



Planning Code of Practice Annual Review

June 2006 – May 2007

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Document review account				
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Draft 1.2	26/09/07	Stephen Weeks Robert Vale Tim Flint	Amendments made to report	Funmi Odegbami
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Draft 1.4	05/12/07	Terry Osborne, Robert Vale, Dan Bonifant		

**Planning Code of Practice: Independent Annual Review
June 2006 – May 2007**

1.0 Introduction

A copy of the current version of the Planning Code of Practice (issued as part of the Constitution and last updated on 29 October 2007) is attached as Appendix B.

The Planning Code of Practice was adopted by Brent Council to regulate the performance of its planning function. Its major objectives are to guide members and officers of the Council in dealing with planning related matters and to inform potential developers and the public generally of the standards adopted by the Council in exercising its planning powers.

The Borough Solicitor is instructed to commission a report independent of the planning service annually on the operation of the Code of Practice. The report addresses the extent of compliance with the Code by officers and members, contains an analysis of decisions being made against officers' recommendations and sets out any appropriate recommendations for improvement. This report is presented annually to the Standards Committee.

2.0 Recommendations

- 2.1 Ensure that members, planning officers and any other interested parties are aware of the existence of the Planning Code, its importance and how to access it.
- 2.2 Make the Planning Code available in the most appropriate mediums and languages and carryout an equality impact assessment to ensure that there is no adverse impact on any group in respect of race, gender, disability, age, sexual orientation and religion and belief.
- 2.3 Planning, Democratic services, Legal Services and the Chair of the Planning Committee should establish a group, for officers and/or members to raise concerns and give feedback on any aspect of the planning process.
- 2.4 In light of the feedback received on training provided for members, it is recommended that steps should be taken to ensure that further training needs are met.

3.0 Situation regarding the recommendations from last year's review

This section looks at the review of the period June 2005 – May 2006, including recommendations reported to the Standards Committee on Wednesday, 17th January 2007. The Borough Solicitor reported to the

Committee on the recommendations put forward by the review. Her comments made to the Standards Committee at the time, together with any updates from the review are set out below:

- 3.1 Members should be provided with further briefings as is necessary to clarify the issues of personal and prejudicial interests, especially with regards to taking part, or not taking part, in discussions and voting.

Comments: There was some evidence to suggest that not all members fully understood the rules governing declaration of interests. However, a large amount of training and guidance had already been provided to members and so it was therefore proposed that if it became apparent that further guidance was needed then this would be provided.

- 3.2 Paragraph 23 should be amended to reflect the fact that Planning Officers do not always need 14 clear days to assess a revision to a planning application. This paragraph should be amended to:

“No material revision to any planning application which might lead to a change in the recommendation of officers shall be considered at Planning Committee unless it has been submitted at least 14 clear days, or such shorter period as is agreed by the Head of Area Planning, before the relevant Planning Committee meeting, and has been the subject of a full appraisal by officers.”

Comments: Members wanted the wording to be tweaked a little and the amendment will be made. The Standards Committee made a recommendation for the Borough Solicitor to amend the Planning Code to state that:

“No material revision by the applicant to a planning application which might lead to a change in the recommendation of officers shall be considered at Planning Committee unless it has been submitted such reasonable period in advance of the relevant Planning Committee as is agreed by the Head of Planning and has been the subject of full appraisal by officers, and that a record be kept of the number of instances that this provision is used.”

The committee also requested that a record be kept of the occasions on which this particular paragraph in the Code was utilised and that this be reported back to the next meeting of the Committee, if necessary, under matters arising.

This amendment to paragraph 23 was adopted by Full Council on 29 October 2007.

The recommended amendment to the Code would lead to greater flexibility and have a positive affect on the performance of the planning service.

It is recommended that the Planning Service should be consulted before any provisions are made to the Code that require the service to keep additional records as this could have a direct impact on the service's operation and performance.

- 3.3 A monitoring group consisting of the Committee Chair, Democratic Services, Planning and Legal Services, should be re-established to improve communication, generate further improvement ideas and to monitor the effectiveness of implementation.

Comments: The Standards Committee recommended officers not to re-establish the monitoring group, but that the monitoring of the effectiveness of the implementation of the Planning Code and ideas for improvement should be put before the Committee for consideration at which time the Chair of the Planning Committee could be invited to attend along with relevant officers.

4.0 Current Status

- 4.1 In April 2007 the Government published a new Model Code of Conduct for members of Local Authorities and on 10 September 2007 the new Brent Members Code of Conduct was adopted by Full Council. Some changes were required to be made to the Planning Code of Practice as a consequence of the changes to the Code of Conduct. These changes were considered by this Committee on 15 October and adopted by Full Council on 29 October 2007. I have noted in this report where the paragraphs referred to have now changed.
- 4.2 During the review year there have been no complaints to the Local Government Ombudsman regarding any allegations of either significant or minor breaches to the Code. However, one particular case has gone through the Council's internal complaints process and is currently being investigated at stage 3. This is considered further in section 7.0.
- 4.3 Since the last review, Democratic Services have introduced a Planning Committee questionnaire for attendees to complete and return. The purpose of the questionnaire is to supply suggestions for improvement to planning committee meetings.
- 4.4 Democratic Services have also introduced a running order of planning applications at planning committee meetings so that cases that have larger numbers of objectors and speakers are heard first. As a result attendees have a better idea about when a particularly application will be discussed. This change has had a positive effect on meetings.

5.0 The Review

- 5.1 Management Services (of Finance and Corporate Resources) were commissioned to undertake the review. The review was conducted

using documentary records as a prime information source. These documents included minutes of Planning Committee meetings, Planning Service records, Legal and Democratic Services' records and minutes of the Standards Committee meetings. In addition, information was gathered through interviews, correspondence and conversations with officers and Planning Committee members and through attendance at a Planning Committee meeting 15th August 2007.

- 5.2 Questionnaires were sent to members and 9 completed questionnaires were returned. 4 questionnaires were completed and returned by members of the Planning Committee, 1 was completed and returned by a second alternate of the Planning Committee and 4 were completed and returned by non-Planning Committee members.
- 5.3 Questionnaires were also sent to officers of the Planning Service and 2 were completed and returned.

6.0 Compliance with the Planning Code of Practice

- 6.1 The Code is made up of 34 paragraphs, each of which has been analysed as part of this review. Paragraphs reproduced below have been abbreviated. The full, version (at the time of this report) of each paragraph can be found in Appendix B: The full, current version of the Planning Code can be found in Appendix C.

