

<b>PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE</b>	AGENDA ITEM No. 4
<b>12 MAY 2020</b>	<b>PUBLIC REPORT</b>

Report of:	Steve Cox – Executive Director, Place and Economy	
Cabinet Member(s) responsible:	Peter Hiller - Cabinet Member for Strategic Planning and Commercial Strategy and Investments	
Contact Officer(s):	Nick Harding – Head of Planning	Tel.07920 160161

**PLANNING & ENVIRONMENTAL PROTECTION COMMITTEE TEMPORARY DECISION MAKING ARRANGEMENTS DURING COVID19 RESTRICTIVE PERIOD**

<b>R E C O M M E N D A T I O N S</b>	
<b>FROM:</b> Steve Cox – Executive Director, Place and Economy	<b>Deadline date:</b> N/A
<p>It is recommended that the Planning &amp; Environmental Protection Committee agree:</p> <p>1. That the temporary decision making arrangements as set out in 4.1 are put in place for the period when the Covid 19 restrictions are in place .</p>	

**1. ORIGIN OF REPORT**

1.1 This report is submitted to the Planning & Environmental Planning Committee following a referral from the Executive Director, Place and Economy.

**2. PURPOSE AND REASON FOR REPORT**

2.1 The purpose of this report is to obtain the agreement of the Committee for the introduction of temporary arrangements so that those agenda items (particularly planning applications), that would normally be presented to committee, can be still be decided.

2.2 This report is for the Planning & Environmental Protection Committee to consider under its Terms of Reference No. 2.6.6 and 2.6.7

Delegations to Officers and functions reserved to the Planning and Environmental Protection Committee

2.3 Putting temporary decision making arrangements in place in relation to planning related matters will be in line with the corporate priority to drive the growth, regeneration and economic development of the city.

### 3. **TIMESCALES**

Is this a Major Policy Item/Statutory Plan?	<b>NO</b>	If yes, date for Cabinet meeting	
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### 4. **BACKGROUND AND KEY ISSUES**

4.1 The Covid 19 restrictions (especially in relation to social distancing) mean that it is not possible to hold committee meetings in the normal way. The Government has made legislative changes so that virtual meetings can now take place and this is very much welcomed. Some Councils have not made any temporary changes to their scheme of delegation (to increase the level of delegation to officers) and are just holding their meeting as normal but in a virtual way.

In addition, having had two committee meetings cancelled, there is a backlog of items that need a decision.

It is proposed that the following measures are put in place in respect of items that would usually go to the committee for determination:

- The Head of Planning be given authority to determine the agenda item subject to consultation with the Committee Chairman and Opposition Group Representatives (or the substitutes for these three individuals)
- The Chairman & Opposition Group Representatives have 2 working days to respond to the consultation
- The outcome of the consultation will either be that the head of Planning will determine the item in accordance with the officer recommendation OR that the item will be presented to a virtual meeting of the normal committee
- The virtual committee meetings will allow for public speaking / members questions (as per our normal arrangements) in the usual way and shall be broadcast to the public

These measures above are an extension of the delegation to Officers under section 2.6.6.1 of the terms of the reference so that in the first instance all applications would follow the above proposal.

Should an application need to be determined by the committee the normal terms of reference and procedures would be followed.

The arrangements set out above are in accordance with the guidance set out in the Government's. Chief Planning Officer letter and in line with best practice published by the Planning Advisory Service.

### 5. **CONSULTATION**

5.1 The above proposal was put to:

- The Committee Chairman – Cllr Chris Harper
- The Portfolio Holder – Cllr Peter Hiller
- The Group Representatives – Cllrs Hogg & Amjad Iqbal

Comments on the proposal are below:

- Cllr Hiller - Supports the proposal.
- Cllr Hogg supports the proposal but sought clarification on how the deferral to the virtual committee would operate.
- Cllr Amjad Iqbal – Supports the proposal
- Cllr Harper – Supports the proposal

In addition Group Leaders have been informed of the proposal as outlined.

## **6. ANTICIPATED OUTCOMES OR IMPACT**

6.1 The temporary arrangements will enable efficient and effective decision making to happen at a time where restrictions are in place which make face to face meetings impossible to take place. There remains the political oversight of decisions that would normally be determined by a meeting of the planning committee and therefore those applications that need to be considered by committee instead of delegated to officers can still be dealt with in that way.

There will some applications that may, due to their exceptional nature and level of public interest, not be suitable to be delegated or to be taken through the virtual committee process and will have to await the return to 'normal service'.

## **7. REASON FOR THE RECOMMENDATION**

7.1 There is the need to put temporary arrangements in place so that planning decisions normally made by the usual full committee can take place. The proposals put forward are considered to strike the right balance between a pragmatic way forward whilst at the same time ensuring political and democratic input.

## **8. ALTERNATIVE OPTIONS CONSIDERED**

- 8.1
1. Hold committee meetings as normal but in a virtual way. The disadvantage of this is that we have a backlog of matters for committee to consider and virtual meetings are significantly more time consuming to deliver and operate. In addition officer resource has also been provided to the Covid-19 Hub during this time.
  2. Delegate all committee matters to the Head of Planning. This would not provide for appropriate political / democratic input on what could be items of particular public interest

## **9. IMPLICATIONS**

### **Financial Implications**

9.1 None

### **Legal Implications**

9.2 Section 101 of the Local Government Act 1972 provides (subject to any express provision contained in the 1972 Act or any other Act passed after the 1972 Act) that local authorities may arrange for the discharge of any of their functions by Committee, Sub-Committee or an officer of the Authority. The delegation proposed provides extended authority for the Head of Planning in the manner described, taking account of the The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020

### **Equalities Implications**

9.3 Those without internet access will not be able to participate in person or view the virtual committee meetings.

## **10. BACKGROUND DOCUMENTS**

Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985

10.1 Corona Virus Act 2020 The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020

**11. APPENDICES**

11.1 None