

PLANNING DEVELOPMENT CONTROL COMMITTEE

22 May 2008

APPOINTMENT OF SUB-COMMITTEES AND REPRESENTATIVES 2008/2009

REPORT OF HEAD OF DEMOCRATIC SERVICES

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RECENT REFERENCES:

PDC692 - Appointment of Sub Committees 2007/2008 - 24 May 2007

EXECUTIVE SUMMARY:

At the start of the Municipal Year, and as a consequence of membership changes to the Planning Development Control Committee, it is necessary to review the arrangements of Sub-Committees and also to consider appointment of other representatives made by the Committee.

RECOMMENDATIONS:

- 1 That the Planning Development Control (Viewing) Sub-Committee continues to be appointed from the whole Committee, with the terms of reference as set out in the Report.
- 2 That the Chairman and Vice Chairman of the Planning Development Control Committee also be appointed as the Chairman and Vice Chairman of the PDC (Viewing) Sub Committee.
- 3 That the Planning Development Control (Telecommunications) Sub-Committee continues to be appointed from the whole Committee, with terms of reference as set out in the Report.
- 4 That the Chairman and Vice Chairman of the Planning Development Control (Telecommunications) Sub-Committee be appointed for the 2008/09 Municipal Year.
- 5 That appointments be made to the Planning Development Control (Brambridge House) Informal Group.
- 6 That no appointments be made to the Stockbridge Oilfield Liaison Panel.

## PLANNING DEVELOPMENT CONTROL COMMITTEE

22 May 2008

### APPOINTMENT OF SUB-COMMITTEES AND REPRESENTATIVES 2008/2009

#### Report of Head of Democratic Services

#### 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. It is suggested that the Chairman and Vice Chairman of the Planning Development Control Committee continue to take the role of the Chairman and Vice Chairman of the Viewing Sub Committee.
- 2.2. Where the Committee decides that a particular application gives rise to problems or circumstances that can only be fully appreciated by a site inspection, a Sub-Committee is appointed to consider and determine those planning applications, unless Planning Development Control Committee decides when it sets up the Sub Committee that it should report back with recommendations for final decision.
- 2.3. The Committee last reviewed the working of the Viewing Sub Committee on 6 July 2006 (Report PDC630 refers) and agreed, inter alia, in respect of the procedure for public participation used at the Viewing Sub Committee, to adopt the procedure used at the main Committee. This meant that three minutes each was allowed for objectors (in total), applicant/agent (in total) and the Parish Council. Ward Members were able to speak for five minutes per individual. The procedure at the site meeting prior to, and at Viewing Sub Committee is set out at Appendix 1(ii).
- 2.4. It was also clarified that if a Committee Member was unable to attend a meeting of the Viewing Sub Committee, a deputy from the full Planning Development Control Committee and from the same political group, could be called to attend and would have full voting rights on that Sub Committee.
- 2.5. The agreed arrangements and relevant extract of the Council's Constitution (Part 3 – Page 14) referring to the Viewing Sub Committee are set out at Appendix 1(i) to the Report.
- 2.6. It is recommended that these arrangements are adopted for the 2008/09 Municipal Year.

##### 3. Planning Development Control (Telecommunications) Sub-Committee

- 3.1. In accordance with the decision made by the Planning Development Control Committee on 24 May 2001 regarding appointments, all Members of the Committee are able to attend meetings of the Telecommunications Sub Committee.

- 3.2. At its meeting on 22 May 2003, the Planning Development Control Committee agreed that it would be of benefit to appoint a permanent Chairman and Vice-Chairman of the Telecommunications Sub-Committee, to assist in developing an area of expertise in this important area of the Council's work. Councillor Johnston was appointed as Chairman and Councillor Jeffs as Vice-Chairman for the 2007/08 Municipal Year.
- 3.3. For ease of administration on site it is usually suggested that the Chairman, Vice Chairman and at least three additional Members be invited to attend, although other members of the Committee can attend and vote if they so wish. If a Planning Development Control Committee Member is unable to attend a meeting of the Telecommunications Sub Committee, a deputy from the full Planning Development Control Committee and from the same political group can be called to attend and has the full voting rights on that Sub Committee.
- 3.4. The Terms of Reference of the Planning Development Control Committee Telecommunications Sub Committee are set out in Appendix 1 (iii) of the report.

#### 4. Planning Development Control Committee (Brambridge House Informal Group)

- 4.1. At its meeting on the 25 October 2007, the Committee considered Report PDC718, which considered the condition of Brambridge House, Brambridge. The outcome of this meeting was the establishment of an Informal Group to consider works required to remove Brambridge House from the Buildings at Risk register with a Membership of Councillors Jeffs (Chairman), Busher, Johnston, Lipscomb, Ruffell, and Sutton.
- 4.2. The Informal Group last met on 28 February 2008 when, at the conclusion of the meeting, it was agreed that the Chairman should maintain a watching brief to ensure that the outstanding works are completed to the satisfaction of the Council and that the Informal Group should be reappointed in the next municipal year to monitor the implementation of the Phase 2 works.
- 4.3. The Committee are therefore requested make appointments as necessary.

