



## **REPORT of THE OVERVIEW AND SCRUTINY COMMITTEE WORKING GROUP**

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**to  
OVERVIEW AND SCRUTINY COMMITTEE  
4 SEPTEMBER 2025**

### **SCRUTINY WORKPLAN ITEM – PLANNING APPEAL AT WOODHAM MORTIMER**

#### **1. PURPOSE OF THE REPORT**

- 1.1 The purpose of this report is to inform the Committee of the further findings and conclusions of the Overview and Scrutiny Committee Working Group (the Working Group) on this scrutiny workplan item.

#### **2. RECOMMENDATION**

That the Committee receives and considers the Working Group's report with a view to concluding this scrutiny item and endorses the proposed revision and strengthening of the Planning Appeals Protocol.

#### **3. SUMMARY OF KEY ISSUES**

- 3.1 At its last meeting the Committee received a report on the Working Group's further consideration of a scrutiny item request submitted by Councillor S J N Morgan. It was decided that the matter should be added to the scrutiny workplan and four broad areas for scrutiny were identified. The Committee asked the Working Group to prepare further information on these four areas for further scrutiny.
- 3.2 The initial request reported to the Committee in September 2024 sought a review of various issues including the Council's conduct in relation to an appeal against the refusal of application 22/00344/FULPP-11053774 for a travellers' site beside the A414 at Woodham Mortimer. Planning permission was granted on appeal, subject to conditions, on 21 August 2023 for the change of use of land for two gypsy / traveller pitches comprising the siting of one mobile home and one touring caravan per pitch on the site.
- 3.3 There has over a period been email communications from a Planning Agent acting for local residents sent to Members and Officers setting out representations on the range of issues raised in this scrutiny request. These were covered previously but are addressed more specifically in this report following further consideration by the Working Group at its last two meetings. The report of the Working Group's deliberations is attached as **APPENDIX A**.
- 3.4 Of particular note is that the Working Group received information based on legal advice as to the status and potential for implementation of the permission granted on appeal. In the light of this, the Working Group was satisfied that the implications of the missed deadline for a timetable to be submitted as required by condition 7 need no longer be scrutinised. The reason why the timetable was missed and the

implications of failing to meet the deadline for its consideration are set out in the Working Group's report.

- 3.5 The Working Group noted that it was evident that throughout the process of the application and appeal a number of errors had occurred. The Working Group wished to emphasise this to the Committee in terms of lessons learned. Officers acknowledged this and would look at potential process improvement with implementation of any outcomes to be balanced against the priority of processing planning applications. As a possible option, Members suggested new software providing a database for monitoring and flagging important steps in a process. They stressed however that it was important that they were made aware of and understood what improvements or changes were introduced.
- 3.6 The Working Group also concluded that the Planning Appeals Protocol, which was part of the Constitution, could be strengthened in terms of potential Member involvement and the management of the appeal process. Officers have looked at this and in the light of the Working Group's conclusions here and on another scrutiny request item and will be presenting this separately to the Committee.

#### **4. CONCLUSION**

- 4.1 The Working Group has given further detailed consideration to the areas of scrutiny set by the Committee hopefully sufficient for the Committee to conclude its scrutiny of this item and to endorse the potential outcomes by way of improvements to process arising from the lessons learned. As a consequence of this scrutiny the Council's position can be better explained to the public and some of the concerns expressed by local residents can perhaps be allayed.

#### **5. IMPACT ON PRIORITIES AS SET OUT IN THE CORPORATE PLAN 2025 - 2028**

##### **5.1 Delivering good quality services.**

- 5.1.1 Thorough scrutiny processes support improved performance and efficiency which in turn will contribute to the quality of services provided, and functions undertaken by the Council.

#### **6. IMPLICATIONS**

- (i) **Impact on Customers** – None directly, but individual scrutiny reviews will enable the impact on customers to be assessed.
- (ii) **Impact on Equalities** – Equalities are considered as part of the reporting on review work undertaken by Officers.
- (iii) **Impact on Risk (including Fraud implications)** – Scrutiny reviews enable potential Corporate Risks to the organisation and their mitigation to be identified.
- (iv) **Impact on Resources (financial)** – Scrutiny reviews offer the potential for an assessment of financial impact to the organisation.
- (v) **Impact on Resources (human)** – Scrutiny reviews offer the potential for an assessment of any resource impact to the organisation.

(vi) **Impact on Devolution / Local Government Reorganisation** – None.

Background Papers: None.

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