

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

10 June 2009

AUTHOR/S: Chief Executive / Democratic Services Manager

PLANNING SUB-COMMITTEE – FUTURE ARRANGEMENTS FOR ENFORCEMENT AGAINST BREACHES OF PLANNING CONTROL: TERMS OF REFERENCE AND PUBLIC SPEAKING PROTOCOL

Purpose

1. This report proposes
 - a. revised Terms of Reference for the Planning Sub-Committee, and seeks Members' endorsement of them.
 - b. a public speaking protocol
 - c. a name change to better reflect the purpose of the Sub-Committee

Background

2. At its meeting on 1 April 2009, the Planning Committee considered a report on future arrangements for enforcement against breaches of planning control (Minute no. 152 refers).
3. The Committee instructed officers to revise the Planning Sub-Committee's terms of reference and develop a scheme of public speaking for those members of the travelling and settled communities wishing to address the Sub-Committee.

Considerations

4. Proposed terms of reference are as follows:

"The Planning Sub-Committee will:

- (a) Work with the relevant Portfolio Holder to provide an overview of the Council's planning enforcement policies and procedures, bringing forward recommendations for changes for the Portfolio Holder and Cabinet's consideration as appropriate; and
- (b) Make determinations in respect of formal enforcement action in respect of breaches of planning control referred to the Sub-Committee by the Corporate Manager for Planning and Sustainable Communities. In making such referrals, the Corporate Manager will take the following matters into account:
 - The extent of the likely harm to the character and amenity of the area concerned and the physical, social and economic well-being of communities within and around it.
 - The implications of enforcement action on the Council's resources balanced against the benefits likely to be generated from such action.
 - The extent to which there is difference of opinion between officers, parish councils and Local Ward Members on the expediency of enforcement action.
- (c) Receive reports on the progress of cases determined in (b) above"

5. If Committee members accept the terms of reference in paragraph 4, the Planning Committee will still be able to make 'double resolutions' to refuse planning permission and authorise enforcement action.
6. A proposed public speaking protocol is attached to this report as **Appendix A**.

Options

7. Members have the following options:
 - (a) Endorse the terms of reference and public speaking protocol as drafted
 - (b) Suggest amendments to the terms of reference and / or public speaking protocol
 - (c) Reject the terms of reference and / or public speaking protocol

Implications

8. Financial	None
Legal	Legal implications have been addressed at the drafting stage
Staffing	None
Risk Management	None
Equal Opportunities	The terms of reference and public speaking protocol accord with the Council's Race Equality Scheme, where functions relating to planning applications, planning enforcement and appeals had been identified as having the most scope for promoting race equality. They go some way towards addressing community cohesion, which was a major theme of the re-drafted Gypsy and Traveller Strategy.

Consultations

9. This report reflects comments from the Corporate Manager (Planning and Sustainable Communities), Senior Lawyer, Development Control Manager, Enforcement Officer, Equality and Diversity Officer and Democratic Services Manager.

Effect on Strategic Aims

10.	Commitment to being a listening council, providing first class services accessible to all. Although the Council introduced public speaking at meetings of its Planning Committee nearly two years ago, and has facilities for public speaking and questions at meetings of Council, Cabinet and the Scrutiny and Overview Committee, this would mark the first opportunity for members of the public to address the Planning Sub-Committee.
	Commitment to ensuring that South Cambridgeshire continues to be a safe and healthy place for all. None specific
	Commitment to making South Cambridgeshire a place in which residents can feel proud to live. None specific
	Commitment to assisting provision for local jobs for all.

None specific
Commitment to providing a voice for rural life.
None specific

Recommendations

11. It is **recommended** that the Planning Committee
 - a. endorses the terms of reference set out in paragraph 4 of the report
 - b. endorses the public speaking protocol attached at Appendix A
 - c. Agrees to rename the Planning Sub-Committee as the Planning Enforcement Sub-Committee.

Background Papers: the following background papers were used in the preparation of this report:

- None

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