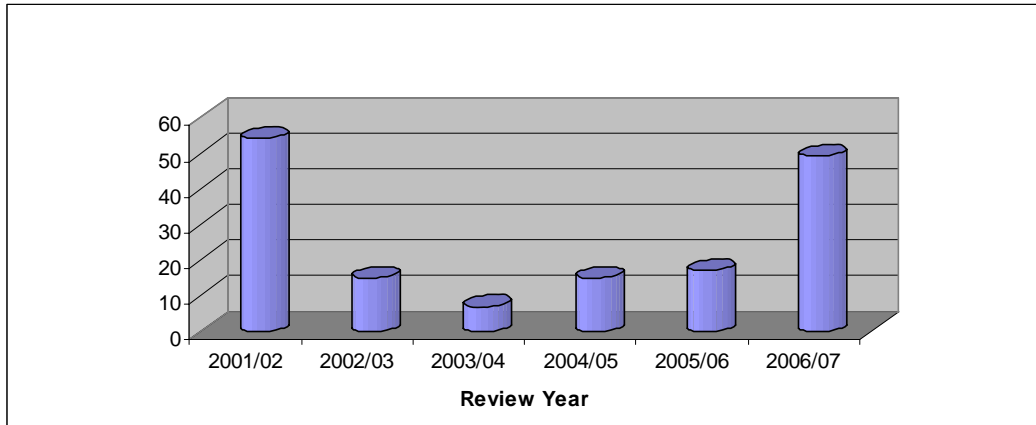
General

- 6.2 **Paragraph 1:** *Members of the Planning Committee shall determine applications in accordance with the Unitary Development Plan unless material considerations indicate otherwise. The Brent Member's Code of Conduct must be complied with throughout the decision making process. Decisions should not be influenced by personal or prejudicial interests of Councillors.*
- 6.3 **Comment:** All Planning Committee members and Planning officers have been supplied with copies or have access, via the intranet, to a copy of the Planning Code of Practice and the Brent Member's Code of Conduct as part of the current Constitution. Additionally all members were provided with a copy of the new Code of Conduct following its adoption in September. However, one member stated that he had only ever seen the extract of the Code that is normally attached with the agenda for Planning Committee meetings.
- 6.4 All members and Planning officers should be aware of the existence of the Planning Code of Practice and its importance. This should be achieved by ensuring they are aware of how to access the Code.

Accountability and Interests

- 6.5 **Paragraph 3:** *Members of the Planning Committee should not take part in any discussion of, or vote on, any item if the member of the Planning Committee or his or her relative, friend or associate is the applicant, agent or objector for that matter. (There has been a minor and technical change to this paragraph as a consequence of adopting the new Code of Conduct.)*
- 6.6 **Paragraph 4:** *If an approach is made to a member of the Planning Committee from an applicant or agent or other interested party in relation to a particular planning application or any matter which may give rise to a planning application, the member of the Planning Committee shall:*
- (i) *Inform the person making such an approach that such matters should be addressed to officers or to Members who are not Members of the Planning Committee*
 - (ii) *Disclose the fact and nature of such an approach at any meeting of the Planning Committee where the application or matter in question is considered.*
- 6.7 The above paragraphs were complied with during the review period.
- 6.8 There were 12 occasions where disclosures of approaches to members of the Planning Committee by an interested party were made. For example, a Planning Committee member declared on the 5th September 2006 committee meeting that he had received a letter from an applicant and advised the applicant to refer the matter to the Leader of the Council in accordance with the provisions of the Code.
- 6.9 **Paragraph 7:** *If the Chair decides to allow a non-Member of the Planning Committee to speak, the non-Member shall state the reason for wishing to speak. Such a Member shall disclose the fact he/she has been in contact with the applicant, agent or interested party if this be the case. (There has been a minor technical change to this paragraph.)*
- 6.10 **Comment:** There were 49 occasions where non-members spoke at Committee meetings. In all of the cases, the minutes recorded reasons for them wishing to speak and whether they had been in contact with the applicant or other interested party in accordance with the provisions of the Planning Code.

Figure 1 Number of occasions where non-Planning Committee members spoke at Planning Committee meetings*



- 6.11 **Paragraph 8 (a):** *When the circumstances of any member of the Council are such that they have a personal interest in any planning application or other matter, then the member, if present, shall declare a personal interest at any meeting where the particular application or other matter is considered, and if the interest is also a prejudicial interest shall withdraw from the room where the meeting is being held and not take part in the discussion or vote on the application or other matter. (There have been amendments to paragraphs 8(a)-(c) as a consequence of adopting the new Code of Conduct).*
- 6.12 **Comment:** The above paragraphs were complied with during the review period.
- 6.13 There were 11 recorded instances of members declaring prejudicial interests at meetings. From the minutes taken at the meetings, all declarations were accompanied with an explanation as to the nature of the interest and the members concerned left the meeting room and did not take part in discussion or vote on the application as required by the Planning Code.
- 6.14 There were 8 recorded instances of members declaring personal interests at meetings. From the minutes of the Planning Committee meetings, all declarations were accompanied with an explanation as to the nature of the interest as required by the Planning Code.
- 6.15 In 2 instances of members declaring a personal interest, the members left the meeting room and did not take part in the discussion or voting on the application. If a Committee member declares a personal interest in an application, then that member can still take part in discussions and vote on the application unless the interest is also prejudicial.

This could suggest that there may be a misunderstanding of the Planning Code; however, because this occurred so infrequently in the

* 2001/02 and 2006/07 were local election years

review period it is assumed that members have a good understanding of the code.

- 6.16 **Paragraph 9:** *For the avoidance of doubt, where a member of the Council is a Freemason or a member of a similar secret society and is aware that the applicant, agent or interested party in relation to a particular planning application is also a Freemason or a member of the same secret society, the member shall treat this as a prejudicial interest...*
- 6.17 **Comments:** There is no information to suggest that the provisions of paragraph 9 have not been complied with.
- 6.18 **Paragraphs 10 (i) and 10 (ii):** *where under the provisions of the Constitution two Members of the council ask for an application or other matter to be decided by Committee rather than by officers, their request shall state:*
- (i) *the reason(s) why they feel the application or other matter should not be dealt with under delegated powers; and*
- (ii) *whether or not they have been approached by any person concerning the application or other matter and if so, by whom*
- 6.19 **Comment:** There were 8 cases, compared with 7 in the last review, where members requested that applications be decided by Committee rather than under Delegated Powers. 6 of these applications went to committee, namely:
- 59 & 61 Draycott Avenue, Harrow HA3
 - Pals Children's House, 20 Queenscroft, Wembley HA9 7QU
 - 12 Littleton Road, Harrow HA1 3SU
 - 8 Deerhurst Road, London NW2 4DE
 - 591 Harrow Road, Wembley HA9 2EF
 - John Billam Youth Sports Centre, Woodcock Hill, HA3 0PQ
- 6.20 In all 6 cases two members of the council asked for the application to be decided by Committee, their requests stated the reasons for the member 'call-in' and detailed any representations received. The above paragraphs were complied with.
- 6.21 **Paragraph 12:** *The Director of Environment and Culture shall maintain a register of contact made by applicants, agents or interested parties with individual Members of the Council on each and every planning application. (There has been a minor and technical change to this paragraph.)*
- 6.22 **Comment:** There are two registers kept by the Director of Planning. The first is the Notification from members of Approaches Relating to Planning Applications and is for members of the Planning Committee.

There were 11 entries during the review period. The second is a register of contact for non-Committee members. There were 46 entries in the register.

Table 1- Nature of the queries taken from the register of Contact for non-Committee members

Approached by applicant, agent or interested third party	7
Query on application	9
Information update request	12
Express view on application	10
Seek assistance	3
Objections to committee	2
Other [†]	2

Membership and Jurisdiction of the Planning Committee

- 6.23 **Paragraphs 5 and 6:** *Membership of the Committee, business or other interests and support for the Council's planning policy.*
- 6.24 **Paragraph 20:** *When the Membership of Planning Committee is determined, care shall be taken to ensure that for each Ward there is always at least one Councillor who is not a member of, or alternates for, the Planning Committee.*
- 6.25 **Comment:** For full Planning Committee members, this part of the Code was complied with fully; however, there was one ward where all three Councillors were members of, or alternates for, the Planning Committee during the review period, namely Mapesbury. This situation in Mapesbury ward has now been rectified and there is no longer a breach of the Code. However, presently all three Councillors in both Kilburn and Northwick Park wards are currently members of, or alternates for, the Planning Committee and are in breach of the Code. This should be looked at when membership of the Planning Committee is next appointed.

