

## SUPPLEMENTARY AGENDA

# STRATEGIC PLANNING COMMITTEE

**Monday, 23rd May, 2022, 8.30 pm - Panorama Room, Alexandra Palace, Palace Way, Wood Green, London N22 7AY**

**Members:** The membership of the Committee will be confirmed at the Full Council on 23 May 2022

**Quorum:** 3

### **6. ESTABLISHMENT OF THE PLANNING SUB-COMMITTEE 2022/23 (PAGES 1 - 12)**

To establish a Planning Sub-Committee for the 2022/23 Municipal Year.

Fiona Rae, Acting Committees Manager  
Tel – 020 8489 3541  
Email: [fiona.rae@haringey.gov.uk](mailto:fiona.rae@haringey.gov.uk)

Fiona Alderman  
Head of Legal & Governance (Monitoring Officer)  
George Meehan House, 294 High Road, Wood Green, N22 8JZ

Monday, 23 May 2022

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# LATE BUSINESS SHEET

**Report Title: Agenda Item 6 - Establishment of the Planning Sub-Committee 2022-23**

**Committee: Strategic Planning Committee**

**Date: 23 May 2022**

**Reason for lateness and reason for consideration**

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Under s100B(4)(b) of the Local Government Act 1972, the Chair of the meeting is of the opinion that the appendices should be considered at the meeting as a matter of urgency by reason of special circumstances. These circumstances are that the information about committees and memberships, which is due to be considered by Full Council on 23 May 2022, was not available at the time of agenda publication. In addition, it is requested that the additional information be provided so that it can be considered by the Strategic Planning Committee at its meeting on 23 May 2022. This was agreed by the Chair on 23 May 2022.

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**Report for:** Strategic Planning Committee – 23 May 2022

**Title:** Establishment of the Planning Sub-Committee 2022/23

**Report authorised by:** Ayshe Simsek, Democratic Services and Scrutiny Manager, [ayshe.simsek@haringey.gov.uk](mailto:ayshe.simsek@haringey.gov.uk), 020 8489 2929

**Lead Officer:** Fiona Rae, Acting Committees Manager, [fiona.rae@haringey.gov.uk](mailto:fiona.rae@haringey.gov.uk), 020 8489 3541

**Ward(s) affected:** All

**1. Describe the issue under consideration**

- 1.1. To establish a Planning Sub-Committee for the 2022/23 Municipal Year, including noting the terms of reference for the Planning Sub-Committee.

**2. Cabinet Member Introduction**

- 2.1. Not applicable.

**3. Recommendations**

The Strategic Planning Committee is asked:

- 3.1. To note the terms of reference of the Strategic Planning Committee and Planning Sub-Committee as set out within the Council's Constitution, attached as Appendix 1 to the report.
- 3.2. To agree the establishment of a Planning Sub-Committee with the same membership as the Strategic Planning Committee.
- 3.3. To note the Strategic Planning Protocol as set out within the Council's constitution, attached as Appendix 2 to the report.

**4. Reasons for decision**

- 4.1. To support the discharge of planning functions as set out within Part Three, Section B of the Council's constitution.

**5. Alternative options considered**

- 5.1. Not applicable.

**6. Background information**

Strategic Planning Committee

- 6.1. The Full Council appoints the membership of the Strategic Planning Committee including its Chair and Vice-Chair.

- 6.2. The Council can determine the terms of reference of the Committee. These are currently set out in Part 3 Section B of the Council's Constitution and attached as Appendix 1 to this report. Members are invited to note the Committee's terms of reference.

