

TONBRIDGE & MALLING BOROUGH COUNCIL

OVERVIEW AND SCRUTINY COMMITTEE

06 April 2023

Report of the Director of Planning, Housing and Environmental Health

Part 1- Public

Matters for Recommendation to Cabinet

1 DEVELOPMENT MANAGEMENT OFFICER PROTOCOL -MEMBER CALL IN PROTOCOL

Summary: This report seeks Member endorsement of an amended Development Management Officer Protocol- Member Call ins.

1.1 Introduction

1.1.1 Officers are continually looking at ways to improve ways of working. The amended call-in procedure is aimed at making the process clearer for both Members and officers following some cases where there has been where there has been ambiguity or concerns raised by Members.

1.1.2 The proposed amendments to the call-in protocol include:

1. More detailed instructions of how Members register a call in.
2. Clear target timescales for the stages of the process to be completed.
3. A list of examples of potential proper planning reasons/ material considerations that could be used to call in an application (without which the call in would not be valid).
4. Option for an email overview instead of a full briefing for simpler cases in agreement with the relevant committee chair.

1.1.3 **Annex 1** to this report sets the amended call-in protocol.

1.2 Legal Implications

1.2.1 No legal issues are considered to arise from the amended Protocol which seeks to provide clarity and examples on proper planning grounds which could be used to call applications in.

1.3 Financial and Value for Money Considerations

- 1.3.1 Having comprehensive protocols in place will ensure appropriate skills and expertise are utilised in an efficient and cost-effective manner and ensure that potential legal challenges through judicial review are limited.

1.4 Risk Assessment

- 1.4.1 Not having the protocols in place could delay effective decision, increase the likelihood of challenge and limit the Council's ability to make effective planning decisions.

1.5 Equality Impact Assessment

- 1.5.1 No issues raised.

1.6 Recommendations

- 1.6.1 That Members **ENDORSE** the amended protocol at **Annex 1** and **RECOMMEND** to the Cabinet Member for Strategic Planning and Infrastructure that it is adopted with final approval for any changes required to the documents before publication, or any minor changes required to keep the protocols up to date with legislation, be delegated to the Director for Planning, Housing and Environmental Health in consultation with the Cabinet Member for Strategic Planning & Infrastructure

Background papers:

Nil

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Annex 1- Development Management Officer Protocol
Member Call Ins

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