

OSCOM Planning Review Panel

Response from officers to the Panel's Report

This report is prepared by officers and should be read in conjunction with the Panel's report to inform the Committee's view in determining how it wishes to proceed.

SUMMARY

The OSCOM Task and Finish panel engaged to review TVBC's Plans and Planning Process has examined the role of the Plans Panel, the Area Planning Committees and the Planning Control Committee. The Panel's members are making a range of recommendations for consideration by OSCOM. This report contains officer comments on those recommendations.

1 Background

- 1.1 OSCOM established a Task and Finish panel to review TVBC's Plans and Planning Process in September 2015.
- 1.2 The Panel has made a series of recommendations which are contained in paragraphs 2 and 3 of the attached report. This report contains officers' comments on those recommendations where issues of principle are under consideration.

2 Recommendations related to the Plans Panel

Structure and Function

- 2.1 The membership and composition of the Plans Panel is a matter for Members and as such there is no officer commentary in this regard. However, it is worth noting that at its meetings, in April and June 2016, Cabinet has already made a series of decisions about the structure and function of the Plans Panel. In summary, these are as follows:

*Cabinet recognised that a more structured approach to member involvement in the forming of policy would be of benefit.

*Cabinet decided that at the key stages of the preparation of the future planning policy documents there would be a series of workshops for all Members to raise and discuss the relevant planning issues under a series of themes reflecting those contained in the Corporate Plan.

*To assist the drafting and review of planning policy documents Cabinet agreed to retain an informal planning policy panel of Members which will meet more regularly to monitor progress and receive technical reports. It was agreed that the composition of the informal panel would comprise of:

- Portfolio Holder for Community and Leisure; Economic, Environmental; Housing & Environmental Health; Planning & Building; and Planning Policy & Transport (as chair)
- Chairman of the Overview & Scrutiny Committee
- Chairmen and Vice Chairmen of Planning Control, Northern Area and Southern Area planning committees
- A representative proportion of the minority group

The composition was based on those Members which have an involvement with land use planning in their portfolio or are involved in the application of policy. The Chairman of Overview and Scrutiny Committee and a representative proportion of the minority group were also included. Whilst this would form the standing membership of the informal panel all other Members would have the opportunity to attend.

*To help all members to be aware of the points of discussion and what matters were arising from the themed groups and informal panel it was agreed to circulate the Plans Panel minutes, in future. In addition, to provide greater involvement, it was agreed to publish biannually a forward plan of future items for discussion. This would allow for those Members who are not on the informal panel to attend and be involved in those items where they have an interest. The forward plan would highlight if there were specific wards affected by the item. Whilst these actions would benefit Member involvement it would be necessary to have flexibility to allow for additional urgent items to be added. It would also be necessary to timetable the groups and informal panels so that they have sufficient opportunity to engage with the formulation of policy. This would be incorporated into the next version of the Council's Local Development Scheme.

3 Recommendations Related to the Area Planning Committees

Operational Issues

- 3.1 The Panel is recommending improvements to the operation of the Area Planning Committees as follows:

a) "An alteration to the Scheme of Delegation such that where a minor application is contrary to policy this is only brought to the Area Committee when there has been objection or adverse comment from a consultee or third party."

Officers have no objection to this proposal in principle. It is noted that this has already been approved by Council but did not limit authority to minor applications .

b) *“An alteration to the Scheme of Delegation such that where there is an officer or member interest in an application this is only brought to the Area Committee when there has been objection or adverse comment from a consultee or third party.”*

The proposal would see some benefit in saving committees time and enable those applications to be dealt with more expeditiously. Against that, however, the change would give rise to a not insignificant public perception transparency issue in allowing such applications to be determined outside the public spot light of committee decision making.

c) *“- If a member has identified an application as one that should be called to committee upon it being initially advertised, the member should be contacted to ask if they still wish it to be heard once an officer recommendation has been agreed.*

Officers have no objection to this proposal. A minor alteration to the scheme of delegation would be required to give effect to this change.

d) – *“When the Area Committee votes against an officer’s recommendation to approve an application, officers should assist members in ensuring appropriate reasons for refusal are included in a new motion.”*

Officers’ major concern about this proposal is that members should already have in mind what the grounds for refusal prior to making a decision. Whilst officers are always willing to help in such circumstances they are not able to create grounds for refusal if in their professional opinion they do not exist. Officers’ preferred approach in such circumstances is for members to discuss the matter in advance of the meeting with the case officer or Head of Planning and Building.

4. Conclusions

- 4.1 OSCOM is asked to consider these officer views in coming to a conclusion about the recommendations of the Planning Process Panel.