

NOTICE OF MEETING

STRATEGIC PLANNING COMMITTEE

Thursday, 27th May, 2021, 7.30 pm (or on the rising of Full Council AGM, whichever is later) - Tottenham Green Leisure Centre 1 Philip Lane Tottenham N15 4JA

Members: The membership of the Committee will be confirmed at Full Council AGM on 27 May 2021.

Quorum: 3

1. **FILMING AT MEETINGS**

Please note this meeting may be filmed or recorded by the Council for live or subsequent broadcast via the Council's internet site or by anyone attending the meeting using any communication method. Members of the public participating in the meeting (e.g. making deputations, asking questions, making oral protests) should be aware that they are likely to be filmed, recorded or reported on. By entering the 'meeting room', you are consenting to being filmed and to the possible use of those images and sound recordings.

The Chair of the meeting has the discretion to terminate or suspend filming or recording, if in his or her opinion continuation of the filming, recording or reporting would disrupt or prejudice the proceedings, infringe the rights of any individual, or may lead to the breach of a legal obligation by the Council.

2. **APOLOGIES**

To receive any apologies for absence.

3. **URGENT BUSINESS**

The Chair will consider the admission of any late items of Urgent Business. (Late items will be considered under the agenda item where they appear. New items will be dealt with under item 7 below).

4. **DECLARATIONS OF INTEREST**

A member with a disclosable pecuniary interest or a prejudicial interest in a matter who attends a meeting of the authority at which the matter is considered:

- (i) must disclose the interest at the start of the meeting or when the interest becomes apparent, and
- (ii) may not participate in any discussion or vote on the matter and must withdraw from the meeting room.

A member who discloses at a meeting a disclosable pecuniary interest which is not registered in the Register of Members' Interests or the subject of a pending notification must notify the Monitoring Officer of the interest within 28 days of the disclosure.

Disclosable pecuniary interests, personal interests and prejudicial interests are defined at Paragraphs 5-7 and Appendix A of the Members' Code of Conduct

5. DEPUTATIONS/PETITIONS/PRESENTATIONS/QUESTIONS

To consider any requests received in accordance with Part 4, Section B, paragraph 29 of the Council's constitution.

6. ESTABLISHMENT OF THE PLANNING SUB-COMMITTEE 2021/22 (PAGES 1 - 10)

To note the establishment of the Strategic Planning Committee, including its terms of reference, and to establish a Planning Sub-Committee for the 2021/22 Municipal Year, including noting the terms of reference for the Planning Sub-Committee.

7. NEW ITEMS OF URGENT BUSINESS

To consider any items of urgent business as identified at item 3.

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Fiona Alderman
Head of Legal & Governance (Monitoring Officer)
River Park House, 225 High Road, Wood Green, N22 8HQ

Wednesday, 19 May 2021

Report for: Strategic Planning Committee - 27 May 2021

Title: Establishment of the Planning Sub-Committee 2021/22

Report authorised by: Ayshe Simsek, Democratic Services and Scrutiny Manager
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Lead Officer: Felicity Foley, Committees Manager
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Ward(s) affected: All

1. Describe the issue under consideration

1.1 To note the establishment of the Strategic Planning Committee, including its terms of reference, and to establish a Planning Sub-Committee for the 2021/22 Municipal Year, including noting the terms of reference for the Planning Sub-Committee.

2. Cabinet Member Introduction

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.

3.3 To agree the establishment of a Planning Sub-Committee with the same membership as the Strategic Planning Committee.

3.4 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

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 (41 Members) now constitute 71.9% of the available seats on the Council, Liberal Democrats Councillors (15 Members) occupy 26.3% and the Independent Member (1 Member) who occupies 1.75%. 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 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.
- 6.6 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.
- 6.7 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 (Chief Finance Officer (including procurement), Head of Legal & Governance (Monitoring Officer), Equalities)

7.1 Chief Finance Officer

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

7.2 Head of Legal & Governance (Monitoring Officer)

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

7.3 Equalities and Community Cohesion Comments

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 - New terms of reference for Strategic Planning Committee - Addition to the Constitution

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;

(l) 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.