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| Revised Planning Sub-Committee Procedure | |
| CORPORATE COMMITTEE MEETING DATE 2017/18 12 December 2017 | CLASSIFICATION: Open If exempt, the reason will be listed in the main body of this report. |
| WARD(S) AFFECTED All Wards | |
| GROUP DIRECTOR Tim Shields, Chief Executive's | |

1. INTRODUCTION AND PURPOSE

- 1.1 This report is presented to the Corporate Committee for a decision regarding corporate governance.
- 1.2 Approval is sought for revisions to the procedure for meetings of the Planning Sub-committee.

2. RECOMMENDATION(S)

The Corporate Committee is recommended to:

Approve the revised procedure for meetings of the Planning Sub-committee attached to this report at Appendix A.

3. REASONS FOR DECISION

To ensure that the business of the Planning Sub-committee is determined efficiently and effectively in particular when a planning application to be determined by the Sub-committee has been submitted by a member of the Council.

Making the proposed changes to the procedure relating to planning applications submitted by members of the Council will ensure that the duty on the Council to act fairly is discharged by balancing the right of parties to speak and answer questions about a planning application with the rule that decision makers must not be biased towards one particular party when taking decisions.

4. BACKGROUND

The procedure followed by the Planning Sub-committee has been revised to clarify the steps that will be followed at meetings of the same in particular in respect of planning application submitted by members of the Council as the existing procedure is not clear on how the consideration of such applications by the Sub-committee should be dealt with.

4.1 Policy Context

The revised Planning Sub-committee procedure will assist lawful and fair decision making regarding planning applications pursuant to the Council's local development plan documents for the development and use of land in the Borough of Hackney.

4.2 Equality Impact Assessment

The proposed revisions to the existing procedure for the Planning Sub-committee will not impact on the Council's equality duties regarding the elimination of unlawful discrimination, harassments and victimisation; the advancement of equality of opportunity between people who share a protected characteristic and people who do not share it; and the fostering of good relations between people who share a protected characteristic and people who do not share it as a party's attendance at meetings of the Planning Sub-committee, and their ability to speak at such meetings, including members of the Council, will remain unchanged.

4.3 Sustainability

N/A.

4.4 Consultations

There is no statutory obligation to consult on procedures and protocols for Committees and Sub-committees. Officers have consulted with the Chair of the Planning Sub-committee who has confirmed his acceptance of the revised procedure for the Planning Sub-committee.

4.5 Risk Assessment

Revising the procedure followed by the Planning Sub-committee to ensure that the Council discharges its duty to act fairly will assist the Council avoid legal challenges.

5. COMMENTS OF THE GROUP DIRECTOR OF FINANCE AND CORPORATE RESOURCES

The revised procedure for meetings of the Planning Sub-committee is noted, and there are no direct notable financial implications emanating from this report.

6. COMMENTS OF THE DIRECTOR OF LEGAL

- 6.1 The Council may arrange for the discharge of its functions by a committee or sub-committee and decide the procedure to be followed at the meetings of the same under section 101 and 99 of the Local Government Act 1972.
- 6.2 The Council has delegated decisions regarding planning applications to the Planning Sub-committee and officers as set out in Part III of its Constitution.
- 6.3 The terms of reference for the Corporate Committee provide that it shall appoint a Planning Sub-committee and approve its terms of reference, procedures and protocols and so the Corporate Committee is authorised to approve the attached revised Planning Sub-committee procedure.

APPENDICES

Appendix 1 - Revised procedure

BACKGROUND PAPERS

None.

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