

NON-EXEMPT

[EXEMPT / NON EXEMPT / PART EXEMPT]

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# HAVANT BOROUGH COUNCIL

Planning Committee

22 June 2023

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## Scheme for Submitting Views at Planning Committee Meetings

[FOR DECISION

Portfolio Holder: Councillor Lloyd

Key Decision: No

Report number: HBC/11/2023

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1. **Purpose**

- 1.1. The Committee is asked to consider changes to the current scheme for submitting views at the Planning Committee.

2. **Recommendation**

- 2.1. That the scheme for submitting views to the Planning Committee attached at Appendix A be adopted.

3. **Executive Summary**

4. The Committee's current scheme for submitting views to the Planning Committee was last reviewed in 2019 is out of date and does not conform to the existing practices. In particular, the Constitution has been revised to include a requirement for written statements to be submitted by members of the public, if they wish to address the Committee.

5. **Additional Budgetary Implications**

- 5.1. There are no additional funding requirements or costs arising directly from the recommendations set out in this report.

6. **Background and relationship to Corporate Strategy and/or Business Plans**

6.1. **Background**

- 6.1.1 The Council has established procedure whereby residents, applicants, ward councillors and county councillors and other interested parties may submit their views to the Planning Committee. The primary intention of this scheme is to complement the formal consultation processes by enabling parties to

bring to the Committee's attention concerns already raised during the statutory consultation process. Although this scheme is discretionary, it has been in practice for such a considerable time that it has given rise to a legitimate expectation that it will continue.

## 6.2. **Design of the Deputations Scheme for the Planning Committee**

6.2.1 Good practice, following research in other schemes and protocols, suggests the following procedures should be followed when designing a deputation scheme for planning matters:

- Where possible all parties should be given a fair and reasonable opportunity to submit a deputation to the Committee
- The primary purpose of the scheme is to enable speakers to make a statement to the Committee and not enter into a debate with the committee
- Planning officers should be able to address any issues raised in deputations and the Committee members should be able to question officers
- The scheme should complement and not substitute the statutory consultation scheme

## 6.3. **Problems With the Current Deputation Scheme**


6.3.1 The existing scheme is a combination of the written scheme adopted by the Development Management Committee in 2019 as amended by Standing Order 28, which requires member of the public to submit written submissions who wishes to address the Committee and the practices adopted for hybrid meetings. As a result, the Council does not currently have a transparent scheme for the submission of views to the Planning Committee.

## 6.4. **Relationship to the Corporate Strategy and/or Business Plans**

6.4.1 An underpinning principle of delivering the priorities in the corporate strategy is to engage and work with our communities and stakeholders who can influence and shape their local areas in which they live and work. This will be done through continued engagement with our communities and stakeholders to understand changing needs, priorities, and challenges that they face.

## 6.5. **Options to be considered**

6.5.1 The main options are:

No.	Details	For	Against	Viable
1	Continue with the current scheme	None	The existing scheme is a combination of the written scheme adopted by the Committee in 2019 as amended by Standing Order 28, which requires member of the public to submit written submissions who wishes to address the Committee and the practice adopted for hybrid meetings. As a result the Council does not currently have a transparent scheme for the submission of views to the Planning Committee.	X
2	Amend the current scheme to reflect the constitutional changes and current practice	This scheme would provide a fair, transparent and equitable scheme.	None	

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## 7.0 Resource Implications

### 7.1 Financial Implications

Changes to the scheme may incur additional administration costs which can be accommodated within the existing budget. If a party challenges the Council on the grounds that the adopted scheme is unfair or unreasonable there will be additional legal costs.

Section 151 Officer comments

Date: 19 June 2023

Havant Borough Council should be looking to adopt best practise and transparency of decision making in all areas. This proposal does exactly this and I fully support that.

The proposal may incur some additional pressure on existing resources but not to the point that requires additional budget. There is also a risk of legal challenge and the associated costs. It is a minimal risk and should not prevent the Council from updating and improving our practises in this area.

Steven Pink – Chief Finance Officer (S151)

7.2 Human Resources Implications

N/A

7.3 Information Governance Implications

Changes to the deputation scheme will not give rise to additional information governance implications

7.4 Other resource implications

N/a

7.5 Legal Implications

There is no statutory obligation for the Council to have a scheme. However, as the Council has operated such a scheme for a considerable time there is a legitimate expectation that such a scheme will continue. There is an obligation that the adopted scheme should be fair and reasonable.

Monitoring Officer comments

Date: 19 June 2023

The Monitoring Officer supports the adoption of the scheme which promotes transparent and open decision making.

8.0 Risks

N/a

9.0 Consultation

N/a.

10.0 Communication

The agreed option will take effect immediately. Any changes to the scheme will be published on the Council's website

## **Appendices**

Appendix A – Recommended Scheme

### **Background papers**

None

### **Agreed and signed off by:**

**Monitoring Officer:** Jo McIntosh

**Section 151 Officer:** Steven Pink

### **Contact officer:**

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