



**STRATEGIC PLANNING COMMITTEE**

**Monday, 03 July 2023**

<b>Subject</b>	Response to Scrutiny Committee of March 2023
<b>Report of</b>	Councillor Kay Yule Cabinet Member with responsibility for Planning and Coastal Management
<b>Supporting Officers</b>	Philip Ridley Head of Planning and Coastal Management 01394 444434 <a href="mailto:philip.ridley@eastssuffolk.gov.uk">philip.ridley@eastssuffolk.gov.uk</a>  Ben Woolnough Planning Manager (Development Management) 01394 444681 <a href="mailto:ben.woolnough@eastssuffolk.gov.uk">ben.woolnough@eastssuffolk.gov.uk</a>  Katherine Scott Principal Planner (Technical Lead, Development Management) 01394 444503 <a href="mailto:katherine.scott@eastssuffolk.gov.uk">katherine.scott@eastssuffolk.gov.uk</a>

Is the report Open or Exempt?	OPEN
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Category of Exempt Information and reason why it is <b>NOT</b> in the public interest to disclose the exempt information.	Not applicable
<b>Wards Affected:</b>	All Wards

## Purpose and high-level overview

**Purpose of Report:**

This report responds to the recommendations of East Suffolk Council' Scrutiny Committee when it considered Democratic Accountability within the Planning Process and other associated matters resolved at its meeting held on 2<sup>nd</sup> March 2023

**Options:**

Not applicable.

**Recommendation/s:**

That the Strategic Planning Committee thanks and welcomes the Scrutiny Committee for its recommendations and recommends the following:-

1. That the Audit and Governance Committee considers and recommends to Full Council the approval of the introduction of a 'Planning Committee Member Call-In' process as set out in the report at paragraphs 2.17-2.20, via the amendment of the East Suffolk Council Constitution.
2. That the casting vote at the Referral Panel is still undertaken, where required, by the Head of Planning and Coastal Management.
3. That the public speaking time be maintained at three minutes for each participant.

## Corporate Impact Assessment

**Governance:**

Not applicable.

**ESC policies and strategies that directly apply to the proposal:**

Not applicable.

**Environmental:**

Not applicable.

**Equalities and Diversity:**

Not applicable.

**Financial:**

Not applicable.

**Human Resources:**

Not applicable.

**ICT:**

Not applicable.

**Legal:**

Not applicable

**Risk:**

Not applicable.

**External Consultees:** None

## Strategic Plan Priorities

Select the priorities of the <a href="#">Strategic Plan</a> which are supported by this proposal: <i>(Select only one primary and as many secondary as appropriate)</i>		Primary priority	Secondary priorities
<b>T01</b>	<b>Growing our Economy</b>		
P01	Build the right environment for East Suffolk	<input checked="" type="checkbox"/>	<input type="checkbox"/>
P02	Attract and stimulate inward investment	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P03	Maximise and grow the unique selling points of East Suffolk	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P04	Business partnerships	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P05	Support and deliver infrastructure	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>T02</b>	<b>Enabling our Communities</b>		
P06	Community Partnerships	<input type="checkbox"/>	<input type="checkbox"/>
P07	Taking positive action on what matters most	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P08	Maximising health, well-being and safety in our District	<input type="checkbox"/>	<input type="checkbox"/>
P09	Community Pride	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>T03</b>	<b>Maintaining Financial Sustainability</b>		
P10	Organisational design and streamlining services	<input type="checkbox"/>	<input type="checkbox"/>
P11	Making best use of and investing in our assets	<input type="checkbox"/>	<input type="checkbox"/>
P12	Being commercially astute	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P13	Optimising our financial investments and grant opportunities	<input type="checkbox"/>	<input type="checkbox"/>
P14	Review service delivery with partners	<input type="checkbox"/>	<input type="checkbox"/>
<b>T04</b>	<b>Delivering Digital Transformation</b>		
P15	Digital by default	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P16	Lean and efficient streamlined services	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P17	Effective use of data	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P18	Skills and training	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P19	District-wide digital infrastructure	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>T05</b>	<b>Caring for our Environment</b>		
P20	Lead by example	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P21	Minimise waste, reuse materials, increase recycling	<input type="checkbox"/>	<input type="checkbox"/>
P22	Renewable energy	<input type="checkbox"/>	<input type="checkbox"/>
P23	Protection, education and influence	<input type="checkbox"/>	<input type="checkbox"/>
<b>XXX</b>	<b>Governance</b>		
XXX	How ESC governs itself as an authority	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## How does this proposal support the priorities selected?

