

NORTH LINCOLNSHIRE COUNCIL

PLANNING COMMITTEE

PROPOSED CHANGES TO THE COUNCIL'S PROCEDURE RULES IN RELATION TO CONVENING OF SITE VISITS BY THE PLANNING COMMITTEE

1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.1 To propose changes to the Council's Procedure Rules in relation to the convening of site visits by the Planning Committee.

2. BACKGROUND INFORMATION

- 2.1 The Local Government Act 2000 requires the Council to adopt a Constitution. The Constitution is a "living document" which requires frequent amendment to keep up with changes made by the Council to its management structure and procedures.
- 2.2 The Council's Procedure Rules form part of the Constitution and any amendment to the same requires the approval of Council.

3. OPTIONS FOR CONSIDERATION

- 3.1 Following a review of working practices, it is proposed to make changes to the Council's Procedure Rules in relation to the convening of site visits by the Planning Committee.
- 3.2 The current rules on site visits are governed by Council Procedure Rule D 1.34 (i) (a) which provides as follows:

(a) Any member of the planning committee proposing a site visit must identify the benefit which will accrue from such a visit. The motion shall be seconded and voted upon in accordance with the council's procedure rules.

(b) The committee should not resolve to hold a site visit unless the benefit is substantial. The reasons for holding a site visit will be recorded in the minutes of the meeting.

(c) The following principles will govern the conduct of site visits:

(i) The purpose of the site visit is for members of the committee to visit and inspect the site and its surroundings. Councillors representing wards in which site visits are to take place will be informed of the site visit and, subject to (iii) below, will be permitted to attend those visits.

(ii) Applicants and/or their agents will be informed of arrangements for site visits but, except where there is a need to arrange access to the site or for members to be escorted around it, they will not be invited to join members on the visit.

(iii) Members will be informed of the proposed schedule for site visits. The letter advising of arrangements for site visits does not however constitute a formal Notice of Meeting and whilst the first visit on any one day will not commence until the stated time, subsequent timings can only be approximate. Members wishing to ensure that they are present at any one visit are therefore advised to join the committee at the start of the day's visits.

(iv) There is to be no discussion on the merits of the application.

The council is particularly concerned:

- that the inspection is conducted in an orderly manner;
- that there are not distractions preventing a proper inspection;
- that the inspection is conducted at arm's length from applicants and objectors, thus ensuring fairness and impartiality

(v) No member of the public (including any applicants) shall be allowed to address members at the site visit. Consideration of the planning merits of the case will take place at the subsequent meeting of the committee which will be held at a different venue from the site to be inspected. The right of the public to speak at meetings of the committee is set out in Procedure Rule D1.34 (i).

3.3 The proposed changes are emboldened below:

(a) **With the exception of applications constituting major development**, any member of the planning committee proposing a site visit must **in so doing** identify the benefit which will accrue from such a visit. The motion shall be seconded and voted upon in accordance with the council's procedure rules.

(b) The committee should not resolve to hold a site visit unless the benefit is substantial. The reasons for holding a site visit will be recorded in the minutes.

(c) In the case of applications constituting major development, a site visit will take place in advance of the meeting of the planning committee at which the application is to be heard.

(d) The following principles will govern the conduct of site visits:

(i) The purpose of the site visit is for members of the committee to visit and inspect the site and its surroundings. Councillors representing wards in which site visits are to take place will be informed of the site visit and, subject to (iii) below, will be permitted to attend those visits.

(ii) Applicants and/or their agents will be informed of arrangements for site visits but, except where there is a need to arrange access to the site or for members to be escorted around it, they will not be invited to join members on the visit.

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4. RESOURCE IMPLICATIONS (FINANCIAL, STAFFING, PROPERTY, IT)

4.1 Financial/Staffing/Property/IT

There are no staffing, financial, property or IT implications associated with this report.

5. OTHER IMPLICATIONS (STATUTORY, ENVIRONMENTAL, DIVERSITY, SECTION 17 – CRIME AND DISORDER, RISK AND OTHER)

5.1 Statutory

Changes to the Council's Procedure Rules, which form part of the Constitution and governance arrangements, must be approved by the Council in accordance with the Local Government Act 2000.

3 OUTCOMES OF CONSULTATION

None

4 RECOMMENDATIONS

7.1 To recommend to Council that the proposed changes to the Council's Procedure Rules relating to site visits as detailed in the report be approved.

7.2 That officers review the Good Practice Guide for Members and Officers dealing with Planning Applications and Related Matters to ensure the same accord with the revisions proposed in this report and the changes brought about by section 25 of the Localism Act 2011 regarding predetermination.

7.3 That the outcome of such review be reported to this Committee in due course.

HEAD OF REGENERATION AND PLANNING AND SERVICE DIRECTOR CORPORATE AND COMMUNITY SERVICES

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Background papers used in the preparation of this report

Council Constitution