

PLANNING DEVELOPMENT CONTROL COMMITTEE

27 May 2010

APPOINTMENT OF SUB-COMMITTEES ETC 2010/2011

REPORT OF HEAD OF DEMOCRATIC SERVICES

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RECENT REFERENCES:

PDC781 - Sub-Committees Procedures and Minor Changes to the Constitution –
11 December 2008

PDC807 – Appointment of Sub-Committees etc 2009/10 – 28 May 2009

EXECUTIVE SUMMARY:

At the start of the Municipal Year, it is necessary to review the arrangements of Sub-Committees and also to consider appointments to other bodies made by the Committee.

RECOMMENDATIONS:

- 1 That the Planning Development Control (Viewing) Sub-Committee continues to be appointed from the whole Committee, working within the existing arrangements as set out in the Report at paragraph 2.1 – 2.6.
- 2 That the Chairman and Vice Chairman of the Planning Development Control Committee also be appointed as the Chairman and Vice Chairman of the Planning Development Control (Viewing) Sub-Committee.
- 3 That the Planning Development Control (Telecommunications) Sub-Committee continues to be appointed from the whole Committee, working within the existing arrangements as set out in the Report at paragraph 3.1 – 3.7.
- 4 That the Chairman and Vice Chairman of the Planning Development Control (Telecommunications) Sub-Committee be appointed for the 2010/11 Municipal Year.

- 5 That the Planning Development Control (Brambridge House) Informal Group not be re-appointed at this stage.

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DETAIL:

1. Appointments to Sub-Committees

- 1.1 Appointments to Sub-Committees need to be in accordance with the 'political balance formula' laid down in the Local Government and Housing Act 1989, unless alternative arrangements are agreed (see paragraph 1.2 below).
- 1.2 To date, Members have been minded to appoint the Viewing and Telecommunications Sub-Committees using alternative arrangements, to include membership from the whole Committee.

2. Planning Development Control (Viewing) Sub-Committee

- 2.1. The Planning Development Control Committee (PDC) reviewed procedures for the Viewing Sub Committee at its meeting held on 11 December 2008 (Report PDC781 refers). Viewing Sub-Committees are appointed where a particular application gives rise to problems or circumstances that can only be fully appreciated by a site inspection.
- 2.2. Members agreed that it was not necessary for the formal meeting of the Viewing Sub-Committee in the local hall/Guildhall to receive another full officer presentation (although any relevant updates would be provided) nor another round of public participation (which included Ward Member's deputations). Members had agreed that the purpose of the Viewing Sub-Committee was to view the site, not to hear the presentation and public participation again. The site visit is held immediately prior to the public meeting and Members are accompanied by officers and, on occasion, the applicant.
- 2.3. The membership of the Viewing Sub-Committee is all those PDC Members in attendance when the decision to convene the Sub Committee is made. This would prevent a Member (or Deputy Member) who did not attend that meeting, attending the subsequent Viewing Sub-Committee and determining an application, because they had not heard or seen all the relevant information. Any Member who had voted against establishing the Viewing Sub-Committee, for example because they considered themselves able to determine the application without first visiting the site, would not be disqualified from being a member of the subsequent public meeting of the Viewing Sub-Committee which determines the application.
- 2.4. The Chairman and Vice Chairman of PDC are the Chairman and Vice Chairman of the Viewing Sub-Committee.
- 2.5. At its meeting held on 7 April 2010, Cabinet approved these working arrangements for the Viewing Sub-Committee as part of Minor Amendments

to the Constitution (Report CAB2008 refers). During their debate, Cabinet also agreed to increase the quorum of the Viewing Sub-Committee from three to four members. These changes were accepted by full Council at its meeting held on 21 April 2010.

- 2.6. It is recommended that these arrangements continue for the 2010/11 Municipal Year.

3. Planning Development Control (Telecommunications) Sub-Committee

- 3.1. The Telecommunications Sub-Committee considers prior notification applications and full planning applications for new telecommunication masts, associated equipment and other related structures. These will generally be in excess of 3 metres in height above ground level and include new masts on buildings.

- 3.2. PDC also reviewed procedures for the Telecommunications Sub-Committee at its meeting held on 11 December 2008 (Report PDC781 refers). The following procedure was agreed:

- 3.3. The Sub Committee deals with telecommunications applications in one of three ways:

(i) Applications which, in the opinion of the Head of Planning Management (in consultation with the Chairman) do not require a site visit, may be determined by a meeting of the Sub-Committee (held at the Guildhall, Winchester) or the next available meeting of PDC, whichever is most expedient. Those members of the public wishing to speak at PDC should note the separate procedure that requires them to register with the public speaking co-ordinator by 4pm one clear day before the meeting.

(ii) Applications which, in the opinion of the Head of Planning Management (in consultation with the Chairman) require a site visit, will be determined on site. Those members of the public wishing to speak at the Sub-Committee need not register before hand, but should note the arrangements set out below.

(iii) Applications that, in the opinion of the Head of Planning Management (in consultation with the Chairman), are likely to generate significant public interest. In this case, the Sub-Committee only (guided by officers) will visit the site prior to a public meeting, which will be held immediately afterwards. This meeting will be held at a local hall or at the Guildhall, Winchester, depending on the location of the application.

- 3.4. Public participation at the meeting will be limited at the Chairman's discretion as follows:

- (i) Three minutes for representations against the application (objectors are recommended that they nominate a single speaker)
- (ii) Three minutes for the parish council representative
- (iii) Five minutes for each ward member
- (iv) Three minutes for representatives in support (this often means the applicant)

- 3.5. The Membership of the Committee is drawn from PDC. If a PDC Member is unable to attend a meeting of the Telecommunications Sub Committee, a deputy from PDC will be invited to attend (with full voting rights), provided they are from the same political group.
- 3.6. For 2009/10 the Chairman of the Sub-Committee was Councillor Huxstep and the Vice Chairman, Councillor Jeffs.
- 3.7. It is recommended that the arrangements set out above continue for the 2010/11 Municipal Year and that the Committee appoints a Chairman and Vice Chairman of the Sub-Committee.
4. Planning Development Control Committee (Brambridge House) Informal Group)
 - 4.1. This Informal Group last met on 29 January 2009 when, at the conclusion of the meeting, it was agreed that the Informal Group should meet again should any significant new issues arise. However, as the Group did not meet during the 2009/10 Municipal Year, it is recommended that it not be re-appointed. If circumstances change and a meeting of the Group becomes necessary during 2010/11, Planning Development Control Committee will be asked to make appointments as necessary.

OTHER CONSIDERATIONS:

5. SUSTAINABLE COMMUNITY STRATEGY AND CORPORATE BUSINESS PLAN (RELEVANCE TO):

None specifically
6. RESOURCE IMPLICATIONS:

Costs associated with Member meetings.
7. RISK MANAGEMENT ISSUES

None
8. BACKGROUND DOCUMENTS:

None.