

REPORT OF STANDARDS COMMITTEE No 2/2026/27

FULL COUNCIL 12 October 2026

Chair: Councillor Andrea Hodgson

1. INTRODUCTION

- 1.1.1 This report arises from the Standards Committee meetings held on the 14 September 2026 and asks Full Council to consider the following:
- 1.1.2 The proposed changes to the Constitution set out in the report, labelled as Appendix 1B, to implement the national delegations in the Regulations.

2. BACKGROUND

- 2.1 The proposed changes to the constitution are in line with changes in the national scheme of delegation from the Ministry of Housing, Communities and Local Government.
- 2.2 Following questions from the Standards Committee, the following assurances were made:
 - 2.2.1 It was explained that there would be guidance available for what might be considered significant, in terms of the Gateway Test. It was additionally noted that if there were an objection to a planning application from a statutory consultee which was not overcome, this could be considered significant. However, it was noted that what is or isn't significant would likely require testing nationally within the courts.
 - 2.2.2 It was explained that it was likely that the new system would be similar to how the Planning Sub Committee functions currently, in terms of applications presented to it for decision. It was explained that cases that might be considered for decision at Planning Sub Committee must be discussed by the Chair (or in their absence the Vice-Chair) of the Planning Sub-Committee ('Nominated Member') and the Head of Development Management and Planning Enforcement (or in their absence the Director of Built Environment & Highways or one of the team managers within the Development Management Service) ('Nominated Officer'); every effort should be made to reach agreement on which cases should be referred to Committee.
 - 2.2.3 It was noted that minor applications for works to trees would be determined by officers, whereas major schemes with impacts on trees would generally be submitted to Planning Sub Committee for consideration and decision. It was additionally stressed that

policies, including in the Local Plan, would form the basis of consideration of advertisement applications and those for minor works to trees. It was noted that the proposed new Local Plan would have a dedicated tree policy which would be comprehensive and ensure that these would be considered sufficiently.

- 2.2.4 While an application may not be reported to Planning Sub Committee for decision, Members would still be able to provide comment on an application to officers for consideration in their assessment of a proposal.
- 2.2.5 Though schedule 1 applications must be determined by officers, it was explained that there was flexibility within schedule 2 for major applications, and for council's own applications, to be reported to Planning Sub Committee, in the interest of local accountability.
- 2.2.6 It was explained that there would be a record of the meeting between the Nominated Member and the Nominated Officer which would be available publicly. It was suggested that feedback to Members regarding their request that a case be considered at the 'Gateway Test' (to decide if it should be decided by officers or Planning Sub Committee) could be done in a similar way to the Member Enquiries system. It was noted that there were concerns with the timing of reporting publication of the record of the Gateway Test meetings between the Nominated Member and the Nominated Officer, which may disadvantage anyone wishing to judicial review the decision. Officers would consider publicly publishing the information bi-weekly, while the information would additionally be published in the Planning Sub Committee agenda on a monthly basis.
- 2.2.7 It was explained that feedback from residents on quality and timeliness of the publication of the 'Gateway Test' meeting outcomes could be brought to the Strategic Planning Committee for consideration if required.

After the meeting and before full Council publication, there was a further update made to the report that was considered at Standards, and this was to section 9.1 (appendix 1) and the finance comments. Further detail was added to provide assurance that there were no financial implications arising from the report. Also, there was a revision to address a drafting error at **Appendix 1B section 15 sub paragraph 2** to ensure that the wording in the revised Constitution matches what was set out in the report and what Standards Committee agreed to. The stronger wording makes clear that applications considered at the gateway meeting include a record of the outcome of the consideration and reasons for their decision which are to be reported Planning Sub Committee.

In addition, the changes to the Constitution have been more clearly separated out to ensure that Members are clear on the changes being agreed at the Council meeting.

WE RECOMMEND FULL COUNCIL

3. Approve the proposed changes to the Constitution set out in the report, labelled as Appendix 1B, to implement the national delegations in the Regulations.

Appendices

Standards Committee Report – Appendix 1

Current Constitution and Planning Protocol - Appendix 1A

Proposed Constitution and Planning Protocol - Appendix 1B