

PLANNING APPEALS

Lead Officer: N White – Scrutiny Support Officer

Recommendation: that the Panel:

(A) recommend to Council that the:

- (1) amount of planning decisions that are made by delegated authority should be increased,
- (2) procedures for elected members to speak at Planning Panel meetings should be reviewed with the aim of ensuring that members rights to speak at Planning Panel are the same as those for members of the public,
- (3) Panel's procedures should be amended to allow the possibility of a member of the public to speak at more than one meeting on a planning application if the need exists,
- (4) Panel's members should be advised that the use of pre prepared written statements is not good practise and encourage them not to use such statements in future,
- (5) Panel's Members be made aware that a decision to refuse planning permission made on unreasonable grounds could leave the council open to an award of costs against it,
- (6) Chairman of the Planning Panel be involved in the process to ensure that a Planning Panel's reasons for refusal of planning permission are correctly recorded,

(B) recommend to the Executive that greater priority and resources should be given to ensuring that the publication of the final version of the Copeland Local Plan 2001 – 2016 is achieved in the near future,

(C) recommend to the Member Training and Development Panel that training sessions on the role of Councillors in Planning take place every year and be for all members of the Council,

(D) note that the Economic Development and Enterprise Overview and Scrutiny:

- (1) would like a report to be submitted to that Committee in six months time on the changes that the Panel has made to its procedures as a result of this review and the effect of those changes, and

(2) has established a further task and finish group to look into the Council's Planning and Building Control Enforcement.

1. BACKGROUND

The Economic Development and Enterprise Overview and Scrutiny Committee at its meeting on 11 June 2007 agreed to a task and finish group being established to look at how appeals against planning decisions are dealt with by the council.

The Task and Finish Group has completed its work and reported to the Economic Development and Enterprise Overview and Scrutiny Committee at its last meeting on 13 August 2007. The report of the Task and Finish Group is at Appendix "A".

2. CONCLUSION

The Overview and Scrutiny Committee agreed to the recommendations of the Task and Finish Group and these are detailed at the recommendations at the head of this report.

It also agreed that a report should be submitted to that Scrutiny Committee in six months time on the changes that the Panel has made to its procedures as a result of this review and the effect of those changes. This would enable an analysis and reassessment of these changes to ensure that they are giving the results that were intended.

It further agreed that another task and finish group should be established to look at the Council's Planning and Building Control Enforcement.

The Committee noted that in respect of recommendation (A) it was now only Government advice and no longer a target that the amount of planning decisions that a council should take as delegated decisions be 90%.

The Panel is asked to consider these recommendations and to recommend on to the appropriate body any changes to its procedures it wishes to make in light of these recommendations.

Contact Officer: Neil White, Scrutiny Support Officer

Background Papers: None

List of Appendices: Appendix "A" – Report of the Planning Appeals Task and Finish Group