To provide information on the performance of the development management and enforcement section

## Background and Justification for Recommendation

1 Background facts	
1.1	<p>A report was considered by Scrutiny Committee on “Democratic Accountability within the Planning Process” at its meeting on 2 March 2023, a copy of which is included in <b>Appendix A</b> to this Report. The appendices to that report and the written submission from SALC are included in <b>Appendices B and C</b> of this report, with the Minutes of the Meeting and the update sheet in <b>Appendix D</b>.</p>
1.2	<p>The outcomes of the Scrutiny Committee can be summarised as:</p> <ol style="list-style-type: none"><li>1. Recommended an additional ‘triple lock’ type trigger be introduced to enable additional items to be taken to and determined by Planning Committees,</li><li>2. Recommended a member should have the casting vote at Planning Referral Panel if it is tied 2-2, and questioned if 3 minutes is sufficient time for an objector to speak at Committee,</li><li>3. Queried if it was possible to:<ul style="list-style-type: none"><li>- Have an additional QR code on site notices to link to a webpage with information on what constitutes a relevant planning objection, and</li><li>- What was the outcome, and were there any further actions arising, from the recent meeting between Officers and SALC in relation to their survey.</li></ul></li></ol> <p style="text-align: right;"><i>(full text in <b>Appendix D</b>).</i></p>
1.3	<p>This report considers these recommendations and the potential implications of implementing such changes, based upon the evidence of how the current processes function and have been utilised set out in the ‘Review of Planning Committee and Referral Panel Report’ and overall planning performance as set out in the ‘Planning Performance Report’ (both reports on this agenda).</p>
1.4	<p>The recommendation of the Scrutiny committee should also be viewed in the context of up-to-date evidence in other reports at this meeting and as set out below, and the accompanying appendices. It should also be noted that with the new Administration in place there is a new Referral Panel and that new membership of the panel may go on to increase or decrease the proportion of applications referred to Planning Committee. As some recommendations of Scrutiny Committee affect the East Suffolk Council Constitution and potential changes to that, acceptance of Scrutiny recommendations through Strategic Planning Committee would require a future report to Cabinet and Full Council to amend the constitution to enact recommendations.</p>

1.5	The conclusions and recommendations made in this report are therefore evidence based. They take account of the impact on officer resource and the performance implications for the Council, matters which the Scrutiny Committee did not have detailed evidence on or opportunity to fully consider. The fundamental principle of the evidence set out in this report is to seek to embrace, where it can, the recommendations of Scrutiny but the overwhelming need to ensure decision making processes meet nationally set targets for the determination of planning applications.
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## 2 Current position

2.1	East Suffolk Council as Local Planning Authority determines applications that seek Planning Permission, Listed Building Consent, Advertisement Consent and Tree Works applications along with associated applications such as those seeking approval of matters reserved by conditions on consents. It also provides advice through the Pre-application advice service. Last year East Suffolk Council determined 5,125 applications and associated submissions, considerably more than neighbouring Local Planning Authorities ( <b>Appendix E</b> ).
2.2	Critical to the success of the service is its ability to meet nationally set determination measures for planning applications. This comprises of the determination or applications within 8 or 13 weeks or with an agreed extension of time with applicants. As reported in the Planning Performance Report (also on the agenda for this meeting), sets out, currently the Council is succeeding in this respect, but this was uncertain and at-risk right up until the final quarter of an eight-quarter government monitoring period last year. Failure could have resulted in East Suffolk facing Government intervention (as has been the case with a number of other Local Planning Authorities recently) under such a situation decision making powers could be taken from the Council and passed to the Planning Inspectorate. The implications of this should not be considered lightly as the reputational damage, impact on staff morale and staff retention and overall Council influence on decisions in its area would be weakened.

