

HARBOROUGH DISTRICT COUNCIL

REPORT TO THE CONSTITUTIONAL REVIEW COMMITTEE OF 12 NOVEMBER 2019

PUBLIC REPORT: Y

EXEMPT REPORT: N

Report Title	Review of the Constitution – delegation of planning decisions and public speaking at Planning Committee
Report Author	Adrian Eastwood – Development Planning Manager
Purpose of Report	To consider the impact of the amendments to the Council's Constitution in respect of delegation of planning decisions and public speaking at planning committee, which were implemented in September 2018.
Reason for Decision	Efficient planning decision taking
Portfolio (holder)	Cllr Bateman (Regulatory)
Corporate Priorities	<ul style="list-style-type: none"> • The Place: An enterprising, vibrant place • The People: A healthy, inclusive and engaged community • Your Council: Innovative, proactive and efficient
Financial Implications	There are no direct costs associated
Risk Management Implications	Efficient and transparent planning committee decision taking contributes significantly to public perception of the Council.
Environmental Implications	None
Legal Implications	Planning decision are challengeable if not taken in accordance with the constitution.
Equality Implications	None identified.
Data Protection Implications	None identified.
Consultation	The Portfolio Holder has been consulted.
Options	To revert back to pre. September 2018 arrangements
Background Papers	The Council's Constitution issued May 2019 October 2017
Recommendation	<ol style="list-style-type: none"> 1. To note the analysis of information, attached as Appendices A and B to this report, regarding the number of items and speakers at planning committee, before and after the September 2018 changes to the Scheme of Delegation and public speaking and; 2. consider the proposed amendment to the Council's scheme of delegation relating to planning functions as set out in Appendix C to this report (i.e. to delegate substitution of house types) and; 3. Affirm the existing arrangements for public speaking and; 4. Refer any recommendations to Council for approval and adoption

1 Purpose Report

- 1.1 To enable members to consider the impact of September 2018 amendments to the Council's Constitution in respect of the current Scheme of Delegation relating to planning functions and public speaking at planning committee.

2 Summary of Reasons for the Recommendations

- 2.1 The information and recommendation put forward within this report follow changes made around September 2018, itself the result of an independent review of provisions then in place. This 2018 review was a Local Government Association Peer Challenge which recommended that the Council's Scheme of Delegation for planning decisions and public speaking be amended to provide a more efficient and streamlined Committee process. This will allow focus on strategic issues across the District rather than the smaller, more "every day" applications. The principal changes were in summary:

- Simplified scheme of delegation principally inserting a councillor call-in to planning committee in place of a previous 7 number of objections trigger.
- Reduced the amount of public speaking and gave order to its format.

3 Impact on Communities

- 3.1 The Scheme of Delegation and public speaking provides a tailored efficient approach to planning decision taking. This provides greater clarity and simplicity concerning the Council's processes and procedures.

4 Key Facts

- 4.1 A revised Scheme of Delegation to the Development Planning Manager was approved by Council in September 2018. The main operational changes were inclusion of a councillor call-in procedure (in place of a counter representations trigger), and increased trigger from 10 to 25 dwellings by which the size of major application decision is delegated to an officer. The changes have coincided with a noticeable reduction in the length of planning committee agendas and meeting duration. ▽

- 4.2 Attached at Appendix A is an analysis of items and speakers at planning committee from 2015 – 2017. Appendix B shows analysis of the impact of the changes to speaking covering 04/09/18 to 10/10/19.

- 4.3 The analysis shows the average number of items at planning committee has dropped from 8 to 6, with the average number of speakers having dropped from 22 to 14. The maximum number of speakers on any one item at a

planning committee has dropped from 10 to 5, the peak has dropped from 46 (or 17 discounting Magna Park) to 8 under the new system.

- 4.4 The analysis shows the revised Scheme of Delegation and public speaking from September 2018 has made the decision making process less cumbersome and more efficient. There is no evidence that public engagement, quality of decision or customer service has been adversely affected.
- 4.5 At Appendix C it is proposed that a further amendment is made to the existing Scheme of Delegation relating to substitution of houses types for proposals of more than 25 units. These applications are currently reported to planning committee but are often non contentious attracting little if any representation for or against. Across large scale development over several years it is common for houses types to be substituted. This is presumably in response to business models and customer responsiveness. House type substitutions are commonly relatively superficial in overall planning types, for example altering minor details of external appearance and marginal changes to layout and footprint. The proposed amendment will allow for consideration of these without taking valuable committee time nor potentially causing unnecessary delay.

Previous report(s): *Reports to Constitutional Review Committee 24th July 2017, 14th November 2017 and 12th June 2018.*

Appendix A: Analysis of planning committee items and public speaking 2015-17

Appendix B: Analysis of planning committee items and public speaking 2018-19

Appendix C: Amendments to the Scheme of Delegation to Officers. Constitution Part 3, Section B, 1.3