

SOUTH HOLLAND DISTRICT COUNCIL

Report of: Senior Planning Lawyer

To: Planning Committee – Wednesday, 7 June 2023

(Author: Lisa Davies, Senior Planning Lawyer)

Purpose: For the Planning Committee to note the Planning Protocol for use by Officers and Members

1.0 BACKGROUND

1.1 Planning was first identified as probably the most contentious matter that local government dealt with in 1997 by the Third Report of the Committee on Standards in Public Life (known as the Nolan Report).

1.2 The Nolan Report concluded that local authorities should examine how their planning processes matched up to best practice. As a result, the Council prepared the Planning Protocol, which was included within part 5 of the Constitution.

1.3 Following a Constitution review at a meeting of Full Council on 20 January 2016, it was resolved to remove the Planning Protocol from the published constitution:

‘Certain parts of the old Constitution would no longer form part of the new Constitution but would nevertheless remain in force (such as the schedule of detailed specific delegations and the protocols on Planning and Licensing).’

1.4 The Planning Protocol remains a valid document to support and be consulted by Officers and Members involved in the planning process.

1.5 Previously, the protocol was subject to review by resolution of the Council. As the protocol is currently situated outside the Constitution any revisions made due to legislation or guidance changes will be noted by the Planning Committee.

1.6 Following updates in Government guidance the Planning Protocol has now been revised to ensure compliance with legislation and guidance and is presented to Members for noting.

1.7 A copy of the current Planning Protocol is attached at **Appendix A** and covers several areas. Those of note to Members are:

- the general role and conduct of Councillors and Officers;
- Training & Development;
- Registration and Declaration of Interests;
- Development Proposals by Councillors and Officers;
- Council’s Own Development;
- Lobbying of and by Councillors;

- Predetermination;
- Pre-application Discussions;
- Decisions contrary to Officer Recommendations and/or the Development Plan;
- Committee Site Visits; and
- Regular review of decisions

2.0 OPTIONS

- 2.1 To note the updated Planning Protocol for use by Officers and Members – this is the recommended option.
- 2.2 To do nothing – not recommended.

3.0 RECOMMENDATION

- 3.1 It is recommended that the Planning Committee notes the Planning Protocol for use by Officers and Members.

4.0 REASONS FOR RECOMMENDATION

- 4.1 To ensure that the Planning Protocol is up to date and correct in line with legislation and government guidance.

Lead Contact Officer

Name and Post: Lisa Davies, Senior Planning Officer
Telephone Number: 01775 764511
Email: ldavies@sholland.gov.uk

Appendices attached to this report

Appendix A – Planning Protocol