2.3	<p>As it stands, the Council is performing well (and there is an upward trend in performance) and as this report evidences, the Council is making decisions in a manner quite consistently with most other Councils across the country (Figure 19 in Appendix F, shows a comparison of the proportion of applications delegated to officers/determined by Planning Committees, at neighbouring authorities across the past 8 years). The feeling of detachment of communities from the decision-making process is recognised and not something which is isolated to East Suffolk but a general consequence of the nationally established planning process. It is also apparent that there has been generally poor engagement from many Town and Parish Councils and some Ward Members in the Planning Committee process. In respect of the referral process, this has also been very much underutilised by Ward Members, with very few using their ability to refer planning applications to the Referral Panel and potentially onwards to Planning Committee. Changes introduced to the Referral Process last year have enabled Ward Members to attend and watch the process and to confirm whether the facts presented at that meeting are correct. This has had a positive influence and also added an opportunity for Ward Members to feed back to their Town and Parish Councils on how the process operates.</p>
2.4	<p>This report focuses on the consideration of and responding to the key points of discussion and the recommendations of the Scrutiny Committee Meeting of 2 March 2023. The Minutes of that meeting (<b>Appendix D</b>) record the resolution as:</p> <ol style="list-style-type: none"> <li>1. “That the Strategic Planning Committee in June 2023 be recommended to change the Planning Procedure Rules to allow an application to bypass the Referral Panel process and automatically be considered by the Planning Committee in the event of a “triple lock” style request being received by ALL of the following: <ul style="list-style-type: none"> <li>• A Ward Councillor</li> <li>• The Town/Parish Council</li> <li>• A Member of the Planning Committee, unless they are also the same Ward Councillor in which case it would be two (Ward Councillor and Town/Parish Council).</li> </ul> </li>   <li>2. That, as agreed by the Cabinet Member with responsibility for Planning and Coastal Management, the Strategic Planning Committee in June 2023 also consider amending the Planning Procedure Rules to allow the following: <ul style="list-style-type: none"> <li>• If a Member should have a casting vote if the four person Referral Panel is tied 2-2 rather than an Officer deciding.</li> <li>• If 3 minutes was sufficient time for an objector to speak at Committee.</li> </ul> </li>   <li>3. That the Cabinet Member with responsibility for Planning and Coastal Management and Officers provide the Scrutiny Committee with a written response to the following two questions ASAP: <ul style="list-style-type: none"> <li>• If it was possible to have another QR code on site notices to take members of the public to a simple guide on what constitutes a relevant planning objection?</li> </ul> </li> </ol>

	<ul style="list-style-type: none"> <li>• What was the outcome, and were there any further actions arising, from the recent meeting between Officers and SALC in relation to their survey?”</li> </ul>
2.5	<p><b><u>First Resolution</u></b></p> <p>As set out above the Scrutiny Committee resolved to recommend that the Planning Procedure Rules be altered to allow an application to bypass the Referral Panel Process and be automatically considered by the Planning Committee in the event of a “triple lock” style request being received by ALL of the following:</p> <ul style="list-style-type: none"> <li>• A Ward Councillor</li> <li>• The Town/Parish Council</li> <li>• A Member of the Planning Committee, unless they are also the same Ward Councillor in which case it would be two (Ward Councillor and Town/Parish Council).</li> </ul>
2.6	<p>The Referral Panel system works well as the appropriate process to ensure that only those applications which raise significant material planning issues are considered by the relevant Planning Committee. This manages the Committees’ workload and ensures those applications going to Committee have sufficient time available to be able to discuss and debate the relevant planning considerations. However, the Scrutiny Committee’s consideration of this issue, and as raised by some Town and Parish Council’s, is that some perceive that this process takes place “behind closed doors” and is not transparent. This is not an accurate interpretation of the Referral Panel Process, but Officers will continue to work with Town and Parish Councils to improve their understanding of the process. Acknowledging that it is legitimate to manage the determination routes of all applications, amongst other matters, to meet government targets, they have recommended that an additional opportunity is in place to potentially enable matters to go to Committee.</p>
2.7	<p>The proposal, as recommended by the Scrutiny Committee, does not have the operational detail behind it and officers have worked with Cllr Yule, as the relevant the Cabinet Member, on how this could be introduced but still ensure the efficiency and effectiveness of the planning application process is maintained and that the member influence on the process is suitably recorded and managed.</p>
2.8	<p>Therefore, working with the Scrutiny recommendation, it is proposed that the following changes be recommended to deliver an additional “call-in “opportunity which has to be undertaken within the consultation timescales of the application in order to be equitable with the Referral Process and mean that such call-in’s cannot happen late in the application timescales (which could include a call in request after the Referral Panel have determined a decision be delegated.)</p>
2.9	<p>The process as recommended does not have a cut-off date for triggering items to Planning Committee, and therefore items could potentially be triggered in this way very late in the process, potentially even once they have been drafted for a delegated determination, which could not only result in unnecessary work being undertaken by officers. It could also mean that the Planning Committee Process would commence late in the application process, delaying the decision several</p>