Briefings

- 6.26 **Paragraph 21:** *Any briefings which may be held prior to the Planning Committee meetings shall be open to all members (and alternates) of the Planning Committee. These briefings can help to speed up decision making by giving officers notice of additional information members of the Planning Committee may require at the meeting.*

[†] Other, refers to cases where the nature of the approach was not stated

- 6.27 **Comment:** These briefings occur prior to every Planning Committee meeting. The purpose of the meeting is to deal with administrative matters, to bring members' attention to any new or supplementary information and to determine the order of the events.
- 6.28 During previous reviews Planning officers had commented on the low attendance at briefings. However, throughout the current review officers have commented on the high attendance figures at briefing meetings.

Site Visits

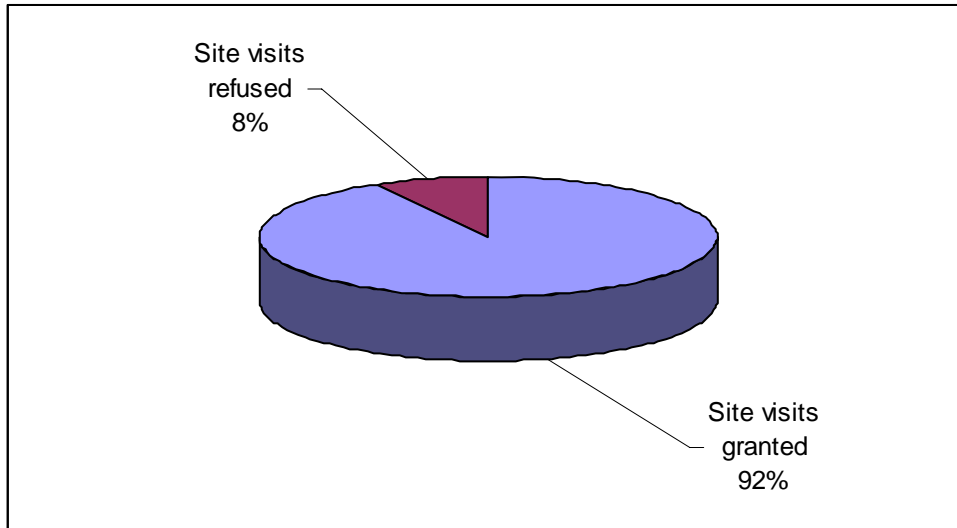
6.29 **Paragraph 11:** *...if any Member of the Council requests a site visit, prior to a meeting of the Planning Committee at which the application in respect of the request is to be considered, they shall provide the following details at least one week before the date of the meeting at which the application is to be considered and a record shall be kept of those details:*

- (i) their name;*
- (ii) reason for the request; and*
- (iii) whether or not they have been approached concerning the application or other matter and if so, by whom.*

If the details are not provided then the site visit shall not proceed. Alternatively, during any meeting of the Planning Committee, any member of the Planning Committee may request a site visit in respect of any application on the agenda of the meeting. The member must give the reason for the request.

- 6.30 Paragraph 11 was complied with during the review period. However, officers expressed concerns about the increase in the number of planning applications that were deferred for a site visit and felt that the reasons given for the deferrals were not always sufficient. There were 12 requests for site visits, of which 11 were granted and 1 was refused.
- 6.32 However, this is not an issue relating to the operation of the Planning Code.

Figure 2 - Percentage of requests for site visits that were granted or refused at Planning Committee meetings



6.33 Paragraphs 16, 17, 18 and 19:

16. *Members attending the site visit should avoid expressing opinions on site visits to any person present.*
17. *Members of Planning Committee shall not enter any premises which are the subject of a planning application to meet the agent, applicant or other interested party, save in the course of a formal accompanied site visit.*
18. *On site visits applicants or other interested parties shall only be permitted to point out to Members features to look at either on the site or in the vicinity, which are relevant to the application or other matter. No discussion will take place on the merits of the application or other matter.*
19. *Whilst on site visits, Members of Planning Committee shall keep together as a group and shall not engage individually in discussion with applicants or objectors. (There has been a change to this paragraph to make the position clearer in relation to the circumstances of an individual member of the Committee making a site visits)*

6.34 **Comment:** The Head of Area Planning confirmed that the purpose of the site visit and accepted member behaviour is explained to members at the start of each site visit. Based on discussions with the Head of Area Planning it was concluded that the above paragraphs were complied with during the review period.

Officer Conduct

6.35 **Paragraphs 13:** *If any officer of the Council who is involved in making recommendations or decisions on planning applications has had any involvement with an applicant, agent or interested party, whether or not*

in connection with the particular application being determined, which could leave an observer with knowledge of all the relevant facts to suppose that there might be any possibility that the involvement could affect the officer's judgement in any way, then that officer shall declare a prejudicial interest in the public register held by the Director of Environment & Culture and take no part.

- 6.36 **Paragraphs 14:** *No officer of the Council shall engage in any paid work for any town planning matter for which Brent is the Local Planning Authority other than on behalf of the Council.*
- 6.37 **Comment:** During the review period there were two entries in the minutes of the Planning Committee meetings, of declarations of prejudicial interest by an officer of the Council. In both instances the officer left the meeting room and took no part in the discussion of the application in accordance with the Code.

Meetings of the Planning Committee

- 6.38 **Paragraph 23:** *No material revision to any planning application which might lead to a change in the recommendation of officers shall be considered at Planning Committee unless it has been submitted at least fourteen clear days before the relevant Planning Committee meeting, and has been the subject of a full appraisal by officers.*
- 6.39 **Comment:** In practice, Planning Officers do not always need 14 clear days to assess a revision to a planning application. In the 2006 review of the Planning Code there was a recommendation for this paragraph to be amended to:

"No material revision to any planning application which might lead to a change in the recommendation of officers shall be considered at Planning Committee unless it has been submitted at least 14 clear days, or such shorter period as is agreed by the Head of Area Planning, before the relevant Planning Committee meeting, and has been the subject of a full appraisal by officers."

Please see section '3.0 Situation Regarding the recommendations from last year's review' for an update.

- 6.40 **Paragraph 26:** *Members of the Planning Committee shall refrain from personal abuse and party political considerations shall play no part in their deliberations. (There has been an amendment to this paragraph as a consequence of adopting the Code of Conduct.)*
- 6.41 **Comment:** Paragraph 26 of the Planning Code of Practice was complied with during the review period. In addition, Brent Council's Standards Committee, formed in 2002 to promote and maintain high standards of conduct for members, has not upheld a single complaint

about the behaviour of Planning Committee members since its inception.

6.42 Paragraphs 27 and 28:

27 *Members of the Planning Committee should not speak to members of the public (including applicants and agents) during a meeting of the Planning Committee or immediately prior to or after the meeting concerned, other than where permitted by this Code or Standing Orders.*

28 *When questioning members of the public or the applicant who have spoken at a meeting of the Committee, members of the Planning Committee shall ensure that their questions relate only to planning matters relevant to that particular application.*

6.43 Comment: As far as could be established, these paragraphs were complied with during the review period.

6.44 Paragraphs 29, 30 & 31:

29 *The minutes of the planning Committee shall record the names of those voting in favour, against or abstaining:*

(i) *on any resolution of “Minded to grant or minded to refuse contrary to Officer’s Recommendation”;*

(ii) *on any approval or refusal of an application referred to a subsequent meeting following such a resolution.*

30 *A member of the Planning Committee shall not vote in relation to any planning matter unless he or she has been present in the meeting of the Planning Committee throughout the consideration of that particular matter as required by Standing Orders.*

31 *Unless all members of the Planning Committee indicate that they intend to vote in accordance with the officers’ recommendation on a particular item, the responsible officer shall be allowed time, at the beginning of the consideration of each application, to summarise his or her advice.*

6.45 Comment: Evidence from the minutes of Planning Committee meetings suggests that paragraphs 29 to 31 were complied with. During the review period there were no instances of members who were absent for any part of a discussion of an item taking part in the voting on the item.

