

REVIEW OF PLANNING COMMITTEE TASK AND FINISH GROUP

Context

In Shropshire planning and related regulatory matters are considered by three Area Planning Committees which consider applications from the North, Centre and South of the County. The Committees discharge a range of statutory functions on behalf of the Council as Local Planning Authority (LPA) under the Town and Country Planning Acts, and Highway Authority under the Highways Act and Wildlife and Countryside Act and the registration of Town or Village Greens under the Commons Act 2006.

At its meeting of 31st October 2013 the Enterprise & Growth Scrutiny Committee considered a report about a review of the planning committee process. The report had been informed by a Member led Task and Finish Group established to work with the Planning Services Manager and Planning & Housing Portfolio Holder to enhance the efficiency of the committee process in light of a service redesign and 30% reduction in staff.

It was resolved to maintain 3 committees at that time but to **review the process in six months** (end of April 2014). The task and finish group concluded its review made a series of recommendations to make the process more effective and to achieve a delegation rate of 96%. On 4th December the Planning Services Manager provided a verbal update on how the recommendations were being implemented. Although significant efforts had been made to drive delegation up additional pressures had arisen due to the Council's development plan not being adopted resulting in a significant increase in speculative planning applications often in locations not supported by local communities. This resulted in increased pressure to refer these schemes to committee. It is therefore recommended that subject to the review identified below, that recommendations are implemented from June 2015 by which time the Local Plan should be adopted.

Looking to the future Planning Committee will remain the environment where the most complex and controversial applications will be considered. It is therefore important that that the planning committee is able to deal with issues of policy consistently across the county to protect the Council's interests and that both officers and Members are adequately prepared to deal with the items under consideration.

A committee agenda of 6 planning applications is about the maximum acceptable number to keep committees within a manageable time frame of up to 3 hours in total. To achieve this a minimum of 96% delegation is required.

This would then facilitate a change in the way planning committees are delivered to provide consistency and effective decision taking through an enhanced single committee system which could work as follows:-

- A single planning committee meeting every 2 or 3 weeks (8-12 items/month max)
- Greater meeting frequency provides shorter time frame for any deferred item to be brought back
- Single committee can consider items across the county

- Local knowledge and complemented with objectivity of non-local members on a single committee
- a strong committee chairman providing consistent management of the issues and procedures able to manage the meeting and debate positively;
- positive input from the planning & legal officers who are able to present reports, answer questions and provide advice clearly and effectively to committee;
- committee membership comprised of effective, well trained members –remunerated accordingly?
- consider the options to carry out site visits on a separate day
- consider the option to record and broadcast meetings.
- to consider protocols in circumstances where Members are minded to take a decision which is contrary to officers recommendation and maintain this “minded to” position contrary to any subsequent external legal advice received on the matter. It is these decisions that carry the highest risks of significant costs awards against the Authority

Objectives

- To look again at the most mechanism for delivering planning committees having regard to the objective of providing efficient and consistent decision taking
- To consider specifically the potential for a single planning committee
- To consider options for dealing with controversial planning applications most effectively

Information Required From Officers

- Current Shropshire Council Policy and Procedures including all documentation and guidance for staff, partners and the public
- An option appraisal of alternative committee models having regard to impact and risks
- Other Sources of Information
- Previous reports to the Enterprise and Growth Scrutiny Committee on 31st October 2013
- Update Report of the Planning Service Manager to Enterprise & Growth Scrutiny

Methods To Be Used

- Desktop research
- A review of planning committee approaches delivered by benchmark peers
- Discussion with key officers and Members
- Walkthrough, with officers, the local policy and future plans

Timescales

Review by end of March 2015 with further areas of research ongoing as required and implementation of recommendations by June 2015

Key Results Expected Looking to the future Planning Committees will remain the environment where the most complex and controversial applications will be considered. It is therefore important that that the planning committee is able to deal with issues of policy consistently across the county to

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positive input from the planning & legal officers (preferably the same legal officer) who are able to present reports, answer questions and provide advice clearly and effectively to committee;

committee membership comprised of effective, well trained members –remunerated accordingly?

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consider the option to record and broadcast meetings.

A single committee is more efficient using less resource all round and should be more consistent in terms of its decision taking providing less opportunity for challenge.

It also provides an opportunity to select the strongest Members from a planning perspective for the core committee, perhaps with a large pool of substitutes.

In addition it may be helpful to consider our protocols in circumstances where Members are minded to take a decision which is contrary to officers recommendation and maintain this “minded to” position contrary to any subsequent external legal advice received on the matter. It is these decisions that carry the highest risks of significant costs awards against the Authority

An efficient, effective and consistent planning committee process