	weeks either beyond or further beyond the national set target for determination. A cut off point is essential for an effective planning service.
2.10	As currently worded, this triggering process would also not require a justification as to why a Planning Application should be considered and determined by Planning Committee. It does not include criteria similar to the powers and expectations given to the Head of Planning, Chairs and Vice Chairs of Planning Committees set out in Trigger 1 of the constitution which requires an application to be “ <i>of significant public interest; would have a significant impact on the environment; or should otherwise be referred to Members due to its significance in some other respect</i> ”. The Scrutiny Committee recommendation therefore gives this process additional powers beyond those of the Head of Planning and Chair and Vice Chair, which is not considered reasonable without this ‘significance’ application.
2.11	Therefore, following further consideration, it is proposed that the recommendation of the Scrutiny Committee can be adapted, as set out below, to ensure it is practical, transparent and accountable. Some communities who have called for greater influence on the referral process have criticised the transparency and accountability of the panel and therefore any further introduction needs to be very cognisant of that.
2.12	<p>Amended ‘Triple Lock’ process- Re-titled, ‘Planning Committee Member call-in process’:</p> <ol style="list-style-type: none"> <li>1. Within the 21 day consultation period if a contrary position to the officer recommendation is received from the Town or Parish Council and a request for Committee decision is received from a Ward Member then a Planning Committee member call-in process would be triggered. In the event that only a Town/Parish Council response or Ward Member response is received then the existing Referral Panel process would proceed.</li> <li>2. With the Planning Committee member call-in process triggered the case officer would send a notification to all relevant North or South Planning Committee members by email. This would be carried out once the officer is able to understand whether a decision will be contrary to Town or Parish Council and Ward Member positions.  The Notification shall include: <ul style="list-style-type: none"> <li>• The case reference number, the description of development and the address</li> <li>• A link to Public Access to view the application and documents</li> <li>• A copy of Town or Parish Council response</li> <li>• A copy of the Ward Member response</li> <li>• A sentence setting out the likely officer recommendation</li> </ul> </li> <li>3. After the notification has been sent, any member of the relevant North or South Planning Committee must respond within 5 working days if they wish to confirm that it should be considered by the Planning Committee. Any Planning Committee member calling the application in must reply to all (including all</li> </ol>