Planning Decisions made contrary to officers' recommendations

6.46 **Paragraph 24:** *If the Planning Committee wishes to grant planning permission contrary to officers' recommendation the application shall be deferred to the next meeting of the Committee for further consideration.*

6.47 **Comment:** There were 4 instances, during the review period, where the Planning Committee minded to grant planning permission contrary to officers' recommendation. In all 4 instances, the applications were deferred to the next meeting of the Committee for further consideration. This area of the Code has been complied with.

6.48 **Paragraph 25:** *When the Planning Committee vote to refuse an application contrary to the recommendation of officers, the Chair shall put to the meeting for approval a statement of the planning reasons for refusal of the application, which if approved shall be entered into the minutes of that meeting. Where the reason for refusal proposed by the Chair is not approved by the meeting the application shall be deferred for further consideration at the next meeting of the Committee.*

6.49 **Comment:** There were two instances during the review where members voted to refuse a Planning Application contrary to officers' recommendations for approval:

- 19 Brook Ave, Wembley, Middlesex, HA9 8PH
- 88-96 Draycott Avenue, Harrow, HA3 0BY

In the case of 19 Brook Avenue, a statement of the planning reasons for refusal was approved and entered into the minutes of that meeting. The reasons for refusal were as follows:

"Planning permission refused on grounds of failure to comply with original plans, to comply with SPG5, massing effect and out of character with surrounding properties"
(Extract from Minutes of the Planning Committee 12/12/2006)

In the case of 88-96 Draycott Avenue, a statement of the planning reasons for refusal was approved and entered into the minutes of that meeting. The reasons for refusal were as follows:

"Planning permission refused on grounds of overdevelopment of site, out of character with the appearance, scale and height of the locality and be likely to lead to traffic congestion"
(Extract from Minutes of the Planning Committee 31/05/2007)

6.50 It was suggested by officers that the increase in the number of members voting against officer recommendations could be due to the fact that there are different interpretations of planning policy amongst

Committee members i.e. density of developments, parking, redevelopment etc. However, this area of the Code has been complied with.

6.51 **Paragraph 31:** *If after discussion it appears that any member of the Planning Committee is minded to vote contrary to the officers' recommendation, the officer shall be allowed a further opportunity to respond to new points which have been raised, and to address the implications of a contrary decision.*

6.52 **Comment:** This area of the Code has been complied with.

Appeal Decisions

6.53 During the last review period (2005/2006), there was only one application where the Planning committee voted contrary to officers' recommendations and refused the application. The case did not go to appeal as the applicant resubmitted a revised application that was later approved:

- 185 Draycott Avenue, HA3 0DD

Table 2 Analysis of applications voted contrary to officers recommendations

Year	Cases Voted contrary to officer recc.	Cases to Committee	Total Applications	% of applications heard by Committee	Contrary vote % of cases to committee	Contrary vote % of total Applications
2006/07	6	177	3311	5	1.69%	0.09%
2005/06	1	143	3216	4.4%	0.70%	0.03%
2004/05	1	204	3719	5.5%	0.50%	0.03%
2003/04	4	185	3623	5.1%	2.16%	0.11%
2002/03	4	124	3386	3.7%	3.23%	0.12%
2001/02	3	301	2781	10.8%	1%	0.11%
2000/01	6	394	2644	14.9%	1.52%	0.23%
1999/00	10	304	2310	13.2%	3.3%	0.43%
1998/99	18	458	2259	20.3%	3.9%	0.80%
1997/98	11	362	2420	15.0%	3.03%	0.45%
1996/97	19	395	1880	21.0%	4.8%	1.01%

Figure 3 Applications Voted Contrary to Officers Recommendations (A)

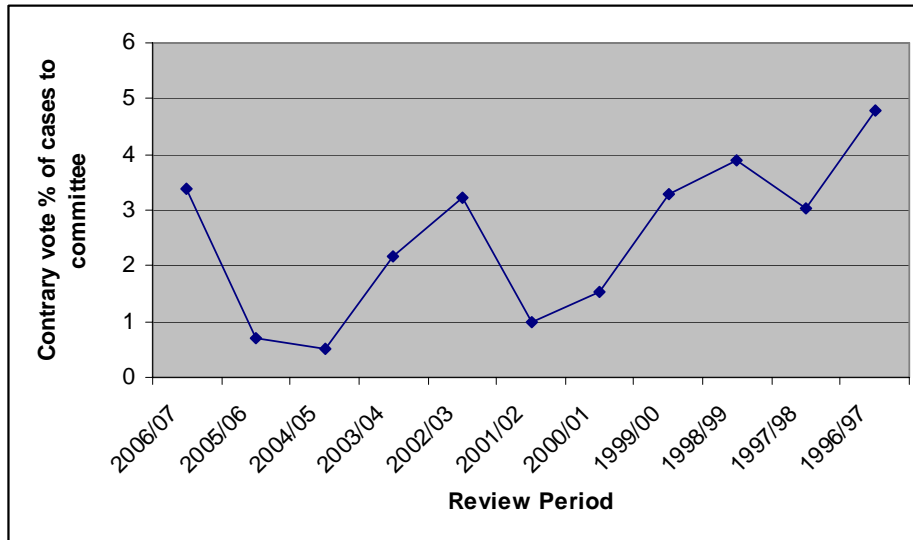
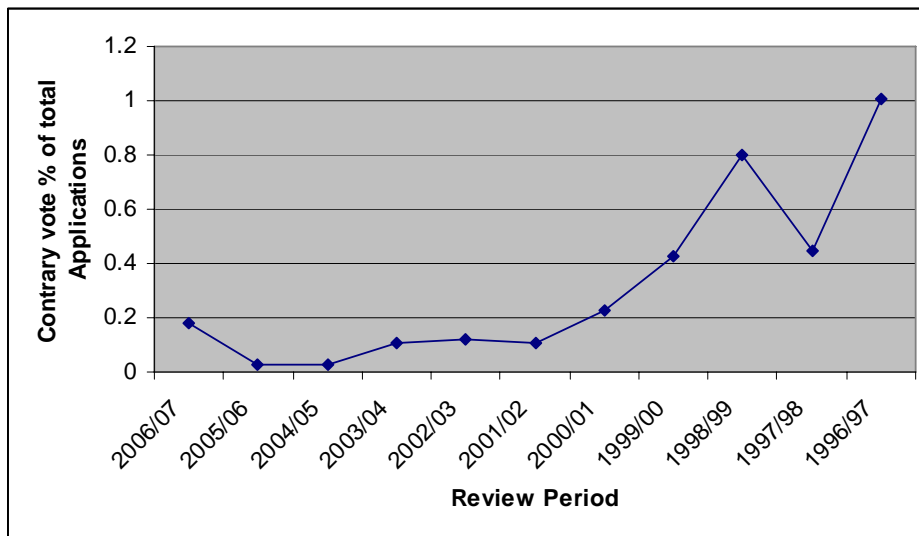


Figure 4 Applications Voted Contrary to Officers Recommendations (B)



Member & Planning Officer Relations

6.54 **Paragraphs 32, 33 & 34:** *Notification of criticism of officers, or pressure exerted on officers by any member.*

6.55 **Comments:** There is no information to suggest that this part of the Code has not been complied with.

