

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

MUNICIPAL YEAR 2014-2015

**CORPORATE SERVICES
SCRUTINY COMMITTEE**

9TH APRIL 2015

**REPORT OF THE DIRECTOR OF
LEGAL & DEMOCRATIC SERVICES**

Agenda Item No. 6
REPORT OF THE PLANNING SCRUTINY WORKING GROUP

1. PURPOSE OF THE REPORT

The purpose of this report is to inform Members of the findings and recommendations of the Planning Scrutiny Working Group which met on 16th March 2015.

2. RECOMMENDATIONS

It is recommended that Members:-

- 2.1 Note the findings of the Planning Scrutiny Working Group.
- 2.2 Endorse the following recommendations of the Planning Scrutiny Working Group:
 - (i) There is a need for further Member training for those Members not sitting on the Development Control Committee in relation to their role as local members. To ensure maximum attendance this should take place immediately before a Council meeting.
 - (ii) The Working Group would suggest that any messages to the Welsh Government in relation to the Planning (Wales) Bill should point out the disadvantages of any attempt to micro manage the Planning system across Wales and emphasise the need to retain local discretion for certain elements.
- 2.3 Consider whether or not a recommendation should be made that a sub group of the Development Control Committee be introduced for site visits.
- 2.4 That the findings of the Planning Scrutiny Working Group are forwarded to the Cabinet Member with responsibility for Development Control for information and if necessary used to inform any decision taken by the Council at the Annual General Meeting in May.

3. BACKGROUND

- 3.1 At the meeting of the Corporate Services Scrutiny Committee held on 30th January 2014, Members considered the report of the Service Director

Regeneration & Planning which explored the relationship between the outcome of appeals and whether or not the planning decision had been contrary to the recommendation of officers. It was agreed by the Committee that a Working Group should be formed to consider the issues in more depth and also consider the implications of the Welsh Government's new draft Planning (Wales) Bill.

- 3.2 A Planning Scrutiny Working Group was formed and its findings and recommendations were presented to the Corporate Services Scrutiny Committee on 29th April 2014 for endorsement. It was also agreed that should the Council agreed to introduce a small dedicated Development Control Committee for 2014/15 that progress in relation to its first year of operation be tracked through the continuation of the Planning Scrutiny Working Group and a report on the first year be presented to the Corporate Services Scrutiny Committee at the end of 2014/15.

4. DEVELOPMENT CONTROL COMMITTEE – REVIEW OF 2014/15 OPERATION

- 4.1 The Planning Scrutiny Working Group met on 16th March 2015 to consider the first year of operation of the new style Development Control Committee and the progress of the Planning (Wales) Bill.
- 4.2 The Working Group was provided with positive indications that the new smaller specialist Development Control Committee was making a difference as demonstrated by the following data:

(i) Member Overturns

When Members first considered the case for Committee change the percentage of all decisions made that were contrary to recommendation was 4.2% compared to the national average of 0.9%

In the first reported quarter since the introduction of the new Committee this has dropped to 0.5% which is lower than the national average.

(ii) Committee Site Visits

In the six months leading up to the new Committee there were 22 requests for site visits.

In the first six months of the new Committee there were 6 requests for site visits.

There have been a further 3 requests since (December to February inclusive).

(iii) Appeals Performance

When the Corporate Services Scrutiny Committee considered appeals performance in January 2014 the Council had lost 52% of appeals determined in the 2013/14 financial year up to that date.

The Council's appeal performance for Quarter 3 of this financial year shows that the Council has only lost 28% of appeals determined in that quarter.

- 4.3 The Working Group was also provided with information in relation to the mileage costs and attendance of Members in relation to the Development Control Site Visits.
- 4.4 Based on the site visits undertaken for 2014/15 (up to and including 2nd March 2015) the potential total amount claimed if all 18 Members had attended these visits was £1727.88. However, based on actual attendance the potential amount claimed reduced to £558.21. The average attendance for the year stands at 6 Members (excluding Local Members).
- 4.5 During the meeting of the Working Group it was proposed that it might be more beneficial to form a small sub group for the purpose of undertaking planning site visits rather than potentially having 18 Members making journeys across the county borough. It was also suggested that all Members should be encouraged to speak with planning officers if they have any concerns and if necessary visit these sites before they come before the Committee which would potentially further reduce the need for Committee site visits.
- 4.6 However, the need for a small sub group was questioned given that the average attendance is low anyway and it was also pointed out that it could create problems if those few Members were unable to attend. It was suggested that the associated costs were not particularly high and that not all Members claimed their mileage allowance.

5. FINDINGS

- 5.1 The notes of the meeting of the Planning Scrutiny Working Group held on 16th March 2015 are attached at Appendix 1 for information. Set out below is a summary of the findings:
 - (i) The indications are that the new style Development Control Committee has improved the effectiveness of the planning process as demonstrated by the improved appeals statistics;
 - (ii) The Working Group would like to raise a cautionary note with regard to the premise that good performance in relation to planning could be demonstrated by fewer Member overturns. The purpose of any planning committee should be to improve the decision making process and member overturns are not necessarily a bad thing.
 - (iii) there is a need for further Member training for those Members not sitting on the Development Control Committee in relation to their role as local

members. To ensure maximum attendance this should take place immediately before a Council meeting.

(iv) The Working Group would suggest that any messages to the Welsh Government in relation to the Planning (Wales) Bill should point out the disadvantages of any attempt to micro manage the Planning system across Wales and emphasise the need to retain local discretion for certain elements.

(v) With regard to Planning site visits, the Corporate Services Scrutiny Committee is asked to consider whether or not it wishes to make a recommendation in support of the formation of a small sub group for site visits.

6. CONCLUSION

- 6.1 The Corporate Service Scrutiny Committee is asked to consider and endorse the findings of the Planning Scrutiny Working Group and that these are forwarded to the Cabinet Member with responsibility for Development Control for information and if necessary used to inform any decision taken by the Council at the Annual General Meeting in May.