	<p>members of the relevant Planning Committee) and the first response received will be taken as the call-in request. All call-in request from a Planning Committee member must set out how they consider it meets the expectation that :</p> <p>“The proposal would be of significant public interest; would have a significant impact on the environment; or should otherwise be referred to Members due to its significance in some other respect”.</p> <p>Note: - The above process could not be utilised where:</p> <p>a) the Head of Planning and Coastal Management or the Chairman/Vice Chairman of the Planning Committee, have already made the decision that in their opinion the application should be determined at Planning Committee because “The proposal would be of significant public interest; would have a significant impact on the environment; or should otherwise be referred to Members due to its significance in some other respect” (point 1 of the current scheme of delegation); or</p> <p>b) either the applicant or landowner is East Suffolk Council, or the applicant or agent is an East Suffolk Council employee: or the applicant, or agent, is a close relative of an East Suffolk Councillor or East Suffolk employee, (points 2 and 3 of the current scheme of delegation).</p> <p>because such applications have to be determined by Planning Committee in any case.</p>
2.13	<p>In proposing the recommendation to introduce a Call-In procedure in addition to the Referral Panel process members will need to be aware of the workloads of the planning committees and the need to ensure we exceed government determination targets.</p>
2.14	<p>A report on the number of Call-In requests and outcomes will be reported to the Strategic Planning Committee each year along with the updates on the Referral Committee.</p>
2.15	<p>In addition, as part of the amendment of the Constitution to make this change, a minor change to the existing scheme of delegation is proposed. It has been noted in the past year that at present a Chair or Vice Chair can potentially over-ride the vote of the Referral Panel to refer an application to Planning Committee utilising Point 1 of the scheme of delegation. This is an unfair route to take and discredits the Referral Panel process and opinions of the other three members of the panel:</p> <p>“The Planning Application is, in the opinion of the Head of Planning and Coastal Management or the Chairman/Vice Chairman of the Planning Committee, of significant public interest; would have a significant impact on the environment; or should otherwise be referred to Members due to its significance in some other respect”</p>
2.16	<p>It is proposed that this should be amended to:</p>

	<p>“The Planning Application is, in the opinion of the Head of Planning and Coastal Management or the Chairman/Vice Chairman of the Planning Committee, of significant public interest; would have a significant impact on the environment; or should otherwise be referred to Members due to its significance in some other respect <b>and this request has been made prior to an application being placed on the Agenda for a Referral Panel</b>”</p>
2.17	<p><b><u>Recommendation on the First Resolution:</u></b></p> <p><b>It is recommended that the proposed ‘triple lock’ put forward by the Scrutiny Committee and hereby re-titled the ‘Planning Committee Member call-in process’ is accepted in its amended form as set out above and the scheme of delegation, as part of the East Suffolk Constitution is amended to integrate this change.</b></p>
2.18	<p><b>Members should recognise that at present the number of applications this could add to Planning Committee agendas cannot be predicted alongside the existing Referral Panel process. The effectiveness of the new process and its effects will be reported annually and reviewed by the Strategic Planning Committee, as per the current process with Referral Panel. It would remain within the power of the Strategic Planning Committee to suggest future changes if the effects of this change to scheme of delegation have adverse consequences on the effectiveness of the Planning Service.</b></p>
2.19	<p><b>It is also recommended that a minor change to Point 1 of the scheme of delegation is made at the same time as per paragraph 2.16.</b></p>
2.20	<p><b>These changes would need to be subject to approval by Full Council, having been considered and recommended for such by the Audit and Governance Committee, at a later date before coming into force.</b></p>
2.21	<p><b><u>Second Resolution</u></b></p> <p>As set out in Paragraph 2.2 of this report and in the minutes included in Appendix D, the Scrutiny Committee resolved:</p> <p>“That, as agreed by the Cabinet Member with responsibility for Planning and Coastal Management, the Strategic Planning Committee in June 2023 also consider amending the Planning Procedure Rules to allow the following:</p> <ul style="list-style-type: none"> <li>• If a Member should have a casting vote if the four person Referral Panel is tied 2-2 rather than an Officer (<i>the Head of Planning and Coastal Management</i>) deciding.</li> <li>• If 3 minutes was sufficient time for an objector to speak at Committee.”</li> </ul>
2.22	<p>The Referral Panel is comprised of the Chairs and Vice-Chairs of North and South Planning Committees. Therefore, when they are all in attendance there are four members, and there is the potential for a split vote of two to delegate and two to refer to Planning Committee.</p>

