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Planning Committee

21 July 2022

**Name of Cabinet Member:**

N/A – Planning Committee

**Director Approving Submission of the report:**

Director of Law and Governance

**Ward(s) affected:**

None

**Title: Amendments / Updates to the Planning Committee Procedure Rules**

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**Is this a key decision?**

No - the decision whether to adopt amendments / updates to the Planning Committee Procedure Rules is reserved to Planning Committee

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**Executive Summary:**

This Report seeks approval to adopt a revised version of the Planning Committee Procedure Rules (“Revised Planning Procedure Rules”), amendments to which have been made in tandem with the proposed revisions to the Code of Good Planning Practice for Members and Employees Dealing with Planning Matters (“Planning Code”), currently at Part 4C of the Constitution, which have been detailed in a separate report. A copy of the proposed Revised Planning Procedure Rules, with tracked changes, is attached as Appendix A to this report. A clean copy of the Revised Planning Procedure Rules is attached as Appendix B to this report.

The current Planning Committee Procedure Rules (“Current Planning Procedure Rules”) are “appended” to the Constitution. The Planning Committee have the delegated authority to adopt updates / amendments to the Current Planning Procedure Rules.

**Recommendations:**

The Planning Committee is requested to:

- 1) Consider the Revised Planning Procedure Rules; and

- 2) Approve the Revised Planning Procedure Rules subject to any agreed additions, comments and alterations

**List of Appendices included:**

- A. Revised Planning Procedure Rules (marked with tracked changes)
- B. Revised Planning Procedure Rules (clean copy)

**Other useful background papers can be found at the following web addresses:**

N/A

**Has it been or will it be considered by Scrutiny?**

No

**Has it been or will it be considered by any other Council Committee, Advisory Panel or other body?**

No

**Will this report go to Council?**

No

## Report title: Amendments / Updates to the Planning Committee Procedure Rules

### 1 Context (or background)

1.1 The Current Planning Procedure Rules for Coventry City Council are separate from the Constitution and available on the Council's website.

1.2 Part 2G - Functions of Planning Committee, paragraph 4(f), states the following:

#### ***Functions Delegated to the Planning Committee***

*The Planning Committee will have responsibility for the following delegated functions...:*

*... To approve, adopt, review, amend and revise codes of best practice and procedure for planning and other matters, including the Planning Code of Good Practice, within its terms of reference and to make the same publicly available.*

1.3 As such the Planning Committee have the delegated authority to review the Current Planning Procedure Rules.

1.4 The Revised Planning Procedure Rules (with tracked changes), are attached at Appendix A.

1.5 A clean copy of the Revised Planning Procedure Rules are attached at Appendix B.

1.6 The Current Planning Procedure Rules are over 9 years old. It was considered that now was a good opportunity to review the Current Planning Procedure Rules while the Planning Code was considered (detailed in a separate Report). A number of changes have taken place (detailed below) which require amendments / revision to the Current Planning Procedure Rules.

1.7 The main changes are as follows:

- a) Members and Officers have been used throughout the document for consistency;
- b) At paragraph 4.5(i) "Resources Directorate" has been replaced with "Governance Services" to reflect the changes in structure;
- c) At paragraph 4.5(iv) wording has been added to clarify that there shall be no more than two nominated speakers "against" an application and where the

application is a “Major Application” the number of speakers shall be at the discretion of the Chair of the Planning Committee;

- d) At paragraph 4.5(v) wording around submission of additional information has been made clearer and the time limit to submit additional information has been increased from 24 hours to 3 days before the Planning Committee which will allow more time for documentation to be considered;
- e) At paragraph 4.6 which refers to voting the second and third sentences have been removed. Voting is dealt with at paragraph 6 and the voting procedure is now outlined in a separate flowchart, which provides a clearer explanation than the wording in the second and third sentences;
- f) A new paragraph 5 has been inserted to deal with deferrals to make clear how they will be handled;
- g) At paragraph 6 the voting procedure has been clarified and flow chart inserted;
- h) At paragraph 8.1(ix) site visit wording has been added to reflect that occasionally Members may drive or walk past a site of their own volition and that they need to be mindful if they choose to do this.

1.8 The views of the Planning Committee are sought on the proposed changes.

## **2. Options considered and recommended proposal**

2.1 **Option 1:** do nothing. This is not recommended as the Current Planning Procedure Rules are at least nine years old.

2.2 **Option 2:** approve the Revised Planning Procedure Rules (either in whole or with modifications). The Revised Planning Procedure Rules retain the format and style of the Current Planning Procedure Rules but the updates bring the Current Planning Procedure rules into line with current practice at Planning Committee. The intention is for the Revised Planning Procedure Rules to be available for the start of the 2022/23 municipal year. It will also be incorporated into training provided for newly elected and existing councillors early in the new municipal year.

### **Recommendations:**

The Planning Committee is requested to:

- 1) Consider the Revised Planning Procedure Rules; and

- 2) Approve the Revised Planning Procedure Rules subject to any agreed additions, comments and alterations.

### **3. Results of consultation undertaken**

3.1 N/A

### **4. Timetable for implementing this decision**

4.1 Any actions arising from this report will be implemented from the start of the 2022/23 Municipal Year.

### **5. Comments from Chief Operating Officer (Section 151 Officer) and Director of Law and Governance**

5.1 Financial implications

There are no specific financial implications arising from the recommendations within this report.

5.2 Legal implications

There are no specific legal implications arising from this report. The issues referred to in this report will assist the Council in complying with its obligations under section 27 of the Localism Act 2011.

### **6 Other implications**

None

**6.1 How will this contribute to the Council Plan ([www.coventry.gov.uk/councilplan/](http://www.coventry.gov.uk/councilplan/))?**

Not applicable.

**6.2 How is risk being managed?**

There is no direct risk to the organisation as a result of the contents of this report.

**6.3 What is the impact on the organisation?**

No direct impact at this stage.

#### 6.4 Equalities / EIA

There are no public sector equality duties which are of relevance at this stage.

#### 6.5 Implications for (or impact on) climate change and the environment

None

#### 6.6 Implications for partner organisations?

None at this stage.

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Suzanne Bennett	Governance Services Officer	Law and Governance	04/07/2022	04/07/2022
Sarah Harriott	Corporate Governance Solicitor	Law and Governance	01/07/2022	01/07/2022
Rob Back	Strategic Lead - Planning	Planning	01/07/2022	01/07/2022
Clara Thomson	Planning and Highways Lawyer	Law and Governance	01/07/2022	01/07/2022
<b>Names of approvers for submission: (officers and members)</b>				
Graham Clark	Lead Accountant – Business Partnering	Finance	01/07/2022	01/07/2022
Councillor L Harvard	Chair – Planning Committee		16/06/2022	01/07/2022

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