

## CORPORATE AND ENVIRONMENTAL OVERVIEW AND SCRUTINY COMMITTEE AGENDA - MEETING: 1 December 2016

This form must be received by Member Services, 52 Derby Street, Ormskirk, before 12 noon on Friday 29 September 2017.

Any forms sent by fax should be sent to 01695 585082.

Please advise Member Services on 01695 585016 if at any time you wish to withdraw this item following receipt of further information or e-mail [member.services@westlancs.gov.uk](mailto:member.services@westlancs.gov.uk)

<b>Councillor:</b>	Paul Cotterill
<b>Subject:</b>	Need for clarity on how planning committee considers precedence and comparability
<p><b>1. What are your reasons for requesting the item:</b></p> <p>Clarity needed on how and why planning committee differentiates between view that applications should be decided upon as not to “set precedent” while also holding view that precedent is not a relevant planning consideration</p>	
<p><b>2. What outcome would you wish to see following discussion of the item?</b></p> <p>Written clarity from officers on the question set out above, such that members and constituents understand how planning committee should/will consider cases where notions of precedent apply.</p>	
<p><b>3. What have you already done to resolve this issue?</b></p> <p>a) Attended planning committee July 2017 to speak on behalf of application, arguing that similar applications granted and that therefore reasonable to grant this one. Heard member say that such considerations not relevant, but also – in same period of consideration – that the application should not be granted because it would set precedent for others. In my view this is logically impossibility. Officers made no comment.</p>	

b) Have considered seeking informal clarification but of view that I would prefer to see formal response that might aid in consideration of further applications, and that this is reasonable use of CCfA process.

**Potential means of pursuing an issue before resorting to a Member Item/CCfA:**

- Raise Ward Issue as a 'Patch Problem'
- Discuss issue with an appropriate officer from the Council Service or Agency
- Discuss issue with an appropriate Cabinet member
- Raise the issue with partner agency, eg. Police, PCT, etc.
- Write formal letters on behalf of constituents
- Use official complaints procedure or other official route
- Put forward the issue as a topic for inclusion on an O&S work programme

**The following are potential reasons why your Member Item/CCfA may not be considered further:**

- The issue is an individual case
- You have not explored the issue fully and exhausted all avenues above
- A review into the general issue is included in an O&S work programme
- A petition is being submitted to the Council
- A complaint is being or has been submitted and the outcome is awaited
- A FOI request is being or has been made and the outcome is awaited
- Scrutiny of the issue is unlikely to result in improvements for local people
- The issue has been the subject of Executive Call In
- The issue has been the subject of a Council Motion / Question
- The issue is urgent and could be more speedily resolved by other means
- The issue is an 'excluded matter' (Constitution 18.3)

**FOR MEMBER SERVICES USE ONLY**

Received by: Member Services	Date of Committee: 12 Oct 2017
Date: 29/9/17                      Time: 9.17am	Chief Executive Informed <input type="checkbox" value="Y"/>
Head of Service informed <input type="checkbox" value="Y"/>	Chairman informed <input type="checkbox" value="Y"/>
Contact Officer informed <input type="checkbox" value="Y"/>	Portfolio Holder informed <input type="checkbox" value="Y"/>