7.0 Feedback from members of the Planning Committee and Planning Officers

7.1 Eight members and two Planning officers completed questionnaires as part of this review. Interviews were held with the Director of Planning, the Head of Area Planning, and officers in Legal, Democratic and the Planning Service.

7.2 On the whole members and Officers have either received a copy or are aware of the Planning Code of Practice and have access to the Code via the internet and intranet. However, there were some indications that the Code could be better publicised.

For a member of the Planning Committee stated that he had only ever seen the extract of the Planning Code which is normally attached with the agenda for Planning Committee meetings.

7.3 There was a general consensus that members and officers operated and adhered to the Code properly and sought advice from Legal Services wherever necessary. However, both members and officers commented on one particular planning application, which is currently being investigated at stage 3 of Brent Council's complaints process. The planning application concerned is 8 Deerpark Road, where members of the public questioned whether the Code was followed.

The Willesden Temple proposed to convert one of their properties to flats which officers recommended for refusal. Members over-turned the decision at Committee in spite of strong local objection. Those residents made a number of comments about the impartiality of members.

To date the allegations made have been investigated at stage 1 and stage 2 of the complaints process and no fault in the way the Planning Committee's decision was taken has been established. However, it would be useful to remind members to give full reasoning when going against officer recommendation.

7.4 The Planning Service organised a briefing session for members on Planning issues and three members who responded to the questionnaire confirmed that they had attended the session. The

following is a summary of the comments made by a member about the training he/she had received:

“We had one workshop which did not seem adequate... In my opinion we should not allow any member of the committee to attend committee meetings if they haven’t received appropriate training. The role of Committee Members is to scrutinise officer’s decisions, this is not possible without a comprehensive training programme.”

The need for continued member training on planning issues was recommended by both Planning Committee members and officers.

- 7.5 Some officers suggested that communication between members and Departments involved with the Planning service could be improved. Officers wanted an opportunity to raise concerns, to hear about issues before it was too late to manage them and to get feedback on services. Accordingly, recommendation 2.3 of this report has been made.

Planning, for example, produce a Planning newsletter that is circulated to Planning Committee members to provide a better link between what planning does and what the planning committee does, to engage with new members and provide more focused contact.

- 7.6 An officer suggested that the Planning Code (chapter 7 of the Brent Constitution) should have its own header and footer, in order to make it easier for the reader to identify the version and when the last update was made. It is difficult to tell in its current form.
- 7.7 Overall members and officers both said that the code “works well” and that it helped with the changeover of membership, following the last local elections, as new members were clear about what was expected of them.

8.0 Committee Meetings

- 8.1 Since the last review of the Planning Code, a number of features have been introduced to Committee meetings to provide improved process clarity for members of the public and Council members alike.
- 8.2 A traffic light system has been introduced to the meetings to signal to speakers how much time they have to state their case.
- 8.3 A running order of planning applications is produced for each meeting.
- 8.4 Questionnaires are left at each meeting for people attending to complete and return. The questionnaires ask for views on accessibility, an understanding of the meeting and ability to hear the proceedings. The results are regularly reviewed to see if any improvements can be made. Public information leaflets are also made available at each meeting.

9.0 Acknowledgements

The author would like to record her appreciation for the assistance given in the compilation of this report by members of staff and councillors.

Funmi Odegbami
Management Services (Finance & Corporate Resources)

Date: 3rd October 2007

Appendix A

**Planning Applications voted contrary to officer recommendations
June 2006 – May 2007**

Date	Application	Reason
28/06/2006	<p>06/0510 4 The Green, Wembley, HA0 3QZ</p> <p>Erection of part single storey and two-storey side and rear extension, rear dormer window extension, replacement of front entrance doors, installation of two rear roof-lights and erection of detached garage at side of dwelling house.</p> <p>Officers' Recommendation Refuse Planning Permission</p> <p>Decision Planning Permission Granted subject to conditions.</p> <p>Reasons The Assistant Area Planning (West Area) stated that the applicant had submitted a revised set of drawings and elevations which indicated a reduction in the width of the extension to 3.6m, and an alteration in the design of the windows in the front elevation to a smaller size. As the original determination of the application was mainly based on the width of the extension which had now been addressed, the Supplementary information set out why the original recommendation for refusal had been changed</p>	
05/09/2006	<p>06/1954 17A-C Chatsworth Road, London, NW2</p> <p>Replacement of existing windows with double glazed white powder coated aluminium windows. Pattern, glazing bars and appearance to match in all cases. Opening patterns (including D/H sash) to match existing on front elevation.</p> <p>Officers' Recommendation Grant Planning Permission subject to conditions</p> <p>Decision Planning Permission Refused</p> <p>Reasons The proposed replacement windows, by reason of their design, detailing and material are unsympathetically related to the original windows of the dwelling house, and therefore would lead to the detriment of the visual amenity of the existing property and general street scene, and as such would be contrary to policies BE2, BE9, BE12 and BE29 of Brent Council's Unitary Development Plan (adopted 2004)</p>	
12/12/2006	<p>05/0186 19 Brook Ave, Wembley, Middlesex, HA9 8PH</p> <p>Part retention of works and alterations to form modified part single-storey and two-storey side and part single-storey and two storey rear extension and alterations to roof to provide rear dormer extension and one roof-light to the front, side and rear roof slopes and works to front elevation of dwelling house.</p>	

Officers' Recommendation

Grant Planning Permission subject to conditions

Decision

Planning Permission Refused

Reasons

Failure to comply with original plans, to comply with SPG5, massing effect and out of character with surrounding properties.

06/3033 8 Deerpark Road, London, NW2 4DE

23/01/2007

Single-storey side and rear extension, conversion of garage to form habitable room and conversion of dwelling house to form 4 self-contained flats

Officers' Recommendation

Refuse Planning Permission

Decision

Planning Permission Granted subject to the conditions as set out in the main report.

Reasons

The Chair was of the view that the rear and side extensions were within the required footprints of the building which would receive adequate lighting to the ground floor and additional lighting to the property in general, through the roof lights. He noted that issues regarding scale of the extension, lighting, stacking, landscaping, bin and cycle storage had either been addressed or were surmountable through building Regulations. He submitted that the sizes of the flats complied with the UDP policies and indicated his support for the application. The Committee concurred with the Chair's reasons for approving the application set out above subject to conditions as set out in the main report.

07/0272 88-96 Draycott Avenue, Harrow, HA3 0BY

31/05/2007

Demolition of 5 existing dwelling houses and erection of 6 four storey buildings to provide a total of 56 flats (2 x 5 bedroom, 4 x 3 bedroom, 45 x 2 bedroom and 5 x 1 bedroom) with associated car parking and landscaping (revised description)

Officers' Recommendation

Grant Planning Permission subject to the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Director of Environment & Culture to agree the exact terms thereof on advice from the Borough Solicitor.

Decision

Planning Permission Refused

Reasons

Overdevelopment of site, out of character with the appearance, scale and height of the locality and be likely to lead to traffic congestion.

06/3585 50 Hamilton Road, London NW10 1NE

31/05/2007

Variation of a condition regarding width of dormer window.

