

## CONSTITUTIONAL REVIEW WORKING PARTY

Minutes of the meeting held on 11 November 2021 at 7.00 pm in Council Chamber, Council Offices, Cecil Street, Margate, Kent.

**Present:** Mr Peter Tucker (Chair); Mr Lee Wellbrook, Councillors Hopkinson, Rusiecki and Hart.

### 1. APOLOGIES FOR ABSENCE

Apologies were received from Cllr Ashbee.

### 2. DECLARATIONS OF INTEREST

There were no declarations of interest.

### 3. MINUTES OF PREVIOUS MEETING

Mr Tucker proposed, Cllr Hart seconded and the minutes of the meeting held on 15 June 2021 were APPROVED and signed as a correct record.

### 4. PLANNING PROTOCOL CHANGES

Iain Livingstone presented the report, explaining that:

- The recommendation was to make a change to the constitution affecting when certain applications would be put before the Planning Committee.
- This change was set out in order to resolve an ambiguity of wording that existed in the Constitution.
- This proposal followed a judicial review decision that resulted in a planning permission being quashed, due to what the Judge believed was the possible perception of bias in the particular wording.
- Estelle Culligan, Director of Law and Democracy, confirmed that the proposed new wording would not apply to land historically owned by TDC, only land owned at the point of the application.

During discussion the following points were made:

- The proposed change would include ownership of buildings as well as land.
- The proposed change would cover anything that requires consent under the Town and Country Planning Act 1990.

Cllr Hopkinson proposed, Cllr Rusiecki seconded and it was AGREED that members would make the following recommendation to the Standards Committee:

That members agree the specific amendment to the planning protocol to require all planning applications and applications under planning legislation to be reported to the Council's Planning Committee if Thanet District Council own the land to which the application relates, or if a company which the Council is a party to owns the land to which the application relates.

### 5. AMENDMENTS TO MANDATORY TRAINING

Estelle Culligan presented the report.

There were no questions or comments from members.

Cllr Hart proposed, Mr Lee Wellbrook seconded and it was AGREED that members would make the following recommendations to the Standards Committee:

To agree the amendments to Article 8, as proposed in the report.

Meeting concluded : 7.12 pm