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Thursday 27 February 2020

Decision on planning delegations to be taken at Council on 2 April

Dear Parish Clerk and Chair

We wrote to you earlier this month to let you know that our constitution had changed to remove a legal ambiguity on how we decide which applications are referred to Planning Committee.

Since then a further legal challenge to how we made that decision was presented to us. It called into question whether it was lawful to change the constitution at Planning Committee rather than at a Full Council meeting.

Although we felt our constitution was clear and the decision could have been taken at Planning Committee, we decided the best option was for a report to be taken to the Full Council meeting on 2 April for a final decision. The alternative was an unnecessary legal case which would have had inevitable costs and caused bigger delays.

Until Full Council consider the report on 2 April, we will be advising applicants that if their application is called in by a parish council or the local district councillor, it may not be considered until after 2 April. Some called in planning applications will continue to be determined at Planning Committee before this date.

Whilst this will be frustrating for the applicant, we feel it is better to err on the side of caution on this occasion.

The process for commenting on planning applications remains unchanged for parish councils. This includes us asking for the planning reason for the planning application to be called in.

Some parish councils have already contacted us over recent weeks on this matter and those views will be considered on 2 April. If parish councils want to submit any

further views please send them through to Stephen.Kelly@greatercambridgeplanning.org. If you are able to do that by Monday 23 March it will mean they will be able to be provided to councillors as part of the report for Full Council.

As we said earlier in the month, we are also going to be carrying out a wider review of operations of the Planning Committees across the Greater Cambridge Shared Planning Service area, including our process for dealing with Parish and Member requests for planning applications to be referred to committee.

The terms of reference for the review will be reported to Planning Committee on 12 March. You can read the full agenda and terms of reference on [our website](#). It will be published on 4 March.

The Planning Advisory Service (PAS), a national organisation who provide consultancy and peer support to help councils respond to planning reform, will be helping us with this work.

We will be encouraging all parishes to take part in the review and Members were clear that they wanted to ensure that the voice of Parish Councils was considered in this process.

I appreciate that we have written to you several times on the call-in process which is far from ideal. However, it would be even worse to enter into an unnecessary legal case when there is an option available that ensures we have a watertight and far more cost effective end result.

The Parish Council Planning Liaison meeting takes place on Monday 30 March at 6pm. We will cover this in detail so we can talk more about the decision and forthcoming review.

Kind regards

A handwritten signature in black ink that reads "T. Hawkins". The signature is written in a cursive style with a large initial 'T' and a long, sweeping underline.

Cllr Tumi Hawkins
Lead Cabinet Member for Planning, South Cambridgeshire District Council