. 3
- Local knowledge is important. It may also lead to less informed, poorer decisions if local voices are not heard. 2
- Pleased to hear the Sifting Panel is being reviewed.
- Pushed through with little or no heed of Parish Council comments. 2
- Statement of Community Involvement emphasises the role of Local Councillors, but this takes little regard of this.
- The Localism Act 2011 provides a 'duty to co-operate' but by implementing sifting this appears to be lacking. 4
- If the public feel that their comments are not being fully discussed by elected officers, they will lose faith in the system.
- Understand that in the 2019 review of sifting panel letters from Parish Councils containing their views on the system were not shared with members of CPP. 2
- Parish and Town Councils should all have been consulted and given the opportunity to express their views on any such change in the way planning applications are decided. 5
- It would appear that there is only a small reduction in those applications going to Committee and the financial saving hasn't been huge. 2
- As more Parish Councils feel compelled to exercise the 'call-in' right more freely, the purpose of the Sifting Panel may in effect become redundant. 3
- Need to take heed of Parish council objections as a primary consultee and not view them just as one of many third parties.
- Planning committee should meet for a second day as the price of democratic accountability, in line with the principles of Localism.

- No agendas are posted online in advance of a sifting meeting and the agenda is inadequate. 2
- Summary minutes do not give reasons why an application is either referred to Committee or back to officers.
- Parish Councils have no right of appeal if it is not referred to the Planning Committee.
- Parish Councils are not directly informed if an application is referred back to officers, the decisions are just posted on the same day as the sifting meeting on the Borough's website.
- Reassuring to learn that from a review of the Panel's operation in 2019 that 'generally the panel err on the side of caution and recommend an application goes to Committee.
- Also, that there is a right for any ward member to call a planning application into Committee within 28 days of it appearing on the weekly list.
- The extra workload is acknowledged but should be seen as a budgetary issue, not as justification for an unaccountable panel.
- Conclusion to be drawn from the review is that Parish Councils should always request any planning application they object to for sound planning reasons to be called in, thus rendering superfluous the undemocratic sifting panel.
- Reputational damage to the Council.
- Important that the Council considers all planning applications in consultation with those who will be most affected by its decisions.
- Requirements of the NPPF and those expressed in the Neighbourhood Plan must be taken seriously and not dismissed in favour of the numbers game of housing targets.
- Feels the LPA should be proactive in providing regular updates on planning issues in order to improve the economic, social and environmental conditions of the area.
- NPPF emphasises the importance of both planners and developers of major sites in particular to maintain good communications and consultations with local communities.
- Completely satisfied with the current system.
- Need to best utilise 'on the ground' knowledge.
- Parishes will just use the Member call-in right more so will lead to the opposite affect.
- Council can see the requirement for it, but it is currently inadequate for accountability. As a minimum all applications to be sifted should be recorded with a reference number, indicating why they are included.
- Accepts it is a valuable administrative tool but has concerns about the loss of Parish Council's concerns to be heard. 2
- In a number of cases the feelings of the community have been ignored.
- Have never met the officers assigned to the area on the ground to discuss local issues. Regular contact may give both groups a better understanding.
- If as intimated Parish decision is dismissed before reaching the planning stage, this is not supported, in fact we are appalled this could even be a possibility.
- It is not acceptable that the information provided by Parish Councils is not viewed by an elected planning committee and the information provided not part of the final decision-making. 2
- Experienced specific issues with an application (ref 18/00979/F) which was sifted, and had the Planning Committee reviewed this and perhaps conducted a site visit, they would possibly have come to a different conclusion.
- Councillor call-in after 28 days is overly tight as other consultee comments, which will be important to consideration of an application, haven't been received.

- Sifting system to reduce committee workload for straightforward non-contentious applications is in principle needed and pragmatic. However, there need to be more safety measures to prevent communities from having to live with the aftermath of such decisions.
- If during sift the decision is contrary to the Parish Council comments, then it should be referred back to the Parish to be given the opportunity to consider a call-in.
- Continuing without change would allow space for further errors in judgement, disharmony in the communities and discord between councils and officers.
- Have several questions about the detailed operation of the panel.
- Parish Councils must be kept informed about the workings of the panel and that arrangements and options for moving forward are consulted on as part of the forthcoming review. 2
- Insufficient time is given for parish councils to respond to applications. 2
- Should be a more local process in which the specific Borough Councillor decides in conjunction with the Director of Planning so that the process is transparent as well as the decision on the application itself.
- Call-in process has not worked, a view formed by occurrences in the last few months.
- There is a risk call-in isn't done on time and the Parish Council is not able to provide its views
- Also, the Councillor may have a different view to the Parish Council.
- Could work the system in reverse, whereby Parishes receive all applications and if they do not wish to discuss an application they indicate so, and then that application could go to sifting.
- Parish Councils should be notified of any local applications that are being considered by this panel, before they consider them.
- Opinions vary from officer to officer and this is where the Parish view should be heard.
- Borough Council should show Parish Councils more respect and not shove them in the corner as though irrelevant.
- Can be times that political considerations relating to a Councillor's Ward can be used by them as cover for making decisions which are not necessarily in accord with Planning regulations. In the event when the entire Parish might be against an application, but not on material grounds, and the Parish Council objects on that basis, it seems entirely wrong that this could theoretically be over-ridden at Borough level through an administrative process, where decisions are made by officers who cannot take account of political concerns.
- Formally request that the presence of a planning application on the sifting agenda should be reported to us. This allows us to ask our Ward Councillor to attend, and they should be allowed to speak on our behalf.
- Important that the Parish Council has the opportunity to make its case to the Planning Committee, especially as there is no right of appeal for an objector. The Parish Council cannot rely on the call-in procedure being available to them. -2
- Is West Norfolk the only borough in the country to have a sifting panel?
- From the 2019 report to Cabinet, option 3.2 was not objective.
- Quotes from the planning portal on the advice provided on the decision-making process for applicants and agents.

*The following Parish Councils responded to Councillor Moriarty's letter – Bircham, Burnham Thorpe, Castle Acre, Castle Rising, Congham, Emneth, Flitcham, Great Massingham, Grimston, Harpley, Heacham, Holme, Hunstanton, Methwold, Northwold, North Wootton, Old Hunstanton,

Pentney, Sandringham, Shouldham, Snettisham, Stanhoe, South Creake, South Wootton, Stoke Ferry, West Winch, Wretton

** One Parish Council responded by raising separate planning issues and none relating to the sifting panel.