



**Annual Council Meeting**  
11 May 2011

**Report from the Director of  
Regeneration & Major Projects**

For Consideration

Wards affected:  
ALL

**Amendments to Terms of Reference of the Planning  
Committee as set out in part 5 of the Brent Constitution**

**1.0 Summary**

- 1.1 The terms of reference for decision making for the Planning Committee were last reviewed in their entirety as part of the drafting of the Council's Constitution in 2002. With the reduced staff resources now available, and the overall workload and frequency of Planning Committee meetings, it is now appropriate to review arrangements. The report recommends that amendments are made to the Planning Committee terms of reference that will reduce the overall Committee workload, removing less significant and all domestic applications from the terms of reference, in part by changing the objection criteria where an application is recommended for approval from more than 2 objections to more than 3. Alterations are also proposed to the member call-in procedure. These changes would still mean that the Planning Committee would determine all major development proposals. The proposals have been considered by the Planning Committee and the Constitutional Working Group, and the recommendations reflect the views expressed by members at those meetings.

**2.0 Recommendations**

- 2.1 That the Council agrees the following changes to the terms of reference to the Planning Committee and the consequential changes to the Planning Code of Practice in the manner set out in appendix A to reflect the following:

- a) To allow the determination of applications of more than 20 dwellings (currently 10). The implication being that Officers would be able to determine applications of less than 20 dwellings.
- b) That in cases where approval is recommended, the number of objectors required to determine that the decision is made by the Committee be raised from 2 to 3;
- c) That all applications for alterations and additions to residential buildings be determined by officers unless they are called in by members for a decision by the Committee;
- d) That the number of members required to call in an application be increased from 2 to 3.

2.2 To agree to reduce the overall number of Planning Committee meetings from 19 to 15 per year (comprising 12 planning application and 3 policy meetings).

2.3 That the terms of reference of the Planning Committee include consideration of development proposals at a pre-application stage that allows for informal feedback on schemes prior to their formal submission.

### **3.0 Detail**

3.1 The existing scheme of delegation for planning decisions has remained unchanged, with the exception of one amendment governing telecommunication masts, since the original adoption of the Council's Constitution in May 2002. The agreement allows for approximately 93% of planning decisions to be made using Officer delegated powers, with the remaining cases being reported to the Planning Committee for a decision. This has allowed the authority to meet government performance targets on planning applications (based on time taken to deal with applications), although in benchmarking terms with other authorities, Brent has been under pressure to raise its game. The terms of reference for the Planning Committee (delegation agreement) with the proposed changes are appended to this report along with the consequential changes proposed to the Planning Code of Practice. The costs of processing applications, and the time it takes, increase when an application is reported to the Committee. The current system employed is robust however it requires a significant senior staffing resource to support it.

3.2 There are several pressing reasons for a review of the terms of reference and these are set out in paragraphs 3.3 to 3.6 below. They relate to the reduced resources now available to deliver the Planning function and support the Planning Committee, and need to ensure that the Planning Committee has a formalised role in providing feedback to developers on pre application discussions on major proposals.

3.3 The Planning service has and is likely to continue to face very significant budget reduction pressures brought about by the Council's efficiency programme, a reduction in fee income, largely due to fewer major applications, and the recent loss of the Housing and Planning Delivery Grant. In considering the implications of the loss of grant in July last year the Executive acknowledged that staff reductions would be required and that part

of the consequence of this reduction would be decision making efficiencies through changes to the delegation agreement to determine planning applications by officers. There are also specific pressures on the resources that support the Planning Committee including overtime allowances, support services and Case Officer time, and again in the absence of additional resources in the near future this situation will continue.

