

## **BRECKLAND DISTRICT COUNCIL**

**Report of:** Rob Walker – Executive Director Place and Delivery

**To:** Overview and Scrutiny Commission

**Author:** Simon Wood – Director of Planning and Building Control

**Subject:** Chairman’s Panel

**Purpose:** To advise Members of the role of Chairman’s Panel and the process for Planning Applications.

### **Recommendation(s):**

- 1) That Members note the contents of the report.

### **1.0 BACKGROUND**

1.1 In 2018 the Planning Advisory Service (PAS) undertook a Peer Review of the Planning Committee at Breckland

1.2 One of its recommendations was that the Local Planning Authority:

*“could also consider regularly reviewing delegation and call-in procedures to find “a balance between officer delegation; major applications and the opportunity for non - major, but controversial applications to come to Committee”. This could also include looking at the powers of the Chairman in this regard.”*

It also recommended that the Council looked at reducing the number of items on the Committee Agenda.

1.3 Following consideration of the recommendation, the Chairman’s Panel was introduced. The first meeting was on 14 August 2019.

1.4 The scheme of delegation sets out the function of the Panel and the process by which applications are referred to it.

1.5 There are no recorded figures for applications going to Panel before April 2020. Since then the process has been refined and the following figures show that from then until September 2021:

- There have been 129 applications at Chairman’s Panel
- Of those applications 41 have been sent to Planning Committee and 88 determined under the delegation procedure.
- 44 of the applications considered by Panel have been call ins.

1.6 The reasons behind the formation of the Chairman’s Panel were:

- To provide a transparent and clear system whereby applications could be taken to Planning Committee through the Member call-in process or the Executive Director of

- Place and Delivery, in discussion with the Chairman of Planning, to exercise the ability to call applications that raise significant issues to Committee, and
- To reduce the number of items on planning committee to enable shorter more focussed meetings determining the most significant applications.

1.7 When looking at the number of planning applications going to Committee there has been a demonstrable reduction since the introduction of the process in August 2019.

<b>Year</b>	2018 (13 meetings)	2019 (13 meetings)	2020 (10 meetings)	2021 (up to October – 9 meetings)
Total number of items	212	207	70	50
Average number of items	16	15	7	5.5

- 1.8 It is clear that the process has significantly reduced the average number of applications on a committee agenda and enables the Planning Committee to focus on key strategic applications as well as applications that have raised significant policy issues or matters of local interest.
- 1.9 It is also considered that it has enabled the call-in process to become more transparent and robust.
- 1.10 Prior to the introduction of the Chairman’s Panel the decision to take call-in applications to Planning Committee sat solely with the Chairman of Planning Committee in consultation with officers.
- 1.11 The process now is that a call-in request must be received within 23 days from the publishing of an application on the weekly list, which all councillors receive, and made on the prescribed form. All call-in requests go to Chairman’s Panel and the Panel makes a recommendation (based on the significance of issues for each case) as to the process by which the application will be determined. There is no proposal to change that process.
- 1.12 It needs to be noted that the Panel is not a decision-making body. It is not there to discuss the merits of an individual application but purely to recommend the route it takes to determination based on its significance. The decision to either take an application to Committee or allow it to be determined by the delegated process is made by the Director of Place and Delivery (or his delegated representative) having regard to the views of the Panel. Of the 129 items considered by the Panel since April 2020 there have only been 7 instances where the officer making the decision took a different view to the Panel. Of these 5 went to Committee and 2 were delegated.
- 1.13 Members who call an application to Panel can attend Panel and speak in support of their call-in request. Other members are also able to view the meeting. This was not something that was possible previously. Where an application is taken to Panel for other reasons than it being called in i.e. it is considered significant or raises contentious issues, then it is possible for members to either submit comments to be reported at the relevant Panel

meeting or attend and speak in relation to any application in their own or an adjoining ward.

- 1.14 Members will appreciate that during the current pandemic the Chairman's Panel moved online. This made it easier for Members to observe the meeting and get involved where it is appropriate to do so. As we move out of lockdown it is considered that at present the Panel will remain online given the ability to involve members more easily with an online process. That will be kept under review.
- 1.15 Reports on the agenda are full reports with a recommendation. It is considered that whilst the merits of the application are not discussed at Panel meetings and have no bearing on the recommendation of Panel, it is important for them to have as much information as possible to inform that recommendation.
- 1.16 There have been requests for a Flow Chart, showing the average application process, to be provided. The Flow Chart is attached at Appendix A to this report.
- 1.17 It is considered that the Panel process is transparent with Members being able to view the process. Meetings are recorded so that there is a record of the discussions.
- 1.18 The call-in process is working successfully with the on-line form being easy to complete. Officers are available to discuss call-in requests with Members if they wish to do so and vice versa.
- 1.19 It is considered that the Chairman's Panel has been a successful response to the issues set out within the PAS review. It has provided a more democratic process around call-ins giving Members the ability to make their case directly to the Panel and it has also reduced the number of items going to Planning Committee. This enables Committee to focus on significant and contentious applications without the pressure of a large agenda.

## 2.0 **RECOMMENDATION**

- 2.1 That Members note the report.

## 3.0 **IMPLICATIONS**

In preparing this report, the report author has considered the likely implications of the decision - particularly in terms of Carbon Footprint / Environmental Issues; Constitutional & Legal; Contracts; Corporate Priorities; Crime & Disorder; Data Protection; Equality & Diversity/Human Rights; Financial; Health & Wellbeing; Reputation; Risk Management; Safeguarding; Staffing; Stakeholders/Consultation/Timescales; Other. Where the report author considers that there may be implications under one or more of these headings, these are identified below.

## 4.0 **WARDS/COMMUNITIES AFFECTED**

- 4.1 All

### **Lead Contact Officer**

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**Key Decision:** No

**Exempt Decision:** No

**This report refers to a Mandatory Service**

**Appendices attached to this report:**

Appendix A Planning Application Process Flow Chart

**Day 1**  
When application is valid not received (could be before or after day 1)

**Week 1**

Validation  
[Support Team]

Allocation  
[Senior Officer]

**Weeks 2-4**

Consult Start x 21 days:  
- Newspaper  
- Site Notice  
- Neighbour Letters  
- Weekly List  
[Planning Officer]

**Week 5**

Review Application  
[Planning Officer]

Request Additional Information

Re-Consult?  
7/10/14 days  
**No**

**Weeks 6-7**

Review Recommendation

Write Report

Panel/  
Planning  
Committee

**Week 8**

**DECISION**

(Agree EOT if  
decision extends)