

LONDON BOROUGH OF CAMDEN	WARDS: All			
REPORT TITLE Proposed changes to the Planning Protocol				
REPORT OF Director of Economy, Regeneration and Investment and Borough Solicitor				
FOR SUBMISSION TO: Planning Committee Audit and Corporate Governance Committee Council	DATE 4 November 2024 5 December 2024 20 January 2025			
<p>SUMMARY OF REPORT This report sets out proposed changes to the Planning Protocol to update to membership of the Strategic Panel, and reflect best practice in providing regular training to the Planning Committee.</p> <p>LOCAL GOVERNMENT ACT 1972 – ACCESS TO INFORMATION: No unpublished documents were referred to in the production of this report.</p> <p>CONTACT OFFICERS:</p> <table border="0" data-bbox="225 1196 1401 1485"> <tr> <td data-bbox="225 1196 890 1485"> Richard Limbrick Planning Applications Team Manager Development Management 5 Pancras Square London N1C 4AG 020 7974 4188 richard.limbrick@camden.gov.uk </td> <td data-bbox="898 1196 1401 1485"> Vicky Wemyss-Cooke Committee Services Manager Law and Governance Camden Town Hall 5 Judd Street London WC1H 8JE 020 7974 5726 vicky.wemyss-cooke@camden.gov.uk </td> </tr> </table>			Richard Limbrick Planning Applications Team Manager Development Management 5 Pancras Square London N1C 4AG 020 7974 4188 richard.limbrick@camden.gov.uk	Vicky Wemyss-Cooke Committee Services Manager Law and Governance Camden Town Hall 5 Judd Street London WC1H 8JE 020 7974 5726 vicky.wemyss-cooke@camden.gov.uk
Richard Limbrick Planning Applications Team Manager Development Management 5 Pancras Square London N1C 4AG 020 7974 4188 richard.limbrick@camden.gov.uk	Vicky Wemyss-Cooke Committee Services Manager Law and Governance Camden Town Hall 5 Judd Street London WC1H 8JE 020 7974 5726 vicky.wemyss-cooke@camden.gov.uk			
<p>RECOMMENDATIONS</p> <p>Planning Committee is asked to note the report and make any relevant recommendations to the Audit and Corporate Governance Committee.</p> <p>Audit and Corporate Governance Committee is asked to:</p> <ol style="list-style-type: none"> i) Recommend to Council that the proposed changes to the Planning Protocol and membership of the Strategic Panel, as set out in the report, be agreed; and ii) Recommend to Council that the Borough Solicitor be authorised to amend the Constitution to give effect to the proposed changes. 				

Council is asked to:

- i) Agree the proposed changes to the Planning Protocol and membership of the Strategic Panel, as set out in the report; and
- i) Authorise the Borough Solicitor to amend the Constitution to give effect to the changes.

SIGNED:



Director of Economy, Regeneration and
Investment



Borough Solicitor

DATE: 15/10/2024

1. Introduction

- 1.1 This report sets out proposed changes to the Planning Protocol. The changes would update membership of the Strategic Panel to account for portfolio changes and attendance, and update Planning Committee training provisions to include occasional mandatory sessions on relevant legal requirements.

2. Changes to the Planning Protocol – Strategic Panel Membership

- 2.1 Section 4 of the Planning Protocol in the Constitution sets out the procedure and rules in relation to Briefings and forums. Part ii) specifically deals with the Strategic Panel (starting at paragraph 4.7).
- 2.2 Paragraphs 4.12 and 4.13 of the Protocol explain the function and purpose of the Strategic Panel as follows:

4.12. The Strategic Panel is not a formally constituted Council meeting or a decision-making body. It has no power to bind the Council in any regard in relation to a planning application. Nor can it override the Council's statutory functions whether as local planning authority or otherwise. It is an informal forum that can provide high-level strategic input as one part of the evolution of a proposal that will ultimately lead in many cases to a planning application being considered by the Planning Committee.

4.13. The Strategic Panel is intended to serve a number of overlapping purposes including:

- *assisting Panel members in gaining an initial understanding of the most complex proposals and their strategic and planning implications;*
- *helping demonstrate Camden's commitment to growth by providing a forum for Members to consider developers' perspectives and for developers to understand some of the issues that may be important to the Council;*
- *to give Panel members a high-level strategic involvement in emerging development proposals without compromising any subsequent role they may play as decision-makers by allowing them to provide their provisional input/steer in particular by:*

i) highlighting how they see proposals fit with the Council's wider policy aspirations;

ii) identifying aspects where in their view proposals may not be policy compliant;

iii) giving their preliminary opinion on how competing or contentious issues could be balanced.