- 3.4 There is a high frequency of lengthy meetings and a number of site visits which absorbs considerable officer and member time.
- 3.5 Too many applications for domestic house extensions and outbuildings end up being reported to the Committee because of neighbour disputes and member call-ins. This has increasingly become a distraction for members at both the site visits and at the Committee meetings, and takes up too much member time. There are also many examples of discussions at the Planning committee on minor cases taking much longer than the determination of major schemes. Members of the public often have to wait for substantial items to be determined and this gives a poor impression of the decision making role of the Committee and the Council. For more minor and householder applications, the statutory target period for reaching a decision is 8 weeks. It is very difficult for applications that are considered by the committee to meet this target and most applications in these minor categories that are reported to the Committee go over time and affect the published performance figures within NI 157. Brent was one of London's highest performing authorities but has fallen back in recent years, partly as a result of most authorities improving performance and exercising greater decision making at officer level.
- 3.6 Local authorities are now being encouraged to involve Planning Committee members with pre-application discussions on more significant developments. In Brent we have started to do this through presentations to the Committee by developers either prior to a scheduled meeting or prior to or after Saturday site visits. This new function needs to be properly reflected in the terms of reference for the Committee.
- 3.7 There were 19 meetings of the Planning Committee scheduled for 2010/11 of which 4 meetings were reserved for the discussion of policy and guidance. Policy meetings are sometimes cancelled if there is a lack of business. The cycle for meetings for decisions on planning applications is generally between three and four weeks. For each Planning application meeting there is a Saturday morning site visit that consists of prearranged visits to 4 to 7 or so sites. There has also been a meeting with Committee members prior to the start of the main meeting for Officers to provide updates on matters that have arisen since the Committee report was prepared and often covering issues that were raised at the members site visit. As from July 2010 this has changed, following discussions with members, to issue supplementary information the day before the Committee meeting in order to focus the briefing meeting on member's questions. The pre-meeting starts at 18-15, with the main meeting commencing at 19-00. A decision was taken several years ago to bring the start time of the Committee forward by half an hour to try and ensure that all business was conducted prior to the 22-30 p.m. deadline.

- 3.8 There are presently (last 6 meetings) on average 14 planning applications for determination on each Committee agenda (numbers have been higher in past years). Of these applications over 30% consist of domestic extensions, and 10% of minor residential schemes (Houses in multi-occupation, alley gating and 1 or 2 new units). Of the 36 domestic and minor residential cases considered over the last 6 meetings (average 6/meeting) 4 had no objections, 18 (56%) had two objections, 4 had 3 objections, 1 had 4 objections, and the remainder between 5 and 10 objections. All applications were approved with no recommendations overturned. There has been an average of 10 member call-ins in the last three years, mainly on minor domestic proposals. Members are often approached by applicants or their agents to request call-ins when they hear that the officer recommendation is to refuse an application.
- 3.9 It is proposed that the delegation agreement be amended to allow for the frequency of Planning Committee meetings to be reduced, whilst maintaining performance to government targets. For major applications the Council is now increasingly entering into Planning Performance Agreements that allow us to obtain the agreement of an applicant to a timetable leading to a Committee date that does not take the Council outside the statutory targets unless it fails to meet the agreed timetable. This will give the Council greater flexibility in the way it deals with major applications and will accommodate a less frequent cycle of meetings. The current statutory period for handling major applications is 13 weeks.
- 3.10 The views of the Planning Committee and the Constitutional Working Group (CWG) were sought on the changes set out in this report. There was agreement as to the proposed changes, although there was a slight difference of opinion on the threshold for new residential dwellings; the Planning Committee felt that the number of new residential dwellings should be increased from 10 to 15. However, CWG agreed that that an increase to 20 was appropriate, given that any more controversial application would be likely to attract more than 3 objections, and where recommended for approval, be reported to the committee in any event. Both the Planning Committee and the CWG also wish to see a review of the way that site visits are conducted and this will be undertaken.

#### **4.0 Financial Implications**

- 4.1 The Council's response to the mid year government spending reductions last year involved swift action taken to reduce spending in affected areas. This included the Planning Service where the loss of the Housing and Planning Delivery Grant left a £390k budget gap. The Executive acknowledged that staff reductions would be required and that part of the consequence of this reduction would be decision making efficiencies through changes to the delegation agreement to determine planning applications by officers. A reduction in the number of Committee meetings will reduce overheads associated with the meeting including site visits, with coach hire and officer time, and the resources from Legal and Democratic Services.
- 4.2 The cumulative impact of Wave 1 savings and a reduction in fee income have also further affected the planning establishment and have reinforced the need

to work more efficiently. Changes have been made to staffing the technical support function and work is ongoing on streamlining processes. A reduction to the frequency of committee meetings, and a smaller Committee caseload will assist in this respect and allow the Service to remain effective in maintaining performance. National Indicator 157 (planning application processing times) is a long standing indicator that is likely to be retained by the government, possibly as the only planning indicator.

