

**6. PLANNING APPLICATIONS SUBMITTED BY MEMBERS, COMMUNITY AND TOWN COUNCILS AND OFFICERS**

- 6.1 Planning applications submitted by, or on behalf of members or officers employed by the council who are involved in the planning process, or by, or on behalf of a spouse, partner, parent, child or sibling of a member or officer of the council involved in the planning process, where known, shall be decided by the Planning Committee and not under delegated powers by the Chief Planning Officer or the Development Control Manager. This will also apply where that person is acting as an agent for another party.
- 6.2 The affected member or officer must declare the existence and nature of the interest or relationship in accordance with the appropriate Code of Conduct and withdraw from involvement in the decision.
- 6.3 The affected officer shall take no part in the processing of the application and any recommendation made to the Planning Committee.
- 6.4 Where a community or town council submits a planning application, the planning committee ~~county borough council~~ members who are also members of that community or town council ~~should~~ must disclose their interest and not participate or vote on that application should it come to Planning Committee for decision. ~~(Note that while the Code of Conduct allows a member to speak but not vote having declared that interest, the member should not participate, so as to protect the decision from being challenged by way of judicial review).~~ If a member of the public speaks on the planning application before the planning committee, the planning committee member may speak, but must withdraw from the meeting immediately after speaking.

**7. PLANNING APPLICATIONS SUBMITTED BY THE COUNCIL**

- 7.1 It is essential that the council treat applications for its own development (or a development involving the council and another party) in the same manner as all other applications and that this is seen to be the case.
- 7.2 All such proposals will be subject to the same administration processes, including consultation, as private applications. Determination shall similarly take into account planning policy and any other material planning considerations.
- 7.3 Where appropriate, applications submitted by the council should be dealt with under delegated powers in accordance with the scheme of delegation.

**8. OFFICERS' REPORTS TO THE PLANNING COMMITTEE**

- 8.1 All planning matters considered by the Planning Committee will be the subject of appropriate written reports by the Chief Planning Officer incorporating his recommendations. Such reports shall be comprehensive but succinct in setting out the key planning issues to be considered in terms of the provisions of the development plan and other material planning considerations, the substance of any representations received and any relevant planning history.

**9. CONDUCT AND PROCEDURE OF PLANNING COMMITTEE MEETINGS**

## **Conduct**

- 9.1 The chairperson of the Planning Committee is responsible for the conduct of the meeting in accordance with the Rules of Procedure (Part 4 of The Constitution), and for the effective delivery of business in a professional, courteous and transparent manner. The members of the committee and officers shall respect that role and behave in a manner that is commensurate with the high standards of conduct and propriety that are expected in public office.
- 9.2 The chairperson will seek to ensure that members and officers are treated in accordance with the council's agreed Protocol on Member/Officer Relations, with regard to:
- The political neutrality of officers
  - The independence of officers
  - Mutual respect, courtesy, civility and professionalism with respect of differing views.
- 9.3 Members of the public are permitted to address the meeting in accordance with the council's agreed procedure. Where disturbance of the meeting occurs by way of public interference, the chairperson may suspend proceedings until matters are resolved or in extreme situations may close the meeting to the public.

## **Procedure**

- 9.4 The deliberations of the Committee will be confined to the published agenda and any urgent items that have been accepted by the chairperson in accordance with the Local Government Act 1972. The order of business will generally be in accordance with the agenda but the chairperson will seek to bring forward items of business that members of the public or applicants have come to hear.
- 9.5 The chairperson will ensure that meetings of the Planning Committee are conducted in accordance with the council's Rules of Procedure and safeguard that appropriate debate is able to take place in a structured and professional manner, with members being given the opportunity to raise material planning issues (normally through a single presentation). The chairperson will seek to avoid repetition or irrelevant debate.
- 9.6 Members shall endeavour to give not less than 24 hours notice (preferably in writing) to the Chief Planning Officer all questions requiring a technical or detailed response so that an appropriate response can be prepared for the meeting of the Planning Committee.
- 9.7 Planning officers will update the Planning Committee on each application in respect of submissions and other material matters not addressed in the main report and, through the chair, will be responsible for responding professionally to member questions.
- 9.8 Appropriate legal or administration officers will be responsible for advising the chairperson and the committee on matters of procedure and protocol.
- 9.9 Where officers advise the chairperson of material professional concerns or potential consequences of a particular course of action, or of any potential liabilities or errors

of fact, officers shall be afforded reasonable opportunity to concisely explain those matters to the Planning Committee before it reaches a decision.

9.10 Where a planning application is adjourned to the next meeting, a planning committee member, may not participate in a second meeting, if they were not present at the first meeting.

9.11 A member who is not present for the full presentation, to the planning committee and subsequent debate must not vote on the planning application.