Establishing the Strategic Planning Sub-Committee

- 6.3. The Strategic Planning Committee may establish a Planning Sub-Committee to exercise town planning and miscellaneous functions and fix its membership and confirm its terms of reference. In line with the last Municipal Year, it is recommended that one Planning Sub-Committee be established.
- 6.4. The membership of the Planning Sub-Committee must be constituted in accordance with the provisions of the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990 in terms of political balance. The proportionality split is as follows: Labour Councillors (50 Members) now constitute 87.7% of the available seats on the Council and Liberal Democrats Councillors (7 Members) occupy 12.3%. Where practicable, the allocation of seats on Committees should be in line with the proportion of seats on the Council held by the political groups. The rule about proportionate allocation of seats on bodies overall takes precedence over the rule about proportionate allocation on any individual body.
- 6.5. The proposed membership of the Strategic Planning Committee for 2022-23 is due to be decided at the Full Council meeting on 23 May 2022. Subject to this approval, the proportional split of the Strategic Planning Committee would be 10 Labour councillors and 1 Liberal Democrat councillor and the membership would be: Councillor Barbara Blake (Chair), Councillor Reg Rice (Vice-Chair), and Councillors John Bevan, Nicola Bartlett, Lester Buxton, Luke Cawley-Harrison, George Dunstall, Ajda Ovat, Yvonne Say, Matt White, and Alexandra Worrell.
- 6.6. It is proposed that the Strategic Planning Committee agrees that the membership of the Planning Sub-Committee is the same as the Strategic Planning Committee. However, should the membership change, the membership of the Planning Sub-Committee would continue to be the same as the Strategic Planning Committee.
- 6.7. The quorum for Planning Sub-Committee meetings shall be in line with Part Four Section B of the Constitution in that no business shall be transacted unless a quarter of the whole number of voting Members are present.
- 6.8. Where one or more members of the Planning Sub-Committee are unable to participate in a hearing for some reason, they may give notice to arrange a substitute member in their place (as detailed in Paragraph 49, Part 4 Section B of the Council's Constitution), provided they have requisite training on planning matters.
- 6.9. There will be a reserve list of members who have received the required training to participate in Planning Sub-Committee meetings if needed. This list will be updated on an annual basis by the Political Chief Whips.

**7. Statutory Officers' Comments (Director of Finance (including Procurement), Head of Legal & Governance (Monitoring Officer), Equalities)**

**7.1. Finance**

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

**7.2. Legal**

The Head of Legal & Governance (Monitoring Officer) has been consulted and approves the content of this report.

**7.3. Equalities**

The Council has a public sector equality duty under S149 of the Equality Act 2010 to have due regard to need to:

- tackle discrimination and victimisation of persons that share the characteristics protected under S4 of the Act. These include the characteristics of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex (formerly gender) and sexual orientation;
- advance equality of opportunity between people who share those protected characteristics and people who do not;
- foster good relations between people who those characteristics and people who do not.

An initial screening of the proposals in this report has been completed and the proposals carry no implications for any aspect of the duty outlined above.

**8. Use of Appendices**

Appendix 1 – Strategic Planning Committee and Planning Sub-Committee Terms of Reference

Appendix 2 – Strategic Planning Committee Protocol

**9. Local Government (Access to Information) Act 1985**

Not applicable.

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## **Appendix 1 - Terms of Reference for Strategic Planning Committee**

There is a Protocol outside this Constitution setting out how the Strategic Planning Committee is to operate. The Protocol shall be applied in a manner consistent with Committee Procedure Rules in Part 4. Any issue on procedure at the meeting shall be subject to the ruling of the Chair. The Protocol can be amended by the written agreement of the Leaders of the Political Groups on the Council.

There is also a Protocol setting out how members of the Planning Sub-Committee will exercise any functions delegated to the Sub-Committee, including behaviour in relation to applicants, residents and other third parties, to ensure the probity of planning transactions and the highest standards expected in public office, which will also be followed by members of Strategic Planning Committee when exercising the same functions as the Sub-Committee. This protocol is supplementary to the Members' Code of Conduct at Part 5 of the Constitution. The Strategic Planning Committee has all the functions which are stated not to be the responsibility of the Executive in Regulation 2 and Schedule 1, Paragraph A (Town and Country Planning) of The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended) and in any statute or subordinate legislation further amending those Regulations. This includes Planning related Regulatory matters

The Strategic Planning Committee will establish the Planning Sub-Committee and agree the delegation of functions to that Sub-Committee.

### The Committee shall also:

- (i) Make informal recommendations to the Cabinet and full Council on local development documents, development plan documents, and any other planning policy matter;
- (ii) Review all Council plans and policies on any planning matters, exercising an overview in relation to common themes and making informal recommendations on these matters to Cabinet and full Council;
- (iii) Make informal recommendations to the Cabinet and other bodies on service delivery, grant aid, commissioning and procurement matters when these involve or relate to, planning, conservation or regulatory issues.

Planning Sub Committee Terms of Reference

There is a Protocol setting out how members of the Planning Sub-Committee will exercise those functions, including behaviour in relation to applicants, residents and other third parties, to ensure the probity of planning transactions and the highest standards expected in public office. This protocol is supplementary to the Members' Code of Conduct at Part 5 of the Constitution.

