

LICHFIELD DISTRICT COUNCIL
NON PLANNING COMMITTEE MEMBERS
GOOD PRACTICE GUIDANCE

Non Planning Committee Members' Good Practice Guidance

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Non Planning Committee Members' Good Practice Guidance

1. Member Call-ins

- 1.1 Should a call-in be requested on either planning or probity grounds, then this should be undertaken in a prompt manner, as there have been occasions where a call-in has been submitted at a late stage in the determinate process which can impact upon the achievement of relevant targets. Government and Corporate targets require high percentages of applications to be determined within 8 – 13 weeks. Failure to meet these targets can impact adversely on the Council's ability to continually improve its performance and provide a high quality service.
- 1.2 To assist Members, a pro forma – see Appendix 1, has been produced which can be used to call-in planning applications. The right to call-in should be exercised within **25 days** of the relevant application being published in the weekly list of planning applications, unless there are exceptional circumstances and the Chair of Planning Committee in liaison with the Planning Development Manager or Principal Planning Officer agree that the matter can be called-in after this time limit has lapsed.
- 1.3 Non Committee Members are able to call-in to Planning Committee applications within their ward, and would need to complete the attached pro-forma, such call-ins are also the subject of the time period set out above.
- 1.4 Non Committee Members who call-in the matter, or who wish to address the Planning Committee must inform the Governance Officer by 2.00 pm on the Thursday before the Planning Committee meeting of their intention to speak at Planning Committee. They will have **5 minutes** to address, (unless otherwise agreed at the discretion of the Chair of planning committee to provides up to 10 minutes), with a maximum of 1 Member in favour and 1 Member against being able to speak. This is organised on first come first served basis, with ward members given precedence.
- 1.5 Should non Committee members wish to exercise this right to speak, they will be called to speak on the matter after any members of the public wishing to speak and can obtain further guidance on how this right can be exercised from the Monitoring Officer.
- 1.6 At times, the Parish Council may object to a particular proposal, and in such instance, it is advisable that the Parish Council contact the local ward member to see whether or not the matter ought to be called-in.

2. Training

- 2.1 **Do** attend the planning training offered by the Council. Training sessions are held 4 times a year and Members are strongly recommended to attend these sessions which will deal with planning probity, design, and policy/legal updates etc. These sessions will be offered to all Members.

- 2.2 **Do** endeavour to attend any other specialised training sessions provided, since these will be designed to extend your knowledge of planning law, regulations, procedures, Codes of Practice and the Development Plans beyond the minimum referred to above and thus assist you in carrying out your role properly and effectively.
- 2.3 A list of Key Officers who can help you with your planning queries and advise on the protocol is provided at Appendix 2.

3. Issue Papers/Briefing Papers

- 3.1 Lichfield District Council operate a policy whereby following submission of a Strategic Planning Application, an Issues Paper is presented to Planning Committee.
- 3.2 Members will note that the Issues Paper will outline the key facts in relation to the proposal and will explain the process that is to be followed in terms of consultations and publicity. The paper will also highlight the key planning issues, which will need to be considered when the full report comes before the planning committee for determination. This will inform members of the process and will also allow an opportunity for them to raise key planning issues that either they wish to be expanded upon or added to in the full report at the decision making stage. The report is therefore a precursor to the main report which will be presented at the end of the planning application process.
- 3.3 It is important to note that the Issues Paper is not a report for debate or decision making, but an opportunity to raise issues.
- 3.4 A formal minute is made of the issues raised by Members on the Issues Paper so that these can be referred back to the applicant to address.
- 3.5 A briefing paper is a presentation of information for members, and no debate will take place. Should members have any queries on matters contained within the briefing paper, they should take the matter up with the contact person given on the briefing paper.
- 3.6 In exceptional circumstances – for example substantial strategic planning applications - the Chair will have discretion to call for an open briefing session at the Issues Paper stage that will allow all Members to comment on a proposal.

4. Appeals

- 4.1 When an appeal has been lodged against a planning decision there are various procedures in place to ensure that local ward members are contacted together with interested parties. The Planning Committee will also be informed of hearings and inquiries that have been lodged against planning application decisions at the earliest available meeting in order that Members can be made aware of the appeal proposals and relevant issues can be raised such as the robustness of the reasons for refusal and the desire of members to be involved in the case.

5. Lobbying

- 5.1 Lobbying does happen. Applicants/agents and members of the public can approach Members to put their point of view forward on planning proposals.
- 5.2 Non Planning Committee members may respond to lobbying by declaring openly their support/opposition to the application, and if they are a Ward Member, may request to address the meeting of the Planning Committee to express their views. They will be given **5 minutes** (unless otherwise agreed at the discretion of the Chair of planning committee to provide up to 10 minutes) to do so at the start of the determination of the matter, but cannot enter into the debate – they can only make those representations should more than one Ward Member wish to speak. A first-come first-served basis shall operate.
- 5.3 **Do** remember that the Members' Code of Conduct states that a Member “must not in their official capacity, or any other circumstances, use their position as a Member improperly to confer on or secure for themselves or another person, an advantage or disadvantage.”

6. Code of Conduct matters

- 6.1 The Council's Code of Conduct based on the statutory Model Code provides guidance and standards for Members. Breaches of the Code relevant to planning matters may be reported to the Audit and Member Standards Committee for investigations. Members and officers should also pay due regard for the Local Government Association and Planning Advisory guide to [Probity in planning](#) and the [positive engagement guide for planning councillors](#).

REQUEST FOR APPLICATION TO BE DETERMINED

BY THE PLANNING COMMITTEE

If a Member wishes an application to be called in for determination by the Committee rather than by Officers, this form must be completed and sent to the Planning Development Manager within 25 days of an application appearing on the weekly list of applications received.

NOTE: Clear reasons for the call in request needs to be given, which should be on planning and/or probity grounds.

Application No. _____

Location: _____

Description _____

Reason for requesting consideration by the Planning Committee, please tick as appropriate and also please explain below in detail with regard to the particular issue/s for calling in the application:

Design

Ecology

Green Belt

Highways

Planning Policy

Probity

Residential amenity

Other (please state)

.....
.....

Explanation:

.....
.....
.....
.....

Requested by: _____

Date: _____

Appendix 2

Monitoring Officer: 01543 308064 or monitoringofficer@lichfielddc.gov.uk

Deputy Monitoring Officer: 01543 308065 or monitoringofficer@lichfielddc.gov.uk

Planning Development Manager: 01543 308171 c/o devcontrol@lichfielddc.gov.uk

Please cc all forms to governance-admin@lichfielddc.gov.uk