

26 April 2016**Agenda Item:9****REPORT OF CORPORATE DIRECTOR – PLACE****CORRESPONDENCE ON PLANNING APPLICATIONS****Purpose of Report**

1. To confirm the approach Members of Planning and Licensing Committee should take when receiving direct correspondence on planning applications.

Background

2. Members have experienced a recent increase in the receipt of direct correspondence from members of the public, particularly in relation to shale gas applications and much of this correspondence is forwarded to officers to action and/or respond. The purpose of this report is to clarify the correct procedure for members to follow in respect of third party correspondence connected with a particular planning application or a particular type of development.
3. Members are aware of the strict rules regarding lobbying and predetermination in the Council's constitution and the Planning and Licensing Committee Code of Best Practice. These rules seek to ensure that planning applications are determined in a robust and transparent manner with Members approaching decision making at committee with an open mind. This report is intended to clarify the correct protocol for situations where Members are approached directly by an interested party on a matter relating to the merits of a specific application or type of development in order to avoid the impartiality and integrity of a Committee member being called into question.
4. In order to ensure that any such direct correspondence is dealt with appropriately, Members are asked to forward any such correspondence to officers in the Development Management Team for action and, should they wish to do so, send a short acknowledgement to the correspondent. Officers will then ensure that the correspondence is registered as a representation on an application and decide whether a bespoke response is required. Where a bespoke response to a particular matter is considered appropriate, or is requested by a Member, that response will be drafted in consultation with the Chair and Vice Chair of committee and, where relevant, the Member who requested the response. Any such bespoke response should be reported to committee for noting.

Statutory and Policy Implications

5. This report has been compiled after consideration of implications in respect of finance, the public sector equality duty, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment, and those using the service. There are no such implications in this instance.

RECOMMENDATIONS

6. That the contents of this report are noted in respect of the course of action for dealing with correspondence sent directly to Members as set out in the Code of Best Practice.

TIM GREGORY

Corporate Director – Place

Constitutional Comments

The subject of the attached report falls within the scope of Planning and Licensing Committee and this is the appropriate body to consider the report.

[RHC 4/4/2016]

Comments of the Service Director - Finance

There are no specific financial implications arising directly from this report.

[SES 13/04/16]

Background Papers Available for Inspection

The application file available for public inspection by virtue of the Local Government (Access to Information) Act 1985.

Electoral Division(s) and Member(s) Affected

All Members on Planning and Licensing Committee.

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For any enquiries about this report, please contact the report author.