The Sub-Committee has all the functions which are set out below and which are stated not to be the responsibility of the Executive in Regulation 2 and Schedule 1 of The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended) and in any statute or subordinate legislation further amending those Regulations (references to paragraphs are to those in Schedule 1):

(a) paragraph A - Town Planning Functions

(A) planning applications for the erection of 10 or more dwellings and where the officer recommendation is for approval;

(B) planning applications for changes of use of 1000 sq. metres or more of gross internal floor space and where the officer recommendation is for approval;

(C) planning applications for the erection, or extension of non-residential buildings where the new build is 1000 sq metres or more of gross internal floor space and where the officer recommendation is for approval;

(D) unless otherwise agreed with the Chair of the Planning Sub-Committee, planning applications either:

(i) for major development as defined by the Town and Country Planning (Development) Management Procedure (England) Order 2015 (or any replacement legislation) and where the officer recommendation is for approval; or

(ii) where a legal agreement relating to that development is required; or

(iii) where the recommended decision would be contrary to the development plan;

(E) unless otherwise agreed with the Chair of the Planning Sub-Committee, applications submitted by, or on behalf of the Council;

(F) planning applications on Council owned land, where the Council is not the applicant, where significant material planning objections are received during the consultation process and which the Assistant Director or Head of Development Management, in consultation with the Chair of the Planning Sub-Committee, determines should be subject to members' consideration;

(G) planning applications submitted by or on behalf of members; or employees within the Planning Service or senior employees elsewhere in the Council; or their spouses, parents or children;

(H) any planning application to amend an application or vary conditions or a legal agreement previously decided/imposed by Planning Sub-Committee and which the Assistant Director or Head of Development Management, in consultation with the Chair of the Planning Sub-Committee, considers to constitute a major or significant change;

(I) any planning application where there have been objections from a single councillor of the Ward within which the application site is situated and/or a local community body and/or a local residents' association, and a written request setting out the planning reasons for the matter to be referred to the Planning Sub-Committee has been made before the expiry of the consultation period, and which the Assistant Director or Head of Development Management in consultation with the Chair of the Planning Sub-Committee considers should be referred to the Planning Sub-Committee for determination;

(b) paragraph B - Power to amend;

For the avoidance of doubt, the Assistant Director or Head of Development Management is authorised after a Planning Sub-Committee determination to make any alterations, additions or deletions to the recommended heads of terms and/or recommended conditions (and to authorise any such changes requested by the GLA or government body) (and to further sub-delegate this power) provided this authority shall be exercised after consultation with the Chair (or in their absence the vice-Chair) of the Sub-Committee.

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## **Appendix 2 - Strategic Planning Committee Protocol**

1. The Terms of Reference for the Strategic Planning Committee is stated in the Council's Constitution (Part 3 Section C). The purpose of this protocol is to set out in detail the process by which the Strategic Planning Committee will function.
2. This document will be subject to regular review along with other governance arrangements, to ensure that it remains updated in the light of experience.

### **MEMBERSHIP AND CHAIR**

3. A Planning Sub-Committee shall sit under the Strategic Planning Committee.
4. The members and chair of the Strategic Planning Committee shall be elected and ratified each year at the Annual Council Meeting.
5. The Strategic Planning Committee shall comprise 11 members. The Planning Sub-Committee shall comprise the same 11 members.
6. The Chair of the Strategic Planning Committee shall also act as the Chair of the Planning Sub-Committee.
7. Where one or more members of the Planning Sub-Committee are unable to participate in a hearing for some reason, they may give notice to arrange a substitute member in their place (as detailed in Paragraph 49, Part 4 Section B of the Council's Constitution), provided they have requisite training on planning matters.
8. There will be a reserve list of members who have received the required training to participate in Planning Sub Committee meetings if needed. This list will be updated on an annual basis by the Political Chief Whips.

### **Be consulted on Planning policy**

9. The Committee shall make informal recommendations in relation to planning policy, including local development documents and development plan documents and service delivery to Cabinet and full Council.

### **Planning Sub-Committee**

10. The Planning Sub-Committee shall be established on an annual basis and determine complex (including for reasons of scale) or contested applications for:
  - Planning Permission;
  - Listed Building consent;
  - Advertisements consent;
  - Entering into Planning Agreements;
  - Permission in Principle and Technical Details Consents
  - Creation, stopping up, diversion of highways, footpaths or bridleways;
  - Preservation of trees.

## **MEETING FREQUENCY AND FORMAT**

### Strategic Planning Committee Meetings

11. The Strategic Planning Committee will have 3 scheduled meetings, however the Chair of the Strategic Planning Committee may call a special meeting in accordance with the process in the Council's Constitution (Part 4 Section B).
12. The Strategic Planning Committee will consider
  - Planning Performance
  - Planning guidance
  - Planning related regulatory matters

### Sub-Committee Meetings

13. It is intended that the Planning Sub-Committee shall meet on a monthly basis.