## **5.0 Legal Implications**

- 5.1 The terms of reference for the Planning Committee are set out in Part 5 of the Council's Constitution. The Planning Code of Practice for Members and Officers also forms part of the Constitution and is set out in Part 7. Changes to the Constitution require the agreement of Full Council.

## **6.0 Diversity Implications**

- 6.1 It is not considered that the proposed changes will have any adverse impact on those affected by the planning process. The statutory requirement to consult on most applications will remain and representation made will still be considered prior to any decision on an application. Both applicants and parties affected by planning applications will continue to have access to planning staff and elected members, where they will be able to raise concerns.

- 6.2 The greatest change will be on householder applications where applications are generally made by property owners, with adjoining neighbours being notified. It must be borne in mind that the majority of householder applications are already considered under powers delegated to Officers. Equalities monitoring of planning applications has not revealed any specific issues.

## **7.0 Staffing/Accommodation Implications (if appropriate)**

- 7.1 Staffing levels in the Area Planning teams, where planning applications are considered, have reduced in the last four years, most recently as a result of the mid year budget reductions in 2010, with the loss of the Housing and Planning Delivery Grant. The proposed changes will reduce the Committee workload and lead to the more efficient processing of more minor, less contentious applications. This in turn will allow a better staff focus on more complex work, particularly more senior staff.

### **Background Papers**

Brent Constitution (as revised)

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# Appendix A – Proposed amendments marked as tracked changes

## TERMS OF REFERENCE OF COUNCIL COMMITTEES AND SUB-COMMITTEES **PLANNING COMMITTEE**

### **Membership**

- The committee is comprised of 11 councillors.

### **Terms of Reference**

1. To determine applications for planning permission, consent or approval (including listed building and conservation area consent) in respect of the following types of development:-
  - (i) construction of 20 or more dwellings;
  - (ii) outline residential development with a site larger than 0.1 hectare (approximately ¼ acre);
  - (iii) construction of non-residential building exceeding 500 sq. metres in floorspace outside a designated employment area; and
  - (iv) outline non-residential development with a site larger than 0.1 hectare (approximately ¼ acre), outside a designated primary employment area.
2. To determine applications for planning permission, consent or approval (including listed building and conservation area consent) which the Planning Committee has specifically indicated it wishes to consider itself.
3. To determine any application for planning permission, consent or approval (including listed building and conservation area consent) which at least three members of the Council have requested, in accordance with the Planning Code of Practice, be considered by the Planning Committee.
4. To determine any other application for planning permission, consent or approval (including listed building and conservation area consent) in respect of which written objections have been received from 3 or more households or businesses except where those objections relate to:-
  - (i) Alterations to residential buildings including extensions, outbuildings (including garages), walls, vehicular accesses and hardstandings, and porches
  - (ii) satellite television dishes or aerials
  - (iii) other domestic aerials
  - (iv) certificates of lawful use or development (except applications which relate to the lawfulness of the use of a dwelling house by more than one family unit)

AND except where the officers are in any event minded to refuse the permission, consent or approval.

