

Minutes of the Meeting of the PLANNING COMMITTEE held on 13 November 2017

PRESENT -

Councillor Humphrey Reynolds (Chairman); Councillor David Reeve (Vice-Chairman); Councillors Michael Arthur MBE, John Beckett, Lucie Dallen, Neil Dallen, Jan Mason, Tina Mountain, Peter O'Donovan, Martin Olney, Vince Romagnuolo, Clive Smitheram and David Wood

In Attendance: Councillor Tony Axelrod and Councillor Tella Wormington

Officers present: Mark Berry (Head of Place Development) and Fiona Cotter (Democratic Services Manager)

40 DECLARATIONS OF INTEREST

No declarations were made by councillors regarding the item on the Agenda.

41 PLANNING IMPROVEMENT PLAN

The Committee received and considered a report that set out the management response to the finding of the Planning Improvement Peer Challenge undertaken by the Planning Advisory Service in September 2017.

The report identified areas of good practice but also set out the need for improvements in a number of areas. The primary issue to be addressed was the fact that the Council was under the threat of “designation” for poor performance in the quality of its decision-making on major applications. The reason for this was that, over a two-year period, 4 out of 29 major planning applications had resulted in appeal decisions going against the Council. Designation could result in the Council losing control of determination of major planning applications. However, the scope of the Peer Challenge was much broader than this and the draft report identified a wide range of areas where it was considered there was scope for improvement.

The report highlighted that some of the actions within the Improvement Plan related to changes to policy and were within the purview of the Licensing and Planning Policy Committee. The Peer Review Report and Improvement Plan would be reported to the next meeting of the Licensing and Planning Policy Committee for approval of the relevant actions.

In response to the first draft of the improvement plan, the Peer Review Team had agreed that it covered many of the key issues that the Council needed to address. However, the team had suggested that there were a number of other issues that were important to be considered as part of a revised improvement plan seeking to improve the quality of decision-making. It was the revised Improvement Plan before the Committee for consideration.

In discussing the Improvement Plan, the following points were noted:

- The Peer Review called for a review of existing call in and delegation procedures to support the strategic focus of the Planning Committee decision making and this would be the subject of a further report to the Committee;
- A recurring theme of the Peer Review, reflected in the Improvement Plan was the “front loading” of the development management process to involve members at an earlier stage, particularly in major applications as and when appropriate and members would be supported through this culture change;
- The Peer Review also identified that stronger ownership and management of the development management process was required to build greater trust and confidence among the Leadership Team and with Legal and Democratic Services;
- Members welcomed the emphasis on training in the Improvement Plan, particularly around policy changes and delivery to support them in their role;
- The Improvement Plan looked to support officers in their presentation skills in response to observations made in the Peer Review. However, members ought not to be relying purely on the officer presentations as a source of information – plans and other supporting information was readily available on public access in advance of the meeting;
- Members did not accept the need to change the start time of Planning Committee meetings but accepted the need for more disciplined approach to meetings;
- Design/style was a very subjective concept but there was clearly a need to define local distinctiveness. The Improvement Plan suggested the re-introduction of an annual planning tour to visit and review controversial developments to understand key successes and failures;
- The Peer review had highlighted a lack of capacity in conservation and urban design skills and the Improvement Plan made a commitment to re-advertise the vacant heritage officer post;
- All major applications would be put before the Planning Committee unless it involved a minor amendment to an existing scheme. A major application was classes as 10 units or more or 100 sq. meters or ½ hectre or more;
- The Peer Review identified that whilst the rate of delegation was high, there were some gains that could still be made. However, the fact that a matter was delegated did not preclude it being put to committee. The Improvement Plan made a commitment to reviewing delegation procedures to support the strategic role of the committee and comments made at the meeting in this regard were noted;

- It was stressed that it was important that members did not feel disempowered by the review but equally stressed that applications ought only be refused by the Committee on good, sustainable grounds. It was hoped that front loading the development management process would empower members, giving them greater influence earlier in the process such that refusals would be less commonplace;
- Whilst it was legitimate for members to represent the views of their constituents, planning committee members needed to be alert to the issue of predetermination and that their role and responsibility was to take decisions on behalf of the whole Borough in line with planning policy and material considerations;

It was proposed by Councillor Clive Smitheram, seconded by Councillor Neil Dallen and approved on a show of hands, that Councillor Tony Axelrod be appointed to chair the Working Group as “independent” of the review process. Reports on progress against the Improvement Plan would be on an exception basis.

Accordingly, the Committee:

- (1) Adopted the Epsom and Ewell Planning Improvement Action Plan (November 2017);
- (2) Agreed to the establishment of a Working Group to be chaired by Councillor Tony Axelrod and comprising the Chairman of the Planning Committee, the Chairman of the Licensing and Planning Policy Committee, the Chairman of the Audit, Crime & Disorder and Scrutiny Committee, Chief Executive and Head of Place Development to oversee the implementation of the plan;
- (3) Noted that those aspects of the Improvement Plan that relate to functions within the purview of the Licensing and Planning Policy Committee will be considered by that committee.

The meeting began at 7.30 pm and ended at 10.15 pm

COUNCILLOR HUMPHREY REYNOLDS (CHAIRMAN)