

TONBRIDGE & MALLING BOROUGH COUNCIL

OVERVIEW AND SCRUTINY COMMITTEE

29 June 2023

Report of the Director of Planning, Housing and Environmental Health

Part 1- Public

For recommendation to Council

SUPPLEMENTARY REPORT

1 MEMBER CALL IN PROTOCOL – DEVELOPMENT MANAGEMENT

Summary: This report seeks Member endorsement of a retitled and amended Protocol- Member Call ins

1.1 Minor change to wording of report for clarification

1.1.1 Additional wording has been added to the Protocol attached as Annex 1 at paragraph 6.5 which seeks to add further clarity to the call in procedure by confirming that *in the event of conflicting views between the Director of Planning, Housing and Environmental Health and the Area Chair, the application shall automatically be referred to the Area Planning Committee for consideration.*

1.2 Financial and Value for Money Considerations

1.2.1 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.

1.2.2 The protocol changes have the potential to increase the number of applications to committee given the extra clarity provided on processes and the new options available and each committee report has a financial implication in terms of increased officer time cost due to the nature of the publication requirements. However, this is considered acceptable to ensure the democratic process is fair and transparent.

1.3 Risk Assessment

1.3.1 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.

1.4 Equality Impact Assessment

1.4.1 No issues raised.

1.5 Recommendations

1.1.1 That Members **ENDORSE** the amended protocol at **Annex 1** and **RECOMMEND** to Council that the amended text in the protocol is included in the Constitution.

1.1.2 That the Monitoring Officer be authorised to make any necessary consequential changes to the constitution.

Background papers:

Nil

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Annex 1- Development Management Officer Protocol
Member Call Ins

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