

Agenda item No. 12

Title: **Responses to consultation in respect of the planning decision-making process.**

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Purpose.

To inform Council of the response received from Parish and Town Councils in respect of the consultation process initiated relating to aspects of the decision-making process relating to planning matters.

Background.

At its meeting on the 21 February Council agreed various changes to the Constitution and agreed, following a recommendation of the Standards Committee, to initiate a process of consultation with. This consultation was in respect of the time period within which Parish and Town Councils could object to a planning proposal and thereby have the matter determined by the Planning Committee. Also whether they should be requested to provide planning reasons for such action.

Key Issues.

On the 15 December 2005 Council adopted a Constitution that has governed the business of the local authority since 12 April 2006.

Following a process of review under the supervision of the Standards Committee a range of amendments were approved by Council on the 21 February 2007. However taking account of the recommendation of the Standards Committee Council resolved to carry out a process of consultation with Parish and Town Councils in respect of the decision-making process relating to some planning matters.

Attached as an Appendix are the proposals considered by Council to which the recommendation of the Standards Committee regarding consultation relate.

The consultation was concerned with the following matters:-

- (a) the appropriateness of the period of 28 days from the consultation notification being sent to local councils from the planning service within which they may object to a planning proposal and thereby have the matter considered by the Planning Committee,
- (b) the appropriateness of the period of 14 days from the notification to local councils of the receipt of amended plans by the planning service within which a local council can object to a planning proposal and thereby have the matter determined by the Planning Committee,
- (c) whether, when making such objections, local councils should be `requested` to provide planning reasons for that objection.

In respect of both time limits relating to (a) and (b) above it is to be noted that the Development Control Manager, in consultation with the Committee Chairman, has authority to exercise discretion in considering representations made outside the stated lime limits.

In respect of the latter aspect it is to be noted that this is a current element of the Constitution of the Council however the Standards Committee expressed the opinion that such reasons should not be `requested`.

By a letter of the 2 March 2007 all Parish and Town Councils were invited to express their views on these matters.

They were asked to respond by the 26 March to enable the papers for the Council meeting to be dispatched in accordance with normal practice.

The responses to this consultation process are:-

- a). Thirteen responses were received from the 47 Parish and Town Councils consulted.
- b). Eleven expressed acceptance of the 28-day limit and 2 objected.
- c). Seven expressed acceptance of the 14 day limit, 3 objected without further comment and 3 asked for further time, though unspecified, beyond 14 days.
- d). Nine agreed with the provision that they be requested to provide planning reasons and 4 objected.

In the event that further responses are received between the issue of the Council agenda and the meeting up dated information will be distributed at the meeting.

Effect on Strategies and Codes: None

Risk management implications: None

Finance and performance implications: The introduction of lime limits should facilitate the earlier determination of planning matters and thereby enhance the ability of the Council to achieve relevant performance indicators.

Legal and human rights implications: None

Recommendations

Council is asked to determine: -

- (a) whether the time limit for receipt of objections from local councils should be set at 28 days from the consultation notification being sent to them from the planning service ,
- (b) whether the time limit for receipt of objections from local councils should be set at 14 days from the notification to local councils of the receipt of amended plans by the planning service

(c) whether, when making such objections, local councils should be `requested` to provide planning reasons for that objection.

Background papers

The Constitution and consultation papers