2.23	In the current situation the Head of Planning and Coastal Management makes an assessment of the material planning issues, the level of public interest, the material issues raised by those commenting on the application and considers the comments of the Panel before determining if the application should remain delegated or be referred to Planning Committee for determination. This means that when applications are referred to Planning Committee there is sound justification for doing so.
2.24	If there was to be a casting vote by a single member to decide such split votes, it would have to be decided who would have that casting vote, because at present all four members have an equal vote.
2.25	It is unclear as to how this is intended to increase democracy in this process, because such a change would in effect give greater weight to one of the Planning Committee Chair(s) or Vice-chair(s) views than the views of others on the panel. The only alternative individuals to the Head of Planning, who this responsibility for a casting vote could be placed with would be the Cabinet Member for Planning and Coastal Management. However, given the limited number of times there has been a casting vote required, alongside the additional call-in procedures, it is considered that the current system does not need amending.
2.26	The second part of this resolution which questioned whether 3 minutes is sufficient time for an objector to speak at planning committee. This time period is well established and included in the constitution. It was the time period followed by both Waveney and Suffolk Coastal District Councils previously.
2.27	This length of time is widely accepted across many Local Planning Authorities, as demonstrated by the table in <b>Appendix J</b> , which shows that of those sampled, nine Local Planning Authorities allow 3 minutes for an objector/third party to speak at planning committee.
2.28	In the other Local Planning Authorities there are five that allowed 5 minutes for objectors/third parties to speak at planning committee (Broadland, Colchester, East Cambridgeshire, Ipswich Borough and South Norfolk). However, it should be noted that those authorities have considerably fewer planning applications to determine each year ( <b>Appendix E</b> ), so they likely have fewer applications to consider during their planning committee meetings, and therefore are likely to have more time available to allow for additional public speaking.
2.29	It is also important to note that at East Suffolk Council, the committee members are able to ask follow up questions of those who speak, and therefore if further detail is required by the committee it can be obtained in that way. The written comments of all those who have commented on the application are also summarised within the Planning Committee Report and published in full via the Public Access system and therefore available to the Planning Committee. It should also be noted that when there is a significant application being considered it is in the Chair's gift to extend the time allowed for public speaking before the meeting begins.

2.30	A balance has to be struck between the ability to be heard against the efficiency of decision making and associated time required of members and officers to facilitate this.
2.31	Therefore, it is recommended that the 3 minutes for public speakers is maintained.
2.32	<p><b><u>Recommendation on the Second Resolution:</u></b>  <b>In respect of the Referral Panel casting vote:</b></p> <p><b>It is recommended that the change to the process for split votes by the Referral Panel falling to a casting vote by the Head of Planning and Coastal Management and instead being passed to an elected Member is not accepted and the scheme of delegation, as part of the East Suffolk Constitution is not amended to integrate this resolution of the Scrutiny Committee.</b></p> <p><b>If members of the Strategic Planning Committee are minded to accept the resolution of the Scrutiny Committee to the change to the process for split votes by the Referral Panel falling to a casting vote by the Head of Planning and Coastal Management then this should set out that the casting vote falls to the Cabinet Member for Planning and Coastal Management as part of the East Suffolk Constitution is not amended to integrate this resolution of the Scrutiny Committee.</b></p> <p><b>In the event of a resolution of the Strategic Planning Committee to agree such changes this would remain subject to Cabinet and Full Council approval as part of changes to the East Suffolk Constitution.</b></p>
2.33	<p><b>In respect of the time period for public speaking in Planning Committee meetings:</b></p> <p><b>It is recommended that the three minute period for public speaking remains unchanged and that the East Suffolk Constitution is not changed for this purpose.</b></p>
2.34	<p><b><u>Third Resolution</u></b>  The third part of the resolution of Strategic Planning Committee was:</p> <p>“That the Cabinet Member with responsibility for Planning and Coastal Management and Officers provide the Scrutiny Committee with a written response to the following two questions ASAP:</p> <ul style="list-style-type: none"> <li>• If it was possible to have another QR code on site notices to take members of the public to a simple guide on what constitutes a relevant planning objection?</li> <li>• What was the outcome, and were there any further actions arising, from the recent meeting between Officers and SALC in relation to their survey?”</li> </ul>

2.35	A direct response to this part of the resolution was included as an update sheet following the meeting and is included after the minutes within <b>Appendix D</b> of this report.
2.36	<b><u>Recommendation on the Third Resolution:</u></b> <b>It is recommended that the Strategic Planning Committee read and note Appendix D.</b>

