

# CONSTITUTION OF THE LONDON BOROUGH OF CROYDON

## Part 5.1 – Planning Committee: Members’ Referral Procedure

A Member may require a planning application in her/his ward, or immediately affecting their ward, to be referred to the Planning Committee for determination where it is being recommended for approval or refusal against the Member’s preference. A Member must also indicate on the form whether or not he/she wishes to attend and address the Planning Committee. A substitute for such a Member would only be allowed to address the Committee at the Chair’s discretion. The definition of a ‘*Planning Application*’ is given below. Planning Committee Members may also use this procedure but, where they do so, they must not take part in the debate or vote on the application they have referred although they may address the Committee on their referral in accordance with the Protocol.

The effect of making such a referral will be that the application cannot be approved or refused under delegated powers and will be referred to Committee for a decision. This procedure is intended to facilitate a full debate about the merits of an application and enables members of the public to attend and speak in accordance with the Protocol.

A referral must be made in writing using the proforma and identify the application site and specify the reason why the application should not be dealt with as delegated business. The referral must be on the correct form a sample of which is attached. **The referral form must be sent at least 5 clear days prior to the meeting. Only in very exceptional circumstances would a late referral be accepted and this would be at the Chair’s discretion.**

The referral form must be sent to:-

The Planning and Transportation Department at Central Processing Unit, Planning and Development Department, 17<sup>th</sup> Floor Taberner House, Park Lane, Croydon (E-mail: [phil.mills@croydon.gov.uk](mailto:phil.mills@croydon.gov.uk)) before a decision has been taken under delegated powers.

The referring Member will be advised of the Committee date and will be invited to speak at Committee in accordance with the Protocol for Public Participation.

Note:- For the purposes of this protocol a Planning Application shall include:-

- (i) An application for planning permission under Part III of the Town and Country Planning Act 1990 (as amended).

- (ii) An application for planning permission under Regulation 3 of the Town and Country Planning General Regulations 1992 (as amended)
- (iii) An application for consent to display advertisements.
- (iv) An application for consent to demolish or alter a listed building or a building in a Conservation Area.
- (v) A proposal by a Government department submitted under Circular 18/84

A Planning Application shall not include:-

- (i) An application for consent to carry out works to a tree which is subject to a Tree Preservation Order.
- (ii) A notice of intention to carry out tree works in a Conservation Area.
- (iii) An application for approval of details required by a condition attached to an outline planning permission [a “reserved matters” application].
- (iv) An application for a Certificate of Lawfulness of existing or proposed use under Section 191 or existing or proposed development under Section 192 of the Town and Country Planning Act 1990 (as amended).
- (v) An application for telecommunications development submitted under the “prior approval procedure”.

**TO: Phil Mills (Planning)**  
**Planning Control Division**  
**Planning & Transportation**  
**17th Floor Taberner House**  
**London Borough of Croydon**  
**Park Lane Croydon**  
**Tel: 020 8686 4433 Ext: 65419 Fax: 020 8760 5419**  
**Email: phil.mills@croydon.gov.uk**

## MEMBER'S REFERRAL PROCEDURE

### Summary

- I wish to refer the matter to Committee
- I wish to attend and address the Committee or intend to send a substitute to do so

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### Details –

A referral is only appropriate if it is contrary to the officers' intended delegated decision.

I request that this application be determined by Committee in the event that the officers' recommendation is to approve/refuse permission (please delete as appropriate)

**Councillor's Name:** .....

Planning Application No: .....

Site Address: .....

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Date: .....

Reasons for Referral: .....

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Reasons for Referral (*continued*):

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I wish to attend and address the Planning Committee

OR

I intend to send a substitute Member (Cllr ) to address the Planning Committee, although I acknowledge that such an address will be at the Chair's discretion

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Signed: .....

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**Notes:**

**Members minded to refer the application described above for consideration by the Planning Committee are advised to consider whether they have a Personal, or Personal and Prejudicial interest in the application and, if so, whether that interest might place them in breach of the Members' Code of Conduct should they do so.**

**Members with a Personal interest will need to declare this at the meeting and complete the relevant declaration form. Members with a Personal and Prejudicial interest in an application should not involve themselves in its consideration and are likely to be in breach of the Members' Code of Conduct should they refer to it.**

Members wishing to attend and speak at Committee will need to declare any such interest at the meeting and complete the relevant declaration form.

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**For Officer Use Only**

The intended delegated decision of the Officers is to (a) Agree Permission   
(b) Refuse Permission