

Report to Governance Committee

18 September 2018

By the Monitoring Officer



DECISION REQUIRED

Not Exempt

Review of the Functions, Responsibilities and Constitution of Planning Committees at Horsham District Council.

Executive Summary

Following the last meeting of the Committee steps have now been taken to engage the Planning Advisory Service to undertake a peer review of the Planning Committee process.

Arrangements have since been made to visit / consult with Sevenoaks District Council, Lewes District Council and Tunbridge Wells Borough Council in order to review and compare practices and procedures.

Recommendation

The Committee is recommended to note progress made to date.

Reasons for Recommendations

To comply with Article 13.2 Review and Revision of the Constitution.

Background Papers

The Constitution of Horsham District Council 7 December 2016 (Amended April 2017).

Wards affected: All

Contact: Sharon Evans, Monitoring Officer

Background Information

1 Introduction and Background

- 1.1 At its meeting on 12th June 2018 the Committee agreed to undertake a review of the current Planning Committee system.

The scope of the review will be to look at the ways other planning authorities work and examine various models for the number, size, responsibilities and structure of committees along with any other associated issues.

2 Relevant Council policy

- 2.1 The Corporate Plan 2016/19 has a Council priority of 'Efficiency - Great value services'. This priority should be enabled and supported by clear, well understood and efficient governance arrangements.

3 Details

- 3.1 Under Article 13 of the Constitution the Monitoring Officer has a duty to monitor and review the operation of the Constitution. In undertaking this task the Monitoring Officer may:

- a) observe meetings of different parts of the Member and officer structure;
- b) undertake an audit trail of a sample of decisions;
- c) record and analyse issues raised with him by Members, officers, the public and other relevant stakeholders; and
- d) compare practices in this Council with those in comparable authorities, or national examples of best practice.

- 3.2 When the Constitution was reviewed in 2016, one major area that was omitted was that of the function and responsibilities of the Planning Committees. At the last meeting this Committee therefore agreed to undertake a review in accordance with the above duty.

- 3.3 The Planning Advisory Service has been engaged and will be commencing their review on 16th October.

- 3.4 Arrangements have been made to visit / consult with Sevenoaks District Council, Lewes District Council and Tunbridge Wells during the months of September and October.

- 3.5 The review will look at the current arrangement against best practice. It will consider how other authorities work and examine various models for the number, size, responsibilities and structure of committees along with any other associated issues (such as compulsory training).

4 Next Steps

- 4.1 Further meetings of the Governance Committee will be held on a monthly basis with a view to reporting to Council in February 2019.

5 Outcome of Consultations

- 5.1 N/A

6 Other Courses of Action Considered but Rejected

- 6.1 N/A

7 Resource Consequences

- 7.1 The Committee previously agreed to meet the costs of engaging the Planning Advisory Service.

8 Legal Consequences

- 8.1 Under Section 9P of the Local Government Act 2000 (as amended by the Localism Act 2011), it is a legal requirement for the Council to have a Constitution. It is the responsibility of the Monitoring Officer to monitor and review the operation of the Council's Constitution to ensure that the aims and principles of it are given full effect and to make recommendations for ways in which the Constitution could be amended in order to enable decisions to be taken efficiently and effectively.

9 Risk Assessment

- 9.1 The recommendations within this report are part of mitigating corporate risk by ensuring that the Planning Committees work effectively and exercise good practice.

10 Other Considerations

- 10.1 The Constitution and its Procedures, Rules and Codes act as an enabling tool in helping the Council meet its obligations under the Human Rights Act 1998 and the Equality Act 2010.
- 10.2 Consideration of how projects and proposals can secure environmental, social and economic benefits and reduce negative consequences should be an integral part of decision-making and the Constitution will facilitate such considerations.