

## **Determination of Applications during Coronavirus Pandemic**

### **Introduction of Additional Delegated Powers and Committee Procedures**

**April - July 2020**

#### Delegated Powers

It is proposed that the emergency provisions in the constitution be applied to introduce additional delegated powers for a period of four months (to be kept under review during and at the end of this period) for certain applications that would in normal circumstances be referred to committee in accordance with the provisions of the Constitution.

The additional powers would enable applications to be determined by the Executive Manager for Communities in consultation with Cllr Butler as Chairman of the Planning Committee. Where the application involves a site within Cllr Butler's ward, the determination will involve consultation with the Vice Chairman of Planning Committee, Cllr Mrs Stockwood.

The applications to be determined under these arrangements will be determined on a case by case basis but are likely to include, but not limited to, the following situations:

- Non-contentious applications
- Applications where the Ward Councillor(s) have declared a personal (non-pecuniary) interest
- Applications submitted by the Council or involving a member of staff or Councillor where the comments of the Ward Councillor(s) do not conflict with the officer recommendation
- Applications where the Ward Councillor has not commented

Applications which cannot be delegated under normal provisions or the additional powers will be referred to planning committee by agreement between Executive Manager for Communities in consultation with Cllr Butler as Chairman of the Planning Committee. Examples of applications which may be referred to planning committee include applications which are contentious and/or have attracted significant level of public interest, and those of a scale where the provisions of the constitution would normally be referred to Planning Committee and which, in the opinion of the Executive Manager for Communities in consultation with Cllr Butler as Chairman of the Planning Committee still need to be referred to the Committee for consideration.

#### **Committee Procedures**

The 1972 Local Government Act requires councillors to be physically present to decide applications, and there is no provision for remote participation or voting. The Coronavirus Act 2020 includes provisions for the making of regulations to give greater flexibility for the holding of council meetings, in particular, provision for persons to attend, speak at, vote in, or otherwise participate in, local authority meetings without all of the persons, or without any of the persons, being together in the same place.

In light of the Government guidance on social distancing and the provision in the Coronavirus Act 2020, it is proposed to introduce the following procedures for the Planning Committee to consider planning applications, initially for a period of 4 months but to be kept under review as necessary.

- Meetings of the Planning Committee to be convened 'virtually' (subject to publication of necessary secondary legislation) using appropriate technology, e.g. conferencing calling (most appropriate technology to be determined) or potentially in Council Chamber observing social distancing guidelines
- Meetings be brought forward to commence at 2pm
- Reduce number of Councillors on the Committee to six Councillors
- Maintain proportional representation, membership of six with four Conservative Councillors and two from opposition groups
- Suspend public speaking but invite interested parties to submit a written statement, limited to word count of 300 words, to be circulated to Councillors day before committee with any late representations. (Statements limited to one from each interest group, i.e. applicant, objector and Ward Councillor)
- Agendas to be published in accordance with current timescales, i.e. published 1 week before the meeting of the Planning Committee
- Officer presentation to be prepared and made available online (YouTube) day before Planning Committee
- Members of the Planning Committee to be encouraged to forward questions to Andrew Pegram, to be received no later than noon on day before committee – questions and responses to be publicised (on Planning Online and on the Agendas and Meetings pages, where the agenda is also available)
- During 'virtual' meeting presenting officer will introduce application, giving brief overview of photographs and plans
- In the case of virtual meetings or Councillors taking part from a remote location, Chairman to name Councillors in turn inviting any comments or further questions
- Public to be excluded from the Planning Committee but meetings to be recorded and made available online (YouTube) in accordance with current procedure