

ITEM 11

Planning Panel's Final Report

Report of the Planning Panel Lead Member of the Planning Panel

Suggested Recommendations:

- 1. That Members are encouraged to meet with new Planning Officers in order to build a rapport.**
- 2. That a programme of planning training for Members be compiled and regular updates be received.**
- 3. That the composition of Planning Control Committee comprise of 14 Members (The Chairman and Vice-chairman of each of the two Area Committees plus the Portfolio Holder and nine members to balance of northern and southern members as far as possible, as from Annual Council in May 2019.**
- 4. That the area Committees continue as currently.**

SUMMARY:

- The Overview and Scrutiny Committee appointed a member Panel to review the role and operation of the Planning Control Committee and the two area Planning Committees and to gain a better understanding of how the Planning Committees operated and produce recommendations for their future role, structure and composition.

1 Introduction

- 1.1 An Overview and Scrutiny Committee (OSCOM) Task and Finish panel was set up in 2016 to review TVBC's Plans and Planning Process to examine the role of the Plans Panel, the area planning committees and the Planning Control Committee (PCC).
- 1.2 That Panel submitted its report to OSCOM on 16 October 2016 and a number of recommendations on the Planning Advisory Panel and on how planning committees operate were recommended to Cabinet.
- 1.3 The Panel at that time did not review the role and operation of the Planning Control Committee and the two area planning committees and therefore a phase 2 of the Panel was to look at these areas.

2 Background

- 2.1 The Planning Panel was set up on 22 November 2017 and comprised of Councillor Hibberd (Lead Member) together with Councillors Baverstock, Few Brown, Finlay, Jeffrey, Neal and Hatley and Hawke (co-opted). The Panel was tasked to look at the role, functional operation, structure and composition and effectiveness of the Planning Control and two area committees.
- 2.2 The Planning Panel met on (5) occasions to review whether the three Committees;
- Still had a valid role to play in the Borough Council’s planning process in their current form.
 - Fulfilled their function.
 - Had a structure and composition which reflected the knowledge of planning required and
 - Produced outcomes which stood up to robust scrutiny.

3 Corporate Objectives and Priorities

- 3.1 The review would help to underpin the rationale for the way in which planning decisions are made in future, thus supporting the objective of “Enhancing and preserving our Built and Natural environment”. It may also recommend “doing things differently” and hoped to achieve the final result of “doing things better”.

4 Membership of the Area Planning Committees

- 4.1 The Panel had not explored alternative models and benefits of alternative numbers of members at this stage. The previous Planning Panel had surveyed Members and found that Members were keen to retain the current system. Residents would expect their ward councillors to represent them and no new evidence had come forward to the contrary.
- 4.2 The Panel had hoped to attend other Local Authorities and the New Forest Parks planning committee but unfortunately it had been difficult to pin down a date that could be agreed.
- 4.3 Therefore it was agreed that there should not be any change to the membership of the area planning committees.

5 Membership of Planning Control Committee

- 5.1 The Panel had previously suggested reducing the Planning Control Committee to 10 comprising the Chairman and Vice-Chairman of each of the two Area Committees plus the Portfolio Holder and two nominated Members from each of the Area Committees plus one Member to achieve a balance of northern and southern members.

- 5.2 As mentioned at the previous panel it was more important to balance northern and southern members than political proportionality as far as possible. It was also felt that it would be complicated for NAPC and SAPC to nominate two members from each committee to sit on Planning Control as it would be difficult to achieve a political and a north/south balance, in this way.
- 5.3 Therefore it was agreed that the membership of PCC should comprise of 14 members comprising of the Chairman and Vice-Chairman of each of the two Area Committees plus the Portfolio Holder and nine members to a balance of northern and southern members as far as possible.
- 5.4 Members discussed the suggestion that members should not being able to sit on the Planning Control Committee in their first term of office and felt that this could disadvantage new members if they had previous experience in other Local Authorities or Bodies.

6 Training

- 6.1 The Panel were keen to emphasize the importance of Members attending planning training in the report. Members should be actively encouraged to attend planning training before taking part in planning meetings. It was advised that Members could not be prohibited from attending or taking part in a planning meeting if they had not attended training and Members could not be forced to attend training but the importance of training needs to be recognised. Members should be encouraged to attend training from within their Groups.
- 6.2 Members on Planning Control Committee should be actively encouraged to attend training to make sure they are not undermining Council Policy or at risk of costs. Members need to be experienced in planning matters. It was suggested that training should be monitored not only by officers but also within Members' own Groups. It was also suggested that the role of planning champion could be created to actively encourage members to attend training. It was suggested that maybe the Chairman of NAPC or SAPC could champion this.
- 6.3 Rolling programme of planning training

The Head of Planning and Building had explained that it was difficult to set out a rolling programme of planning training without knowing what training is required and this is also dependant on any changes to planning legislation which may come forward. It was suggested that Members should feed back any training requirements to the Head of Planning and Building especially if there is any specific training they would like to undertake.

7 Communication

- 7.1 Members should be encouraged to introduce themselves to new officers and to communication with them and continue to have a dialogue on a regular basis in order to build relationships and rapport. Members should also be encouraged to discuss any issues pertinent to an application. Officers are there to give advice to Members in accordance with legislation and policy matters in order to give members the information needed to make an informed decision.

7.2 The Head of Planning and Building had referred to the discussion held following SAPC on 21 November 2017 where it was noted that there was some conflict between Members and officers at meetings. The Head of Planning and Building had explained that there is a Member Code of Conduct which set out the expected standards of conduct by Members and a Protocol for Member and Officer Relations to guide Members and officers in their relations with one another in a way that promotes openness and propriety and secures impartiality in the provision of officer advice and the management of services. It was suggested that the Head of Legal be asked to review the Protocol and/or guide to include a reference to communication and dialogue with planning officers.

7.3 It was suggested that new planning officers could be available from 5pm prior to area committees so that Members could introduce themselves.

8 Planning Advisory Service

8.1 The Panel were aware that the Planning Advisory Service would be undertaking an independent review of the Council's planning Committees in the autumn and would make be making recommendations on how best the Planning Committees should be made up and the relationship of the area committees with the Planning Control Committee. The Panel were aware that their recommendations regarding the Planning Committees could change following that review.

9 Options

9.1 There are a number of recommendations that would require a change to the Constitution and would therefore need to be considered at Council.

10 Conclusion

10.1 The Panel has reviewed the role, structure and composition of the three planning committees and the outcomes will help to underpin the rationale for the way in which planning decisions are made in future.

<u>Background Papers (Local Government Act 1972 Section 100D)</u>			
<u>Confidentiality</u> It is considered that this report does not contain exempt information within the meaning of Schedule 12A of the Local Government Act 1972, as amended, and can be made public.			
No of Annexes:			
Author:	Councillor Hibberd	Ext:	8014
File Ref:			
Report to:	OSCOM	Date:	19 September 2018