

Report for: Standards Committee 13 November 2025
/ Full Council 24 November 2025

Title: Updates to the Constitution - Part Five Section E – Planning Protocol

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Lead Officer: Rob Krzyszowski, Director of Planning & Building Standards

Ward(s) affected: All

Report for Key/ Non Key Decision: Non Key Decision

1. Describe the issue under consideration

To consider changes to the Planning Protocol to ensure good practice is followed when members determine planning applications, processes followed are transparent and assist resident involvement in those determinations. These proposals are put forward following discussion and steer at the Constitution Working Group.

2. Cabinet Member Introduction

Not applicable.

3. Recommendation

3.1 To consider the proposed changes to the Planning Protocol shown in track changes in Appendix 2 attached to this report and recommend adoption of those changes in the clean version of the Planning Protocol in Appendix 3 by Full Council on 24 November 2025.

4. Reasons for decision

If the proposed changes are adopted this would ensure the Planning Protocol in the Constitution remains up to date and consistent with good governance.

5. Alternative options considered

The alternative would be to not update the Planning Protocol which is not considered appropriate as it will not ensure the Planning Protocol in the Constitution is up to date and fit for purpose.

6. Background information

- 6.1 The Planning Protocol at Part Five Section E of the Council's Constitution was last updated over 8 years ago in 2017.

Good practice guidance

- 6.2 Since 2017 there have been a number of good practice guidance documents which have been published, which have been considered when proposing the changes to the Planning Protocol in Appendix 2, including:
- Local Government Association (LGA) Planning Advisory Service (PAS) – Probity in Planning: Advice for councillors and officers making planning decisions (December 2019)¹
 - Royal Town Planning Institute – Probity and the Professional Planner: Practice Advice (January 2020)²
 - Lawyers in Local Government – The Members Planning Code of Good Practice (January 2024)³

Independent Planning Service Peer Challenge

- 6.3 In 2023 the Council invited LGA/PAS to undertake an independent Planning Service Peer Challenge, which included considering the Council's planning processes including those of the Strategic and Planning Sub Committees. The Peer Challenge report was received in November 2023 and the Council's Cabinet in March 2024 endorsed the report and approved an Action Plan in response to the report. Whilst the report and Action Plan did not have any recommendations or actions specifically regarding the Strategic and Planning Sub Committees, the report did state:

“Committee is a very good example of how public facing planning committees are run. The role of the planning committee Chair is recognised as a key role. The present Chair is well respected, well informed, clear in managing the process of decision making.”

“members of the committee work respectfully with each other, the Chair, and officers. The planning case officers are well respected and treated professionally by the committee members in the meetings and were considered helpful by planning committee members we spoke with. Officers are professional & responsive to questions that are raised by the committee members and the interactions between officers and members appear professional & courteous”

¹ www.local.gov.uk/publications/probity-planning-advice-councillors-and-officers-making-planning-decisions

² www.rtpi.org.uk/new-from-the-rtpi/probity-and-the-professional-planner/

³ <https://llg.org.uk/login/?RedirectUrl=/news/the-members-planning-code-of-good-practice-press-release-25th-january-2024/>

Consultation with Members

6.4 In preparing the proposed new Planning Protocol, Members of the following groups have been consulted:

- Constitution Working Group (informal)
 - February 2024
 - June 2025
 - October 2025
- Strategic Planning Committee
 - February 2024
 - October 2025 (informally via email)

Government reforms to planning

6.5 The government has an ongoing programme of reforms to the planning system, which are regularly reported to the Strategic Planning Committee as appropriate.

6.6 In particular, a strand of these reforms includes 'Modernising Planning Committees'. The government published a Working Paper⁴ on this in December 2024 and a Technical Consultation⁵ in May 2025. The government has also introduced the Planning and Infrastructure Bill⁶ in Parliament which is passing through the relevant parliamentary procedures and includes provisions relating to the modernisation of Planning Committees, and is expected to receive royal assent in late 2025 / early 2026. These reforms were reported to the Strategic Planning Committee at its meetings in February 2025 and July 2025.

