

DEVELOPMENT MANAGEMENT DECISION MAKING PROCESSES

29 October 2015

Guidance Note 2 - Attendance of Ward Members at Development Management Sub-Committee Meetings (Hearings)

The following procedures were adopted by the Council on 15 June 2015 and made amendments to procedures adopted on 23 August 2012 in order to comply with the Standards Commission Code of Conduct and allow all parties equal opportunity to speak at the Committee.

Request for a hearing

The agenda for the Development Management Sub-Committee is issued three working days before the meeting date, which is usually a Wednesday morning.

If a Ward Member wishes to address the DM Sub-Committee on a particular application in their ward which is on the committee agenda, he or she must submit a request for a hearing in writing, stating:

- the reference number and address of the application; and
- the reasons for requesting a hearing, based on material planning considerations.

The request must be received by the Committee Clerks by 10.00am on the Monday morning before the Sub-Committee meeting i.e. the day before. It will be copied and circulated to the Sub-Committee members who will then decide at the meeting if a hearing is to be held.

Material planning considerations are those which the Sub-Committee can take into account when making its decision. They can include the Council's policies, or the effect of the application on traffic, neighbours or the character of the area. They cannot include commercial considerations such as competition or effect on property values, or other aspects which do not fall within the remit of the planning process.

At the DM Sub-Committee Meeting

At the meeting, the committee members will decide whether or not to agree to hold a hearing. They will consider the reasons put forward by the ward member, along with other aspects.

They may decide not to hold a hearing if they feel there is insufficient justification on sound planning grounds, or that it would not assist their decision-making role to do so. In that case, they will proceed to determine the application and the ward member will not be invited to take part.

The Hearing

If the Sub-Committee agrees to hold a hearing, the application would be continued to the next meeting, usually 2 weeks later. In the meantime interested parties will be invited to attend. These would include:

- the applicant;
- the community council;
- up to 3 representators (objectors and/or supporters); and
- all elected members in that ward.

The hearing will generally follow the Council's arrangements as agreed by the Planning Committee on 19 May 2011. The planning officer will give a short summary of the proposals, and each party will then be given a specified time-slot in which to succinctly present their case. The Sub-Committee members will be able to ask questions of all participants.

The Decision

Once all participants have been heard and questioned, the Councillor's Code of Practice advises that ward member(s) should retire from the room and take no further part in the proceedings. The Sub-Committee members will then debate the proposals, taking into account the views they have just heard and other relevant considerations, and will reach a determination on whether to approve or refuse them.