### 3 How to address current situation

3.1	It is recommended that Strategic Planning Committee agrees to: <ol style="list-style-type: none"> <li>1) Approve the introduction of a Call-In Process as amended as set out in the report at Paragraphs 2.17-2.20,</li> <li>2) That the casting vote at the Referral Panel is still undertaken, where required, by the Head of Planning and Coastal Management</li> <li>3) That the public speaking time is maintained at 3 minutes for each participant</li> </ol>
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### 4 Reason/s for recommendation

4.1	As outlined in the report above there are a number of potential issues and concerns with the 'triple-lock' process recommended by Scrutiny Committee, as an additional means to refer items to Planning Committee. This report re-titles it the 'Planning Committee Member Call-in Process'.
4.2	Therefore, amendments to the suggested process are required, as set out in Paragraphs 2.17-2.20 of this report. These amendments to the suggested process are required to ensure the process is practical, fair to all and transparent.
4.3	In introducing this new Planning Committee Member Call-in Process it is recognised it will give members greater opportunity to trigger planning applications to Planning Committee for determination.
4.4	In recommending this change in process it is recognised that any increase in the number of applications taken to planning committee, will likely require additional officer and member time in the lead up to and during Planning Committee meetings, which in turn could affect the number of applications determined within or beyond target time and thus the Local Planning Authorities ability to meet government targets.
4.5	However, the recommendation for the introduction of the 'Planning Committee Member Call-in Process' process is proposed with the intention of increasing transparency and member involvement in the process.
4.6	In the event of a resolution of the Strategic Planning Committee to agree such changes this would remain subject to Cabinet and Full Council approval as part of changes to the East Suffolk Constitution.

4.7	The recommendation for the speaking time available at Planning Committee for objectors, Town/Parish Councils, applicants and/or agents to remain at 3 minutes is made on the basis that this length of time is considered appropriate, given that a full summary of all comments received as part of the Planning Committee reports, full copies of the comments submitted are also published on Public Access and available to view, and the Planning Committee members are able to ask follow up questions of speakers.
4.8	Any increase in the length of time provided for speaking by objectors, the Town/Parish Councils, applicants and/or agents would potentially significantly lengthen committee meetings and there is no specific material planning justification to extend the time permitted.
4.9	The proposed 'casting vote' on the Planning Referral Panel, is also recommended to remain as it is currently. There are significant concerns as to how the process suggested by Scrutiny Committee would be implemented, as it would in effect provide one member with a greater say than the other members of the panel resulting in potential unfairness. Therefore, it is also recommended that Planning Referral Panel process remains as is.

## Appendices

Appendices:	
Appendix A	“Democratic Accountability within the Planning Process Report”, Scrutiny Committee Meeting – 2 March 2023
Appendix B	Appendices to the “Democratic Accountability within the Planning Process Report” Scrutiny Committee Meeting – 2 March 2023
Appendix C	SALC Written Submission to Scrutiny Committee – 2 March 2023
Appendix D	Minutes of the Scrutiny Committee Meeting 2 March 2023 and the Matters Arising Response Sheet
Appendix E	A comparison with other Suffolk /Neighbouring Authorities in terms of the number and scale of applications determined, using data published at <a href="#">DLUHC - Planning Application Statistics</a>
Appendix F	A comparison with other Suffolk /Neighbouring Authorities in terms of the Number/Proportion of Planning Decisions Delegated/Made by Planning Committees, using data published at <a href="#">DLUHC - Planning Application Statistics</a>
Appendix G	A comparison with other Suffolk/Neighbouring Authorities in terms of the numbers/proportions of applications granted/refused, using data published at <a href="#">DLUHC - Planning Application Statistics</a>
Appendix H	A comparison with other Suffolk/Neighbouring Authorities in terms of the numbers/proportions of applications determined in/out of time, using data published at <a href="#">DLUHC - Planning Application Statistics</a>
Appendix I	The Schemes of Delegation at other Local Planning Authorities
Appendix J	Public Speaking at Other Local Planning Authorities
Appendix K	The proposed amendments added to the existing scheme of delegation currently set out in the East Suffolk Council Constitution
Appendix L	Report by Chair of Scrutiny Committee, regarding Scrutiny Review of Democratic Accountability within the Planning Process.

### Background reference papers:

None.