Officers' Recommendation

Refuse Planning Permission

Decision

Planning Permission Granted

Reasons

This application was deferred from the last meeting when after consideration Members were minded to grant planning permission contrary to officers' recommendation for refusal. The No reason provided for granted planning permission in minutes.

Appendix B –Version at the time of the Review

PLANNING CODE OF PRACTICE

Purpose of this Code

The Planning Code of Practice has been adopted by Brent Council to regulate the performance of its planning function. Its major objectives are to guide Members and officers of the Council in dealing with planning related matters and to inform potential developers and the public generally of the standards adopted by the Council in the exercise of its planning powers. The Planning Code of Practice is, in addition to the Brent Members Code of Conduct, adopted by the Council under the provisions of the Local Government Act 2000. The purpose of the Code is to provide more detailed guidance on the standards to be applied specifically in relation to planning matters. The provisions of this code are designed to ensure that planning decisions are taken on proper planning grounds, are applied in a consistent and open manner and that Members of the Planning Committee making such decisions are, and are perceived as being, accountable for those decisions. The Code is also designed to assist members of the Council in dealing with and recording approaches from developers and objectors and is intended to ensure that the integrity of the decision-making process is preserved.

General

1. Members of the Planning Committee shall determine applications in accordance with the Unitary Development Plan unless material considerations indicate otherwise. The Brent Members Code of Conduct and the law relating to Brent Council members' personal and prejudicial interests must be complied with throughout the decision making process. Decisions should not be influenced by personal or prejudicial interests of Councillors or because of undue pressure exerted by applicants, agents or third parties. This Code sets out further rules applicable to the planning process in Brent.

Review of Code of Practice

2. The Borough Solicitor is instructed to commission a report independent of the planning service annually on the operation of this Code of Practice. The report should address the extent of compliance with the Code by officers and members, contain an analysis of decisions being made against officers' recommendations and set out any appropriate recommendations for improvement. This report should be presented annually to the Standards Committee.

Accountability and Interests

3. Members of the Council should not take part in any discussion of, or vote on, any item if they or their relative, friend or associate is the applicant, agent or objector for that matter.
4. If an approach is made to a member of the Planning Committee from an applicant or agent or other interested party in relation to a particular planning application or any matter which may give rise to a planning application, the member of the Planning Committee shall:
 - (i) inform the person making such an approach that such matters should be addressed to officers or to members who are not members of the Planning Committee;

- (ii) disclose the fact and nature of such an approach at any meeting of the Planning Committee where the planning application or matter in question is considered; and
 - (iii) record the approach in the register maintained by the Director of Environment and Culture under paragraph 12 below.
5. Members of the Council who have business or other interests which may bring them into contact with the Council's planning system on a regular basis should not be considered for membership of the Planning Committee.
 6. Members of the Council who are consistently unable to support the Council's planning policies should not be considered by their political group for membership of the Planning Committee.
 7. If the Chair decides to allow a non-member of the Committee to speak, the non-member shall state the reason for wishing to speak. Such a member shall disclose the fact he/she has been in contact with the applicant, agent or interested party if this be the case.
 8. (a) When the circumstances of any member of the Council are such that they have a personal interest in any planning application or other matter, then the member if present, shall declare a personal interest at any meeting where the particular application or other matter is considered, and if the interest is also a prejudicial interest shall withdraw from the room where the meeting is being held and not take part in the discussion or vote on the application or other matter.

(b) If a member of the Council has a prejudicial interest in a planning application other matter, he/she shall not exercise his or her discretion to require the application or other matter to be referred from officers to the Planning Committee for consideration and nor shall he/she exercise his/her right to request a site visit.

(c) For the purposes of this Code, in determining whether a member of the Planning Committee has a prejudicial interest, the exceptions in paragraphs 10(2)(a), (b) and (c) of the Members Code of Conduct will not apply.
 9. For the avoidance of doubt, where a member of the Council is a Freemason or a member of a similar secret society and is aware that the applicant, agent or other interested party in relation to a particular planning application is also a Freemason or a member of the same secret society, the member shall treat this as a prejudicial interest for the purposes of paragraph 8 above.
 10. Where under the provisions of the Constitution two members of the Council ask for an application or other matter to be decided by Committee rather than by officers, their request shall state:
 - (i) the reason(s) why they feel the application or other matter should not be dealt with under delegated powers; and
 - (ii) whether or not they have been approached by any person concerning the application or other matter and if so, by whom.

This information shall then be included in the relevant Planning Committee report.

Unless the request and the necessary supporting information outlined above has been provided by both members at least one week prior to the relevant meeting then the matter proceed to be determined by officers in accordance with their delegated powers.

11. Save as provided by paragraph 8 (b) above, if any member of the Council wishes to request a site visit prior to a meeting of the Planning Committee at which the application in respect of the request is to be considered, they shall provide the following details at least one week before the date of the meeting at which the application is to be considered and a record shall be kept of those details:
 - (i) their name;
 - (ii) the reason for the request; and
 - (iii) whether or not they have been approached concerning the application or other matter and if so, by whom.

If the details are not provided then the site visit shall not proceed. Alternatively, during any meeting of the Planning Committee, any member of the Planning Committee may request a site visit in respect of any application on the agenda of the meeting. The member must give the reason for the request.

12. The Director of Environment and Culture shall maintain a register of contact made by applicants, agents or interested parties with individual members of the Council on each and every planning application, in which members of the Planning Committee must record approaches referred to in paragraph 4 and other members of the Council may record such approaches if they feel it is appropriate.
13. If any officer of the Council who is involved in making recommendations or decisions on planning applications has had any involvement with an applicant, agent or interested party, whether or not in connection with the particular application being determined, which could possibly lead an observer with knowledge of all the relevant facts to suppose that there might be any possibility that the involvement could affect the officer's judgement in any way, then that officer shall declare a prejudicial interest in the public register held by the Director of Environment and Culture and take no part. The declaration of such interest shall also be recorded in the minutes of the meeting. This public register to be available for inspection at Planning Committee meetings.
14. No officer of the Council shall engage in any paid work for any town planning matter for which Brent is the Local Planning Authority other than on behalf of the Council.
15. In relation to all matters not addressed above, all such officers shall comply with the Royal Town Planning Institute Practice Advice Note No.5 relating to Consultancy by Current and Former Employees or any guidance replacing this.

Site Visits by Members of the Planning Committee with Officers

16. The purpose of a site visit is to gain information relating to the land or buildings which are the subject of the planning application or other matter to be considered by the Planning Committee. A site visit may also assist members of the Planning Committee in matters relating to the context of the application or other matter in relation to the characteristics of the surrounding area. Members attending the site visit should avoid expressing opinions on site visits to any person present.

17. Members of Planning Committee shall not enter any premises which are the subject of a planning application or other matter or known by them to be likely to become such in order to meet the agent, applicant or other interested party, save in the course of a formal accompanied site visit. In exceptional circumstances (for instance where a member of the Planning Committee is unable to attend the site visit), any visit made shall be accompanied by a planning officer.
18. On site visits applicants or other interested parties shall only be permitted to point out to those members of the Planning Committee attending the site visit the features to look at either on the site or in the vicinity, which are relevant to the application or other matter. No discussion will take place on the merits of the application or other matter.
19. Whilst on site visits, members of Planning Committee shall keep together as a group and shall not engage individually in discussion with applicants or objectors.