- 2.3 There is flexibility in the membership of the Strategic Panel. The Protocol sets out who generally sits on the panel in paragraph 4.14, and then explains in paragraph 4.15 that membership can be amended in particular cases – see below.

c) Membership and conduct of the Strategic Panel

4.14. The Strategic Panel will generally consist of:

- *Cabinet Member with responsibility for planning (Chair);*
- *Leader of the Council (only on the most significant strategic proposals such as Euston);*
- *Cabinet Member with responsibility for transport and sustainability;*
- *Chair of the Planning Committee;*
- *Vice Chair of the Planning Committee;*
- *Heritage Champion; and*
- *Other Cabinet members as required depending on the nature of the proposals being reported.*

4.15. Should it be considered appropriate with regard to the circumstances of a particular matter the Director of Economy, Regeneration and Investment may in consultation with the Chair of the Strategic Panel amend the membership of the Panel.

- 2.4 The Strategic Panel was first established towards the end of 2018, and it is sensible to review the Strategic Panel membership from time to time. The membership was updated in 2022 to include the Vice Chair of the Planning Committee to provide continuity of business.

Recommended changes due to amended portfolios

- 2.5 Recent portfolio changes mean that the same Cabinet Member now has responsibility for Planning (bullet 1 above), Transport, and Sustainability (both in bullet 3 above). To reflect these portfolio changes, it is recommended the wording is updated to refer to the new cabinet portfolio title the Cabinet Member for Planning and a Sustainable Camden.

Recommended new Panel members

- 2.6 The urgent need to deliver on housing across public, affordable, and private sectors means that housing sits at the centre of the Council's objectives. The Camden Housing Challenge is to ensure enough decent, safe, warm and family-friendly housing to support our communities. Planning is key to delivering this, so it is recommended the Cabinet Members with responsibility for housing, investment, and place-making are also included in the panel membership (the Cabinet Member for Better Homes and the Cabinet Member for New Homes and Community Investment).

Recommended clarification on future portfolio changes

- 2.7 Paragraph 4.15 of the Protocol, as set out above, provides flexibility to membership of the Panel. To be more resilient to any future portfolio changes, clarification should be added at the end of the paragraph to make clear that changes may be made to the membership because of any portfolio changes.

Proposed amended wording

- 2.8 It is therefore proposed to amend paragraph 4.14 of the Protocol as follows with additions underlined and deletions ~~struck through~~:

c) Membership and conduct of the Strategic Panel

4.14. The Strategic Panel will generally consist of:

- ~~Cabinet Member with responsibility for Planning~~ and a Sustainable Camden (Chair);
- *Leader of the Council (only on the most significant strategic proposals such as Euston);*
- ~~Cabinet Member with responsibility for transport and sustainability;~~
- Cabinet Member for Better Homes;
- Cabinet Member for New Homes and Community Investment;
- *Chair of the Planning Committee;*
- *Vice Chair of the Planning Committee;*
- *Heritage Champion; and*
- *Other Cabinet members as required depending on the nature of the proposals being reported.*

4.15. *Should it be considered appropriate with regard to the circumstances of a particular matter, the Director of Economy, Regeneration and Investment may in consultation with the Chair of the Strategic Panel amend the membership of the Panel. This may include new or amended Cabinet Members as a result of portfolio changes.*

3. Changes to the Planning Protocol – Planning Committee Training

- 3.1 Section 6 of the Planning Protocol in the Constitution includes the procedure and rules in relation to the Planning Committee. Part i) specifically deals with training members of the committee.
- 3.2 Paragraph 6.1 makes clear that mandatory training is required before a member first sits on the Planning Committee.
- 3.3 Paragraphs 6.2 and 6.3 go on to say that other training, whether general or dealing with specific topics or policy areas, is encouraged but not mandatory.
- 3.4 Recent case law demonstrates that it is best practice to refresh training on technical, legal, procedural, and policy issues, to ensure effective and lawful functioning of the committee. It is recommended the protocol be updated to include occasional mandatory training sessions that deal with any recent technical, legal, procedural, or policy issues affecting the functioning of the Planning Committee.
- 3.5 It is therefore proposed to add paragraph 6.4 to the protocol as follows:

6.4. The Borough Solicitor may decide that, to reduce risk to the Planning Committee and ensure continued effective and lawful decision making, a mandatory training session is required from time to time. This may be to update on a recent or emerging technical, legal, procedural, or policy issue.

The training will be targeted on the relevant issue and clearly marked as mandatory.

4. Finance Comments of the Executive Director Corporate Services

- 4.1 The proposed changes to the Planning Protocol would have no financial implications.

5. Legal Comments of the Borough Solicitor

- 5.1 This is a report of the Borough Solicitor and there are no further legal comments.

6 Environmental Implications

- 6.1 There are no environmental implications arising from these proposals.

REPORT ENDS