

Extraordinary Corporate Management Committee – 15 March 2023

Agenda item 4 - Handling of planning applications: Response to complaint by Cllr Berardi and residents

Addendum

- Amend paragraph 32 of the document “investigation into maladministration and misconduct in public office complaint” to read:

“It should be noted that in the context of maladministration the reference to policies is not a reference to national or local planning policies but rather policies adopted by a public body. Thus if a public body adopted a particular policy and it was not reflective of legislation then it could be held that maladministration had occurred if the public body had applied that policy to a particular case. By way of example if a **public** body had adopted a policy that it would only grant housing to people who owned three legged cats and used that policy as a justification to refuse housing to people who did not own such cats then it would be found to have committed maladministration because such a policy would not be lawful.”

- Amend paragraph 66 of the document “investigation into maladministration and misconduct in public office complaint” to read:

“There then appears a section headed **Counting additions to buildings as well as reductions**. The contents of this brief section suggests an approach to considering a Planning Application and claims it is supported by case law but does **not** give details of the case law. I am not aware of any case law which supports the proposition put forward in this section.”