Membership and Jurisdiction of the Planning Committee

20. When the membership of Planning Committee is determined, care shall be taken to ensure that for each Ward there is always at least one Councillor who is not a member of Planning Committee. This is so that there will always be a Councillor who is not a member of the Planning Committee with whom residents will be able to discuss planning matters.
21. Any briefings which may be held prior to the Planning Committee meetings shall be open to all members (and alternates) of the Planning Committee. These briefings can help to speed up decision making by giving officers notice of additional information members of the Planning Committee may require at the meeting.
22. All members of Planning Committee, and in particular the Chair, shall be informed from time to time about the relevant provisions concerning access to information contained in the Local Government Act 1972 and in the event of any dispute between members of the Planning Committee and officers as to the application of the 1985 Act, the advice of the Borough Solicitor or his or her representative shall be obtained forthwith.

Meetings of the Planning Committee

23. No material revision to any planning application which might lead to a change in the recommendation of officers shall be considered at Planning Committee unless it has been submitted at least fourteen clear days before the relevant Planning Committee meeting, and has been the subject of a full appraisal by officers.
24. If the Planning Committee wishes to grant planning permission contrary to officers' recommendations the application shall be deferred to the next meeting of the Committee for further consideration. Following a resolution of "minded to grant contrary to the officers' recommendation", the Chair shall put to the meeting for approval a statement of why the officers recommendation for refusal should be overturned, which, when approved, shall then be formally recorded in the minutes. When a planning application has been deferred, following a resolution of "minded to grant contrary to the officers' recommendation", then at the subsequent meeting the responsible officer shall have the opportunity to respond both in a further written report and orally to the reasons formulated by the Committee for granting permission. If the Planning Committee is still of the same view, then it shall again consider its reasons for granting permission, and a summary of the planning reasons for that decision shall be given, which reasons shall then be formally recorded in the minutes of the meeting.

25. When the Planning Committee vote to refuse an application contrary to the recommendation of officers, the Chair shall put to the meeting for approval a statement of the planning reasons for refusal of the application, which if approved shall be entered into the minutes of that meeting. Where the reason for refusal proposed by the Chair is not approved by the meeting, or where in the Chair's view it is not then possible to formulate planning reasons for refusal, the application shall be deferred for further consideration at the next meeting of the Committee. At the next meeting of the Committee the application shall be accompanied by a further written report from officers, in which the officers shall advise on possible planning reasons for refusal and the evidence that would be available to substantiate those reasons. If the Committee is still of the same view then it shall again consider its reasons for refusing permission which shall be recorded in the minutes of the meeting.
26. Members of the Planning Committee shall refrain from personal abuse and party political considerations shall play no part in their deliberations. Members of the Planning Committee shall be respectful to the Chair and to each other and to officers and members of the public including applicants, their agents and objectors. Members of the Planning Committee should not make up their mind before hearing and considering all relevant information at the meeting and should not declare in advance of the meeting, how they intend to vote on a particular application or other matter.
27. Members of the Planning Committee should not speak to members of the public (including applicants and agents) during a meeting of the Planning Committee or immediately prior to or after the meeting concerned, other than where permitted by this Code or Standing Orders.
28. When questioning members of the public or the applicant who have spoken at a meeting of the Committee, members of the Planning Committee shall ensure that their questions relate only to planning matters relevant to the particular application.
29. The minutes of the Planning Committee shall record the names of those voting in favour, against or abstaining:
 - (i) on any resolution of "Minded to grant or minded to refuse contrary to Officers Recommendation";
 - (ii) on any approval or refusal of an application referred to a subsequent meeting following such a resolution.
30. A member of the Planning Committee shall not vote in relation to any planning matter unless he or she has been present in the meeting of the Planning Committee throughout the consideration of that particular matter as required by Standing Orders. Any dispute as to whether the member of the Planning Committee in question should be permitted to vote shall be decided by the Chair having taken appropriate advice from legal or other officers present.
31. Unless all members of the Planning Committee indicate that they intend to vote in accordance with the officers' recommendation on a particular item, the responsible officer shall be allowed time, at the beginning of the consideration of each application, to summarise his or her advice. If after discussion it appears that any member of the Planning Committee is minded to vote contrary to the officers' recommendation, the officer shall be allowed a further opportunity to respond to new points which have been raised, and to address the implications of a contrary decision.

Member and Officer Relations

32. Any criticism by members of Planning Committee of officers in relation to the handling of any planning matter shall be made in writing to the Director of Environment and Culture and not to the officer concerned. No such criticism shall be raised in public.
33. If any officer feels or suspects that pressure is being exerted upon him or her by any member of the Council in relation to any particular planning matter, he or she shall forthwith notify the matter in writing to the Director of Environment and Culture.
34. Members of Planning Committee shall not attempt in any way to influence the terms of the officers' report or recommendation upon any planning matter.

Appendix B – Current Version

PLANNING CODE OF PRACTICE

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Accountability and Interests

3. Except as provided for in paragraph 8 of this Code members of the Council should not take part in any discussion of, or vote on, any item if they or their relative, friend or associate is the applicant, agent or objector for that matter.
4. If an approach is made to a member of the Planning Committee from an applicant or agent or other interested party in relation to a particular planning

application or any matter which may give rise to a planning application, the member of the Planning Committee shall:

- (i) inform the person making such an approach that such matters should be addressed to officers or to members who are not members of the Planning Committee;
 - (ii) disclose the fact and nature of such an approach at any meeting of the Planning Committee where the planning application or matter in question is considered; and
 - (iii) record the approach in the register maintained by the Director of Environment and Culture under paragraph 12 below.
5. Members of the Council who have business or other interests which may bring them into contact with the Council's planning system on a regular basis should not be considered for membership of the Planning Committee.
6. Members of the Council who are consistently unable to support the Council's planning policies should not be considered by their political group for membership of the Planning Committee.
7. If the Chair decides to allow a non-member of the Committee to speak, the non-member shall state the reason for wishing to speak. Such a member shall disclose the fact that he/she has been in contact with the applicant, agent or interested party if this be the case.
8. If a member of the Council has a personal interest in any planning application or other matter before the Planning Committee, then the member shall, if present, declare a personal interest at that meeting unless the interest arises because the member is a member of or is in a position of general control or management in a body to which they were appointed or nominated to by the Council or that exercises functions of a public nature. In which case the member only needs to disclose the personal interest if they address the Planning Committee meeting on that item.
9. If a member has a personal interest in a matter and if that interest is also a prejudicial interest the member shall withdraw from the room where the meeting is being held and not take part in the discussion save that they may make representations, answer questions or give evidence in respect of the application or matter in question in so far as the public have the right to do so. A member must then withdraw from the room for the rest of that item and play no further part in it.
10. If a member of the Council has a prejudicial interest in a planning application other matter, he/she shall not exercise his or her discretion to require the application or other matter to be referred from officers to the Planning Committee for consideration and nor shall he/she exercise his/her right to request a site visit.
11. For the avoidance of doubt, where a member of the Council is a Freemason or a member of a similar secret society and is aware that the applicant, agent or

other interested party in relation to a particular planning application is also a Freemason or a member of the same secret society, the member shall treat this as a prejudicial interest for the purposes of paragraph 9 above.

12. Where under the provisions of the Constitution two members of the Council ask for an application or other matter to be decided by Committee rather than by officers, their request shall state:
 - (i) the reason(s) why they feel the application or other matter should not be dealt with under delegated powers; and
 - (ii) whether or not they have been approached by any person concerning the application or other matter and if so, by whom.

This information shall then be included in the relevant Planning Committee report.