5. To determine any application for planning permission, consent or approval (including listed building and conservation area consent) which would, in the reasonable opinion of the Director of Regeneration and Major Projects or the Assistant Director of Planning and Development, significantly conflict with Council policies.
6. To determine any application for, or revocation of, planning permission or consent or approval (including listed building and conservation area consent) in case where the approval or revocation would, in the reasonable opinion of the Director of Regeneration and Major Projects or the Assistant Director of Planning and Development, give rise to the payment of compensation.
7. To authorise the service of an enforcement or stop notice in respect of breaches of planning, listed building, advertisement and hazardous substances control where such action would involve the payment of compensation.
8. To agree to enter into agreements pursuant to section 106 of the Town and Country Planning Act 1990, section 38 of the Highways Act 1980 or any other agreements required in connection with any permission, consent or approval granted by the committee and to authorise officers to make such agreements subject to such restrictions as it considers appropriate.
9. To determine any matter relating to planning or hazardous substances which are delegated to officers, other than Executive functions, but which the Director of Regeneration and Major Projects or Assistant Director of Planning and Development considers appropriate for the committee to consider.
10. To authorise the making of Tree Preservation Orders in cases where the relevant officer has declined to make an order.
11. In relation to other planning and/or development control matters:
  - (a) where requested by officers or the Executive to do so, to provide comments back to them on any applications for development in neighbouring boroughs and any changes to planning policy in other boroughs.
  - (b) to consider and recommend to the Executive or officers amendments to adopted or draft development plan documents , supplementary planning documents, planning briefs or other similar documents.
  - (c) to comment on development proposals following presentations by applicants and their agents of more significant proposals at a pre-application stage

### **Limitations**

- (a) None of the above will apply to any application for permission or consent which the Council is required to refuse in accordance with a direction to do so from the Mayor of London or any Minister of the Crown issued pursuant to any legislative provision in which case the refusal shall be issued by the Director of Regeneration and Major Projects or the Assistant Director of

Planning and Development but reported to the Planning Committee for information.

- (b) Nothing in paragraphs 1-12 above shall apply to applications for permission for telecommunication masts submitted by telecom operators under Part 24 of Town and Country Planning (General Permitted Development) Order if the meeting at which the matter would be considered would take place after the deadline specified in that order for responding to the application in which case the application may, for the avoidance of doubt, be determined by officers under delegated powers.



# **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 Code seeks to ensure that officers and members consider and decide planning matters in an open and transparent manner. 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 Director of Legal and Procurement is instructed to commission a report independent of the planning service once every two years 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. Except as provided for in paragraph 7 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. 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.

5. 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.
6. 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.
7. 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.
8. 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.
9. If a member of the Council has a prejudicial interest in a planning application or other matter before the Committee, 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.
10. 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.
11. The Monitoring Officer 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 17 and other members of the Council may record such approaches if they so wish.
12. 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 Regeneration and Major Projects and take no part in the decision making process. 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.

13. 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.
14. 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.

### Call-in

#### Call-in powers

15. Where under the provisions of the Constitution three 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) which should solely relate to matters of material planning concern 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.

#### Development proposals submitted by Councillors who sit on the Planning Committee

16. The Council's monitoring officer should be informed of such a planning application and the application should be reported to the Planning Committee and not dealt with by officers under delegated powers.

#### Approaches to members of the Planning Committee

17. If an approach is made to a member of the Planning Committee from an applicant or agent or objector 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 Monitoring Officer under paragraph 11.

For the avoidance of any doubt, if the applicant, agent or objector or other interested party attend and/or speak at a Council organised briefing for members of the Planning Committee then that briefing does not constitute an approach which has to be registered with the Monitoring Officer or disclosed under (ii).

18. Where a planning application is to be determined under delegated powers Councillors should not put improper pressure on officers for a particular recommendation or do anything which compromises, or is likely to compromise the officer's impartiality.

#### Site Visits

19. Save as provided by paragraph 9 above, if two members of the Council 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 two weeks 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.

20. 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.
21. 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.
22. 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.

23. 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**

24. 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.
25. 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.
26. 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 Director of Legal and Procurement or his or her representative shall be obtained forthwith.

### **Meetings of the Planning Committee**

27. 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 Assistant Director of Planning and Development and has been the subject of a full appraisal by officers and consultation where necessary and that the minutes shall record the fact that revisions have been made to the application and the reasons for these shall be recorded in the supplementary information.
28. 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.
29. 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.

30. 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.
31. 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.
32. 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.
33. 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.
34. 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.
35. 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**

36. 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 Regeneration and Major Projects and not to the officer concerned. No such criticism shall be raised in public.
37. 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 Regeneration and Major Projects.
38. Members of Planning Committee shall not attempt in any way to influence the terms of the officers' report or recommendation upon any planning matter.