6.7 Whilst these reforms are significant, Haringey has already been implementing many of the Government's proposals regarding Planning Committees for many years prior. As noted by the Planning Service Peer Challenge report Haringey's Committee "is a very good example of how public facing planning committees are run". Therefore, the government's reforms to planning are not considered a reason to delay making changes to the Planning Protocol. It is considered that the proposed new Planning Protocol will put the Council in a good position for upcoming reforms and ensure it continues to be at the forefront of best practice.

Key changes

6.8 The changes in the proposed new Planning Protocol include:

- General updates and 'tidying up'
- Removing duplication / inconsistency with the wider Constitution and Member Code of Conduct

⁴ www.gov.uk/government/publications/planning-reform-working-paper-planning-committees/planning-reform-working-paper-planning-committees

⁵ www.gov.uk/government/consultations/reform-of-planning-committees-technical-consultation/reform-of-planning-committees-technical-consultation

⁶ <https://bills.parliament.uk/bills/3946>

- Clarifying of the running order for determining planning applications at relevant Committee meetings
- Clarifying officers' ability to refer applications to Planning Sub Committee
- Clarifying that planning decisions cannot be made on a party-political basis
- Introducing a new 'Strategic Planning Briefing' as part of Member engagement at early stages of pre-application advice to improve the quality of applications, as encouraged by government and best practice guidance, with associated transparency measures
- Renaming 'Development Management Forum' to 'Planning Forum'
- Clarifying the process for petitions
- Clarifying a step-by-step process for motions, including those contrary to officer recommendation
- Clarifying the approach for deferrals

7. Contribution to strategic outcomes

The Planning Protocol and planning service supports the Council's Vision of being "A place where we can all belong and thrive", in particular by supporting the delivery of its "Calls to action" of "Safe and affordable housing" and "Thriving places". Updating the Planning Protocol supports the ambition of the Haringey Deal of "Getting the basics right".

8. Statutory Officers comments (Chief Finance Officer (including procurement), Director of Legal and Governance, Equalities)

Finance

- 8.1 There are no resources implications from these changes.

Legal

- 8.2 Section 9P of the Local Government Act 2000 requires local authorities to prepare and keep up to date constitutions containing their standing orders, code of conduct for members, any other information they considered appropriate, which Article 4.02 of the Constitution provides only Full Council can adopt and change.

The Constitution Working Group, which sits outside the Council's Constitution, is a discussion forum which considers changes to the Constitution before they are submitted to the Standards Committee for its consideration and recommendation to Full Council.

The decision to recommend the changes to the Planning Protocol in Appendix 3 is a decision that the Standards Committee can take pursuant to Article 9.03 of the Constitution.

Equality

- 8.3 8.4 The council has a Public Sector Equality Duty (PSED) under the Equality Act (2010) to have due regard to the need to:
- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act
 - Advance equality of opportunity between people who share protected characteristics and people who do not
 - Foster good relations between people who share those characteristics and people who do not
- 8.5 The three parts of the duty apply to the following protected characteristics: age, disability, gender reassignment, pregnancy/maternity, race, religion/fait, sex and sexual orientation. Marriage and civil partnership status applies to the first part of the duty.
- 8.6 Although it is not enforced in legislation as a protected characteristic, Haringey Council treats socioeconomic status as a local protected characteristic.
- 8.7 The decision to amend the Planning Protocol is likely to positively impact all users, including those that may find the process complex by making it easier and clearer regarding how residents can engage with the Planning Sub Committee processes e.g. through clarifying the Committee running order, clarifying the process for petitions, and renaming 'Development Management Forum' to 'Planning Forum' to avoid jargon and use more 'plain English' language. This decision does not change how people and communities are consulted on planning applications and this will continue as per existing procedures. Support will continue to be provided to ensure the process is accessible with mitigations (if needed) such as paper forms, support over telephone etc.

9. Use of Appendices

Appendix 1 – Existing Planning Protocol 2017

Appendix 2 – Proposed Planning Protocol 2025 – tracked changes version

Appendix 3 – Proposed Planning Protocol 2025 – clean version

10. Local Government (Access to Information) Act 1985

Council Constitution