

Decision Maker: DEVELOPMENT CONTROL COMMITTEE

Date: Thursday 25th March 2021

Decision Type: Non-Urgent Non-Executive Non-Key

Title: PLANNING SERVICE IMPROVEMENTS

Contact Officer: Tim Horsman, Assistant Director Planning & Building Control
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Chief Officer: Director of Housing, Planning and Regeneration

Ward: (All Wards)

1. Reason for report

This report sets out the current position in respect of continuous service improvements to the Planning Service.

2. RECOMMENDATION(S)

1. Members are asked to note the updates below.

Impact on Vulnerable Adults and Children

1. Summary of Impact: N/A
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Corporate Policy

1. Policy Status: Existing Policy:
 2. BBB Priority: Excellent Council Quality Environment Regeneration:
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Financial

1. Cost of proposal: Not Applicable:
 2. Ongoing costs: Non-Recurring Cost:
 3. Budget head/performance centre: Planning Department
 4. Total current budget for this head: £1.653m
 5. Source of funding: Existing revenue budget 2020/21
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Personnel

1. Number of staff (current and additional): 66.8ftes
 2. If from existing staff resources, number of staff hours:
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Legal

1. Legal Requirement: Non-Statutory - Government Guidance:
 2. Call-in: Not Applicable:
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Procurement

1. Summary of Procurement Implications: N/A
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Customer Impact

1. Estimated number of users/beneficiaries (current and projected):
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Ward Councillor Views

1. Have Ward Councillors been asked for comments? Not Applicable
2. Summary of Ward Councillors comments: N/A

3. COMMENTARY

3.1 The previously considered recommendations for service improvements are set out below with the latest update information

Recommendation	Proposed Action	Update / Timescale
1. New Local Planning Protocol for Members	Completed	Protocol has been adopted as part of Constitution
2. Reduce number of Members on DCC	Not agreed there are necessarily any strong benefits to this	No action at present
3. Criteria for applications to be considered at DCC	Completed	Criteria agreed at DCC in October 2019 and in operation
4. Scheme of delegation to be broadened	Completed	Adopted in May 2020
5. 'Call ins' to be in writing with clear planning reasons	Councillors to note - to take immediate effect – reasons to be planning or strong public interest reasons	Ongoing
6. 'Call in' monitoring to be reported to DCC	Completed	Report on this agenda and every six months
7. Format of committee agenda to be reviewed including 'Lists'	Completed	New report format now fully implemented
8. Officer role at committee to be reviewed including presentations	Completed	Updated role as set out in Planning Protocol
9. Quality of committee reports to be improved	Completed	New report format now fully implemented
10. Review of appeal decisions and costs to be reported to DCC	Completed	Reporting every six months
11. Less emphasis on 'local view' at committee	Councillors to note – both local and strategic views to be considered to ensure balanced decision is reached	Ongoing
12. Substitutions at committee should not be related to Ward interest	This could impact on the ability to provide substitutes and may not be necessary as long as other recommendations are followed in respect of Member training and approach	Ongoing
13. Where motion goes against Officer recommendation, clear reasons for refusal or conditions to be agreed before vote is taken	Councillors to note and action	Ongoing

14. Deferral of items where there is a risk of losing appeal and / or costs	This is potentially too onerous and would create unnecessary delay and additional committee time. This could be dealt with by a combination of better discussions with Ward Councillors during the planning application process and legal and planning officer advice at and before the meeting where appropriate.	Ongoing
15. Review of site visit procedures for committee members	This is already a feature with some cases and also that it can be difficult for Members to attend visits although visits can be arranged wherever possible. The inclusion of more information in the report and presentations at DCC will assist visualisation of impact where Members are unable to attend site visits.	Ongoing
16. Consideration of use of different room for committee meetings	This would cause practical difficulties in room booking (which takes place months in advance) as some meetings may require a larger space and this may not be known until close to the meeting. As an alternative, improvements to Council Chamber can be considered along with improvements to information available to attendees. Planning and Legal and Democratic Services Officers to action.	Ongoing – has been overtaken to some degree by COVID-19 and virtual committees. See further discussion below.
17. More pro-active approach to major pre-application discussions including early Member involvement such as presentations to committee and improved communication between Officers and Members	Planning Officers to action	Presentations occurring in the majority of significant major preapps / applications; Ward Members to be sent individual communication for major applications received in their Ward
18. Committee should include at least one Executive Member	Not agreed there are necessarily any strong benefits to this – strategic considerations can be represented by other committee Members and in the committee report	No action at present
19. Effective compulsory training should be provided for all committee members including substitutes and a list of trained Members retained	In person and online training (at least quarterly) to be offered by Planning, Legal and Democratic Services Officers but does not need to be compulsory (although strongly encouraged for committee members). List of trained Members not required as Members will be aware of available training and any gaps in their knowledge, as well as benefitting from the new Local Planning Protocol.	In progress, training sessions being delivered approximately every 3 months on key topics

20. Regular reports on performance of planning and appeals team	Completed	Reporting regularly to DCC
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Local Planning Protocol

- 3.2 Since the last reporting on this the Planning Protocol has been fully adopted as part of the Council’s Constitution.

Planning Advisory Service Review

- 3.3 As can be seen above, a large proportion of the matters raised in the 2019 Planning Advisory Service (PAS) report have been implemented or are ongoing. It is now nearly 2 years since the original PAS report, and Officers have been in discussions with PAS about the possibility of carrying out a review of the report based on the changes made since 2019.
- 3.4 Initial discussions have been around a review of the matters previously covered in the PAS report alongside a review of lost major appeals. This would include a review of how committees are functioning and whether the issues raised have been successfully addressed, with potential for further recommendations.
- 3.5 Confirmation of this and further details will be reported to DCC in May.

Virtual Planning Committee

- 3.6 Whilst it is clear that many support a return to ‘in person’ committees as soon as possible, Members are asked to consider the benefits of virtual committees, in particular to the public who have experienced much improved accessibility. Residents who may not have been able to attend the Council Chamber have over the last year been able to follow meetings over the internet and this represents a positive outcome in terms of encouraging public participation in planning matters.
- 3.7 The committee may wish to consider whether some form of hybrid virtual / in person meeting, or broadcast of meetings via audio and / or video would be a positive step to continue for planning committees once the COVID restrictions have been lifted, to retain these benefits of wider engagement. This would of course depend on the legislative position and the Council’s approach to committee meetings in general.

4. FINANCIAL IMPLICATIONS

- 4.1 There are no significant costs expected at this stage including the expected further support from the Planning Advisory Service.
- 4.2 Better decision making may result in a reduction of costs awarded against the Council at appeal and some changes may reduce the cost of processing applications, for example those determined under delegated powers as opposed to committee decisions.

5. LEGAL IMPLICATIONS

- 5.1 The recommended measures should reduce the likelihood of successful legal challenge against planning decisions

6. PERSONNEL IMPLICATIONS

- 6.1 See financial implications above

Non-Applicable Sections:	Policy Implications Impact on Vulnerable Adults and Children Procurement Implications
Background Documents: (Access via Contact Officer)	Planning Advisory Service Report May 2019 Probity in Planning (PAS) December 2019 Bromley Council Constitution Bromley Local Planning Protocol