

South Lakeland District Council
Council

Tuesday, 28 July 2020

Planning Committee Membership

Portfolio:	Housing and Innovation Portfolio Holder
Report from:	Director of Strategy, Innovation and Resources
Report Author:	Linda Fisher – Legal, Governance and Democracy Lead Specialist (Monitoring Officer)
Wards:	(All Wards);
Forward Plan:	Not applicable

1.0 Expected Outcome

- 1.1 A reduction in the Membership of the Planning Committee will assist in both streamlining and enhancing decision-making, also ensuring that the Committee operates in an efficient and effective manner, delivering decisions based on sound planning grounds.

2.0 Recommendation

2.1 Council is requested to approve:-

- (1) with effect from the September Planning Committee, a reduction in size of the Membership of the Planning Committee from 18 to 14; and**
- (2) The appointment of named substitutes from the 3 political groups and as outlined in para 3.10, those substitute members to receive an allowance of £250; and**
- (3) To note the Political Balance and seat allocation's attached at Appendix 1 and to approve the appointments submitted at the Council meeting; and**
- (4) To authorise the Monitoring Officer to effect the necessary amendment's to the Councils Constitution to reflect the changes.**

3.0 Background and Proposals

- 3.1 At its meeting on 25 February 2016 (Minute No.P/104 (2015/16) refers), the Planning Committee considered the recommendations of a Peer Review of the Planning Committee carried out by the Local Government Association Planning Advisory Service in 2015. The Review had identified a number of areas of good practice and some suggestions which, if adopted, could provide enhancements.
- 3.2 The scope of the Review had included addressing the size of the Committee which was made up of 18 District Councillors, with typically up to 14 Members attending meetings, with no substitutes being permitted in line with the Council's operating procedures. It had been understood that this was the largest Planning Committee in Cumbria. It had been stated that, whilst a committee of this size obviously allowed

for a significant number of the Council's overall Membership to be potentially engaged in this really important decision-making process, it had to be questioned as to whether having a committee of this considerable size actually allowed for, and encouraged, appropriate forms of interactive engagement and constructive debate. The Planning Advisory Service generally recommended that planning committees should ideally be made up of about 12 Members. In line with that viewpoint, they had observed that, in reality, with a smaller number of Members actually being in attendance, the Committee appeared to function very effectively. The Planning Advisory Service had, therefore, recommended that when South Lakeland District Council came to reviewing the size of its Planning Committee, consideration be given to whether a slightly more manageable number of Members could potentially allow for better engagement, whilst still encouraging active participation. It had also been suggested that use of trained substitutes could also be a potentially useful "tool" in relation to a reduced Committee size and that appropriate advanced notice of anticipated apologies would allow their attendance at the pre-Committee site visits, etc.

- 3.3 Members of the Planning Committee, at the meeting on 25 February 2016, had been of the view that the size of the Committee should remain at 18 Members and had resolved to make no recommendation to Council to change the size of the Planning Committee.
- 3.4 Through the Customer Connect Programme, the Council is transforming the way in which services are delivered to customers. With this in mind, it is considered timely to re-examine the Membership of the Planning Committee, also having regard to the previous recommendation of the Planning Advisory Service. It is understood that the recent January 2020 review by the Planning Advisory Service (report awaited) will also recommend the reduction in the number of members of the Committee.
- 3.5 Statistics for the past three Municipal Years show an average attendance of 14 (13.69) Members at meetings of the Planning Committee. No meetings have had the full attendance of 18 Members, one meeting 17 and four 16. These are attached at Appendix 2.
- 3.6 In 2020, South Lakeland's remains the largest Planning Committee in Cumbria, although some of the Cumbrian authorities allow substitute Members.
- 3.7 It is felt that a reduction in the Membership should allow for more tailored and targeted training, thereby producing a more expert Committee. This will facilitate better focussed debate and the ability to conduct business more efficiently and effectively. A smaller Planning Committee will ensure more consistent decision-making in accordance with legislation and policies. At a time of the Council being required to consider its resources and expenditure, the financial savings are highlighted elsewhere in this report.
- 3.8 The Planning Advisory Service's 2015 suggested in their report that trained substitutes are identified for the Planning Committee. However, Council, on 15 October 2002 (Minute No. C/448 (2002/03) refers) abolished the use of substitutes on committees and sub-committees. It is proposed that for a period of 12 months and to be reviewed at the next Annual Meeting that alongside the reduction in members of the Planning Committee that 3 substitutes are identified for the Committee, one each from each of the political parties. They will receive training prior to attending the Planning Committee and take the place of the member from the same political party who cannot attend the meeting.
- 3.9 The Constitution provides that the appointment of the Chairman and Vice Chairman of standing committees will be made at the Annual meeting. The Planning Committee can if the appointment is not made at the Annual meeting appoint the Chairman and