#### 5. OTHER APPOINTMENTS

##### 5.1. Stockbridge Oilfield Liaison Panel

Following consultation with Hampshire County Council, this body is no longer in existence and therefore no appointments are required.

#### OTHER CONSIDERATIONS:

##### 6. CORPORATE PRIORITIES (RELEVANCE TO):

None specifically

##### 7. RESOURCE IMPLICATIONS:

Costs associated with Member meetings.

##### 8. BACKGROUND DOCUMENTS:

None.

**APPENDICES:**

Appendix 1 (i) - Extract of Constitution, Part 3 – Responsibility of Functions – Planning Development Control (Viewing) Sub Committee.

Appendix 1 (ii) – Procedure at site meeting prior to, and at Viewing Sub Committee.

Appendix 1 (iii) - Extract of Constitution, Part 3 – Responsibility of Functions – Planning Development Control (Telecommunications) Sub Committee.

**Appendix 1 (i)****Extract of Constitution, Part 3 – Responsibility of Functions – Planning Development Control (Viewing) Sub Committee**

To consider and determine those planning applications which the Planning Development Control Committee decides should first have a site visit by a group of Members, unless Planning Development Control Committee decides when it is set up that it should specially report back to Committee.

NB: The Sub Committee will be appointed in accordance with:

- (a) the political balance of the Council, or;
- (b) under alternative arrangements approved by the Planning Development Control Committee from time to time.

The Sub-Committee should normally include the Chairman and/or the Vice Chairman and at least three additional Members shall be invited to attend, although other members of the Committee can attend and vote if they so wish, except where the Committee decides that strict political balance be observed and has indicated accordingly.

In the event of the unavailability of a Member to attend a Viewing Sub-Committee meeting, a Standing Deputy of the same political group for Planning Development Control Committee may attend and vote.

**Appendix 1 (ii)****Procedure at site meeting prior to, and at Viewing Sub Committee**

Members, officers, and the Ward Member(s) will visit the site(s) (in the company of the developer) immediately prior to a Sub Committee meeting, to familiarise themselves with the site and the planning issues.

Ward Members and developers will be permitted to point out factual aspects of the site and the proposed development only, and will not be allowed to present their case (whether for or against the proposal). The developer will be encouraged to inform officers of features on site that are relevant so that the officers can point these out to Members and also to ensure the safety of Members and officers while they are on the site. The Sub Committee may, with the consent of neighbours and at the Chairman's discretion, visit neighbouring properties to view the application site. The visiting of neighbouring sites will be coordinated by the Planning Case Officer.

The public and Parish Council representatives will not be invited to attend the site visit but may attend the subsequent Sub Committee meeting.

### **At the Sub Committee meeting**

At the Sub Committee meeting the following procedure will apply:

1. Introduction by the Chairman.
2. Short presentation by the Planning Case Officer on the application and the issues that need to be addressed.
3. Public participation

As with the main Committee, speaking time is limited to three minutes in total in support of the application, three minutes in total from those opposed and three minutes in total for the Parish Council. Ward Members are allowed up to five minutes. If you want to speak at a Viewing Sub-Committee, you must contact the Council's Public Speaking Co-ordinator on 01962 848 339 by 4pm one full working day before the meeting. Public speakers that have already spoken at the main Committee will have the opportunity to speak again at the Viewing Sub-Committee.

4. Members of the Sub Committee ask questions of the Planning Case Officer to provide clarification as appropriate.
5. Committee debate the application.
6. The Planning Case Officer provides a summary and makes a recommendation.
7. The Sub Committee makes its decision to grant, refuse or defer the application. This is minuted and presented to the next ordinary meeting of the Planning Development Control Committee for information only.

### **Appendix 1 (iii)**

#### Extract of Constitution, Part 3 – Responsibility of Functions – Planning Development Control (Telecommunications) Sub Committee

The terms of reference of the Sub Committee are as follows and Members are reminded that the applications will be determined on site:

- (a) "To determine, on behalf of the Council, applications for determinations, and the granting or refusing of prior approvals, under Part 24 of Schedule 2 of the General Permitted Development Order 1995 in the case of applications in respect of new masts and other structures in excess of 3 metres in height above ground level, and new masts on buildings;
- (b) To determine any of the applications under Part 24 of Schedule 2 of the General Permitted Development Order 1995 referred to the Sub-Committee by the Director of Development or by a Councillor in accordance with the Scheme of Delegation to Officers;
- (c) To determine all planning applications in respect of development involving telecommunications apparatus;
- (d) That the Sub-Committee be appointed from the whole Committee, with terms of reference as set out above, and that in the event of the unavailability of a Member to attend a meeting, a Standing Deputy of the same political group for Planning Development Control Committee may attend and vote.