



# CASTLEMAN ACADEMY TRUST

## **POLICY :**

### **Third Party Planning Applications**

**Author: Chief Executive Officer**

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**Review Body: Trust Board**

**Date Adopted: 18<sup>th</sup> March, 2021**

**Review Date: Spring 2023**

**CASTLEMAN ACADEMY TRUST**  
**Third Party Planning Applications Policy**

**1 Background**

The Castleman Academy Trust has a responsibility to take reasonable steps to review proposed developments in third party planning applications, which may have an impact on its schools.

Where the impact is considered negative, the governing body should request clarification and/or submit an objection. Where the impact is considered positive, the governing body should give it their support.

**2 Monitoring planning applications**

This is an operational responsibility, which should be delegated to the CEO in the first instance. The CEO receives notification of any planning applications that the Local Authority Planning Department considers to have a potential impact on the school. Therefore, the CEO, with the Headteacher and the Estates Manager should make an initial assessment of any potential impact.

If a Trust Board member or Governor wishes the impact of any other planning applications to be assessed, they should first conduct their own assessment of impact against the criteria given in (3) below. If further consideration is thought sensible, the governor should bring the planning application to the attention of the CEO, stating which criteria are relevant and why.

If the CEO believes that there is a potential impact resulting from any planning application, it should be referred to the relevant committee for their review, also keeping the Senior Leaders, Chair of the Trust and the Chair of the School Standards Board informed of this process.

Given that the timing of planning applications is often at odds with that of committee meetings, referral and feedback may need to be made by email and/or telephone to ensure that any objection or statement of support can be submitted in a timely manner.

**3 Assessing impact**

The Trust Board is responsible for the strategic development of the school, the maintenance of the fabric of the school and the health and safety of pupils, staff, parents and visitors (collectively 'stakeholders'). The Trust Board delegates the operational management of the school to the staff under the leadership of the CEO.

Therefore, an assessment of the impact of any proposed developments set out in planning applications should only be made against three key criteria:

- a. Could it compromise the current school development plan? (Relevant committee varies)
- b. Could it adversely affect the fabric of the school? (Fabric & Finance)
- c. Could it harm the health and safety of the school's stakeholders? (Health & Safety)

The committee to whom the CEO should initially refer a planning application is given in brackets. Where a proposed development impacts on multiple criteria, the CEO should refer the planning application to the Trust Board and the School Standards Board.

The school should not act as a channel of communication to stakeholders for any third party who wishes to make a submission objecting to or supporting a planning application. This is to avoid stakeholders believing that, in acting as a communication channel, the school endorses the views of the third party (which the school may not do, or certainly over which the school has no control).

#### **4 Collating feedback, evidence and supporting information**

All feedback, evidence and supporting information that will be used to corroborate any objection or support should be collated and kept on file along with a copy of any submission. It is recommended that the collation be shared between the CEO and a representative of the relevant committee reviewing the planning application. The materials should be passed to the Clerk to the Trust for filing in the governing body records.

#### **5 Escalating the issue**

If a committee to whom the CEO has referred a planning application fails to reach a consensus on the response they recommend that the Trust Board makes, or believe that the Trust Board should consider the matter, they should present the CEO with a summary of their discussions and request that the matter is referred to the Trust Board.

#### **6 Reaching a conclusion**

Having gone through due process, either clear consensus will emerge or those reviewing the application will be collectively undecided. Where there is consensus, this will determine whether an objection or statement of support will be submitted. Where there is collective indecision, no submission should be made. A representative of the relevant committee (where a planning application is not being considered) should present any outcome to the next Trust Board meeting. This should be recorded in the Trust Board meeting minutes.

#### **7 Submitting an objection or statement of support**

The Trust Board makes a collective submission, rather than an individual. A member of the committee considering the planning application should author submissions, but the rest of the committee should have an opportunity for review and comment, to ensure it does reflect the consensus reached by the committee. It should then be forwarded to the CEO, Headteacher and Chair of the School Standards Board for review and comment, prior to a final version being sent to the Local Authority Planning Department by the Governance Operations Director.

The only reference to an individual in any submission is the Governance Operations Director (by title not name), who should be contacted in the event of a query.

#### **8 Conclusion**

Dealing with a response to planning applications is time-consuming. Therefore, the Trust Board needs to be sure that making a submission is appropriate. If a proposed development is judged to have a potential negative or positive impact on the school, the relevant action should be taken.

If it does not, the governing body should take reasonable steps to ensure that there is no misrepresentation of any process through which it has worked, discussions it has had or conclusions it has reached to give any third party an opportunity to imply that it has a particular view not made public.

## **9 Equality Impact Assessment**

This policy has been reviewed with the equality impact considerations as laid down in the school's Equality Policy.