Vice Chairman. Emergency Non Executive decision 008 dated 29/04/2020 resolved that all appointments from the Annual Meeting 2019 continue until the Annual Meeting on the 19th May 2021. This was under powers contained with the Coronavirus Act 2020 and the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations Act 2020. The reduction in number of members of the Planning Committee therefore does not impact upon the current Chairman of the Committee and therefore in accordance with the Emergency Non Executive Decision 008 the appointment remains.

3.10 Substitutes

It is proposed that the Council supports the appointment of 3 substitutes for the Planning Committee meeting. The 3 substitutes are to be named and will be from each of the Political Groups.

4.0 Consultation

4.1 Planning Committee Chair, Portfolio Holder, Leader's of all Parties.

5.0 Alternative Options

5.1 The Committee could choose to reduce its Membership to a different number or to retain the existing Membership of 18.

6.0 Links to Council Priorities

6.1 Ensuring that the Planning Committee operates in an efficient and effective manner, delivering decisions based on sound planning grounds, assist in meeting the vision, priorities and values of the Council Plan.

7.0 Implications

Financial, Resources and Procurement

7.1 There will be a cost saving to the Council of £750 by reducing the number of Planning Committee members

Human Resources

7.2 None.

Legal

7.3 The Planning Committee must operate within the bounds of Planning and Local Government Law and in accordance with the Council's Constitution.

7.4 Part 4 (Rules of Procedure) of the Council's Constitution states under paragraph 1.2(b) that the Council will decide the size and terms of reference of committees.

Health, Social, Economic and Environmental

7.4 Have you completed a Health, Social, Economic and Environmental Impact Assessment? No

7.5 If you have not completed an Impact Assessment, please explain your reasons: A Health, Social, Economic and Environmental Impact is not required

Equality and Diversity

7.7 Have you completed an Equality Impact Analysis? No

7.8 If you have not completed an Impact Assessment, please explain your reasons: There are no equality impacts relating to this matter

Risk

Risk	Consequence	Controls required
Implications of political balance changes as a result of reducing size of Committee.	Some smaller political parties may not be represented on the Committee.	Planning is a non political decision making body?
Will we be quorate if the Committee size is reduced.	Cancelled meetings	The quorum for a Committee of 14 will be three, and this is considered to be manageable. Together with the substitutes this will mitigate the risk.

Contact Officers

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Appendices Attached to this Report

Appendix No.	Name of Appendix
1	Attendance statistics
2	Political Balance sheet and allocation of places on the Committee by Group.

Background Documents Available

Name of Background document	Where it is available
Report to Planning Committee on 25 February 2016	<u>Planning Committee Agenda for meeting on 25 February 2016</u>
Planning Committee Minute No. P/104 (2015/16)	<u>Planning Committee minutes of meeting held on 25 February 2016</u>
Council Minute No.C/448 (2002/03)	<u>Council minutes of meeting held on 15 October 2002</u>

Tracking Information

Signed off by	Date sent
Section 151 Officer	14/07/2020
Monitoring Officer	14/07/2020
CMT	14/07/2020

Circulated to	Date sent
Lead Specialist	14/07/2020
Human Resources Lead Specialist	N/A
Communications Team	N/A
Leader	14/07/2020
Committee Chairman	14/07/2020
Portfolio Holder	14/07/2020
Ward Councillor(s)	N/A
Committee	N/A
Executive (Cabinet)	N/A

Circulated to	Date sent
Council	28/07/2020