Unless the request and the necessary supporting information outlined above has been provided by both members at least one week prior to the relevant meeting then the matter shall proceed to be determined by officers in accordance with their delegated powers.

13. Save as provided by paragraph 10 above, if any member of the Council wishes to request a site visit prior to a meeting of the Planning Committee at which the application in respect of the request is to be considered, they shall provide the following details at least one week before the date of the meeting at which the application is to be considered and a record shall be kept of those details:
 - (i) their name;
 - (ii) the reason for the request; and
 - (iii) whether or not they have been approached concerning the application or other matter and if so, by whom.

If the details are not provided then the site visit shall not proceed.

Alternatively, during any meeting of the Planning Committee, any member of the Planning Committee may request a site visit in respect of any application on the agenda of the meeting. The member must give the reason for the request.

14. The Director of Environment and Culture shall maintain a register of contact made by applicants, agents or interested parties with individual members of the Council on each and every planning application, in which members of the Planning Committee must record approaches referred to in paragraph 4 and other members of the Council may record such approaches if they so wish.
15. If any officer of the Council who is involved in making recommendations or decisions on planning applications has had any involvement with an applicant, agent or interested party, whether or not in connection with the particular application being determined, which could possibly lead an observer with knowledge of all the relevant facts to suppose that there might be any possibility that the involvement could affect the officer's judgement in any way,

then that officer shall declare a prejudicial interest in the public register held by the Director of Environment and Culture and take no part. The declaration of such interest shall also be recorded in the minutes of the meeting. This public register to be available for inspection at Planning Committee meetings.

16. No officer of the Council shall engage in any paid work for any town planning matter for which Brent is the Local Planning Authority other than on behalf of the Council.
17. In relation to all matters not addressed above, all such officers shall comply with the Royal Town Planning Institute Practice Advice Note No.5 relating to Consultancy by Current and Former Employees or any guidance replacing this.

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19. Members of Planning Committee shall not enter any premises which are the subject of a planning application or other matter or known by them to be likely to become such in order to meet the agent, applicant or other interested party, save in the course of a formal accompanied site visit. In exceptional circumstances such as where a member of the Planning Committee is unable to attend the official site visit that has been arranged a site visit by an individual member may be carried out provided that the member is accompanied by a planning officer.
20. On site visits applicants or other interested parties shall only be permitted to point out to those members of the Planning Committee attending the site visit the features to look at either on the site or in the vicinity, which are relevant to the application or other matter. No discussion will take place on the merits of the application or other matter.
21. Whilst on site visits, members of Planning Committee shall keep together as a group and shall not engage individually in discussion with applicants or objectors.

Membership and Jurisdiction of the Planning Committee

22. When the membership of the Planning Committee is determined, care shall be taken to ensure that for each Ward there is always at least one Councillor who is not a member of Planning Committee. This is so that there will always be a Councillor who is not a member of the Planning Committee with whom residents will be able to discuss planning matters.
23. Any briefings which may be held prior to the Planning Committee meetings shall be open to all members (and alternates) of the Planning Committee. These briefings can help to speed up decision making by giving officers notice of additional information members of the Planning Committee may require at the meeting.

24. All members of Planning Committee, and in particular the Chair, shall be informed from time to time about the relevant provisions concerning access to information contained in the Local Government Act 1972 and in the event of any dispute between members of the Planning Committee and officers as to the application of the 1985 Act, the advice of the Borough Solicitor or his or her representative shall be obtained forthwith.

Meetings of the Planning Committee

25. No material revision to any planning application which might lead to a change in the recommendation of officers shall be considered at Planning Committee unless it has been submitted such reasonable period in advance of the relevant Planning Committee meeting as is agreed by the Head of Planning and has been the subject of a full appraisal by officers, and that a record be kept of the number of instances that this provision is used..
26. If the Planning Committee wishes to grant planning permission contrary to officers' recommendations the application shall be deferred to the next meeting of the Committee for further consideration. Following a resolution of "minded to grant contrary to the officers' recommendation", the Chair shall put to the meeting for approval a statement of why the officers recommendation for refusal should be overturned, which, when approved, shall then be formally recorded in the minutes. When a planning application has been deferred, following a resolution of "minded to grant contrary to the officers' recommendation", then at the subsequent meeting the responsible officer shall have the opportunity to respond both in a further written report and orally to the reasons formulated by the Committee for granting permission. If the Planning Committee is still of the same view, then it shall again consider its reasons for granting permission, and a summary of the planning reasons for that decision shall be given, which reasons shall then be formally recorded in the minutes of the meeting.
27. When the Planning Committee vote to refuse an application contrary to the recommendation of officers, the Chair shall put to the meeting for approval a statement of the planning reasons for refusal of the application, which if approved shall be entered into the minutes of that meeting. Where the reason for refusal proposed by the Chair is not approved by the meeting, or where in the Chair's view it is not then possible to formulate planning reasons for refusal, the application shall be deferred for further consideration at the next meeting of the Committee. At the next meeting of the Committee the application shall be accompanied by a further written report from officers, in which the officers shall advise on possible planning reasons for refusal and the evidence that would be available to substantiate those reasons. If the Committee is still of the same view then it shall again consider its reasons for refusing permission which shall be recorded in the minutes of the meeting.
28. Members of the Planning Committee shall refrain from personal abuse and party political considerations shall play no part in their deliberations. Members of the Planning Committee shall be respectful to the Chair and to each other and to officers and members of the public including applicants, their agents and objectors and shall not bully any person. Members of the Planning Committee should not make up their mind before hearing and considering all relevant information at the meeting and should not declare in advance of the meeting, how they intend to vote on a particular application or other matter.

29. Members of the Planning Committee should not speak to members of the public (including applicants and agents) during a meeting of the Planning Committee or immediately prior to or after the meeting concerned, other than where permitted by this Code or Standing Orders.
30. When questioning members of the public or the applicant who have spoken at a meeting of the Committee, members of the Planning Committee shall ensure that their questions relate only to planning matters relevant to the particular application.
31. The minutes of the Planning Committee shall record the names of those voting in favour, against or abstaining:
 - (i) on any resolution of "Minded to grant or minded to refuse contrary to Officers Recommendation";
 - (ii) on any approval or refusal of an application referred to a subsequent meeting following such a resolution.
32. A member of the Planning Committee shall not vote in relation to any planning matter unless he or she has been present in the meeting of the Planning Committee throughout the consideration of that particular matter as required by Standing Orders. Any dispute as to whether the member of the Planning Committee in question should be permitted to vote shall be decided by the Chair having taken appropriate advice from legal or other officers present.
33. Unless all members of the Planning Committee indicate that they intend to vote in accordance with the officers' recommendation on a particular item, the responsible officer shall be allowed time, at the beginning of the consideration of each application, to summarise his or her advice. If after discussion it appears that any member of the Planning Committee is minded to vote contrary to the officers' recommendation, the officer shall be allowed a further opportunity to respond to new points which have been raised, and to address the implications of a contrary decision.

Member and Officer Relations

34. Any criticism by members of Planning Committee of officers in relation to the handling of any planning matter shall be made in writing to the Director of Environment and Culture and not to the officer concerned. No such criticism shall be raised in public.
35. If any officer feels or suspects that pressure is being exerted upon him or her by any member of the Council in relation to any particular planning matter, he or she shall forthwith notify the matter in writing to the Director of Environment and Culture.

36. Members of Planning Committee shall not attempt in any way to influence the terms of the officers' report or recommendation upon any planning matter.