

**JOINT OVERVIEW AND SCRUTINY TRANSITION BOARD
30 MAY 2008**

**Joint Overview and Scrutiny Task Group
Development Control
Interim Report – 30 May 2008**

Purpose of report

1. To update the JOSTB on the work of the task group reviewing Development Control services in Wiltshire.

Terms of reference

2. In respect of the Development Control services provided in Wiltshire:
 - To identify current service provision, standards and performance
 - To identify desired service provision, standards and performance for the new Wiltshire Council
 - To identify any anticipated issues or problems associated with the transition to the new Wiltshire Council.
 - To identify and recommend to the Implementation Executive preferred service delivery arrangements for the new Wiltshire Council.
3. In line with a request from the Implementation Executive to undertake a policy development role, the task group is focussing on governance arrangements and the scheme of delegation.

Background

4. The task group first met on 11 March to scope the review and elect a chairman. Since then meetings have been held fortnightly and the membership is as follows:
Fred Westmoreland – SDC (Chair)
Peter Davis – WCC
Bill Parks – WWDC
Ray Parsons – KDC
Ray Sanderson – NWDC
5. The new Wiltshire Council will be one of the largest unitary authorities with a population of approximately 456,000 and covering 1,257 square miles. It will receive approximately 10,000 planning applications each year and will be the biggest planning authority in the country. Wiltshire has many historic features which make it unique, including over 16,000 listed buildings, over 240 conservation areas, two world heritage sites and three Areas of Outstanding Natural Beauty. Income from planning fees is approximately £3m per annum and the cost of the service is estimated at £11.8m, although further work needs to be done to confirm the costs. It is anticipated that the number of members across the county will reduce from 252 to 98.

6. The nature of Wiltshire's historic environment and the scale of the Development Control service makes it difficult to examine existing authorities for examples of best practice. The task group is mindful that it needs to take a pragmatic approach to transition but is also keen to identify aspirations for the service beyond 2009.
7. At present, North Wiltshire, West Wiltshire and Kennet Councils determine non-delegated planning applications at a single committee that meets every 3 weeks. Salisbury has four area committees that meet every four weeks. The tables below provide baseline data in respect of key statistics and performance levels in the four existing authorities.

Key statistics 2006-07

	No. of applications received	No. of applications determined by committee (% of total)	No. of applications per committee meeting (approx)
KDC	1819	119 (6.5%)	7
NWDC	3348	176 (5.3%)	10
SDC	2270	120 (5.3%)	2-3
WWDC	2458	272 (11.1%)	18
WCC	96	22 (23%)	3
Total	9991	737 (7.4%)	-

Performance 2006-07

	No. of majors decided (% in 13 wks - target 60%)	No of minors decided (% in 8 weeks – target 65%)	No of others decided (% in 8 weeks – target 80%)
KDC	43 (76.7%)	382 (83%)	1316 (91.1%)
NWDC	63 (66.7%)	569 (74.2%)	1835 (89.2%)
SDC	71 (71.8%)	507 (88.2%)	1451 (89.7%)
WWDC	24 (45.8%)	450 (66%)	1396 (80.7%)
WCC	-	-	-

Evidence

8. **Frontline Services planning project group**
The group has worked closely with the Frontline Services planning project group. The owner, Laurie Bell has attended a number of task group meetings with her lead officers. This has allowed information and evidence to be shared between the two groups, avoiding duplication of work.
9. The task group has examined key evidence and statistics from across the county and in identified best practice authorities, including:
 - Number of planning applications received, determined, referred to committee
 - Performance levels and targets
 - Governance arrangements
 - Schemes of delegation
 - Methods of consultation
 - Staffing levels
 - Fees and charges

Members seminar

10. The task group attended the members seminar run by the Implementation Executive on 24 April. Members were asked to comment on the current planning application process in respect of what works well and what could be improved. Over 60 members attended the seminar and the feedback has been used to shape possible governance options.

Town and parish councils

11. Town and Parish Councils across the county have also been asked to provide comments on what works well and what improvements could be made with the current planning process.

Planning Portfolio Holders and Chairs of Planning Committees

12. All planning portfolio holders and chairs of planning committees were invited to attend a meeting with the task group on 12 May. Discussions centred around those issues where no clear census had emerged at the members seminar on 24 April.

Other benchmarking and best practice

13. The task group has made contact with the other new emerging unitary authorities such as Cornwall, Shropshire and Northumberland to discuss their vision for the future of development control in a unitary authority. Use was also made of a planned visit by Ray Sanderson to the East Riding of Yorkshire to gather evidence about their governance arrangements for Development Control. Although, as mentioned above, benchmarking against existing identified examples of best practice is not straightforward as there exists no other unitary authority which is comparable in terms of scale to the new Wiltshire Council.

Planning Advisory Service (PAS)

14. The Chairman of the task group has met with the PAS to discuss what support and advice they may be able to provide to the review. The task group is planning to use the PAS as a critical friend, although it may need to call on the funding that was made available for consultancy to pay for this service.

Key issues

15. The new unitary Wiltshire Council will determine approximately 10,000 applications per year. The task group has identified the following basic principles for Development Control:
 - Strong local democracy, accountability and transparency
 - Involvement of unitary members – seen as a key facilitator
 - Involvement of town and parish councils
 - A high level of delegation but with member ‘call-in’ safeguards
 - Strong links to Community Boards, Community Area Partnerships and Town and Parish Councils.
 - Consistency of advice, processes and customer standards across the authority
 - Strong links to be fostered between services, particularly development control, spatial planning, building control and economic development
 - The integration of Highways Development Control Officers into the area office hubs

Delegation

16. Key issues considered by the task group include:
- How many applications can realistically be dealt with by committee
 - High level of delegation to officers (95%+) as opposed to low level (85-90%)
 - Relationship to performance levels
17. PROVISIONAL PREFERRED OPTION: by exception where all applications are considered for delegation unless they fall into defined specific categories, giving approximately 95% delegation to officers. This would result in approximately 500 applications being considered by committee each year.

Call in

18. Key issues considered by the task group include:
- Role of unitary members
 - Role of town and parish councils
 - Grounds for call in
 - Public objections
19. PROVISIONAL PREFERRED OPTION: unitary member call in only, with the towns and parishes having a voice through the unitary member. Two possible options have been identified, namely:
1. call in by the ward member and one other unitary member
 2. call in by the ward member and the chairman of the relevant planning committee

Governance / committee structures

20. Issues considered by the task group include:
- Member numbers and availability
 - Committee structure
 - One countywide committee
 - One parent committee and 20 area planning committees
 - One parent committee and four (or more) area committees
 - Population based committees
21. PROVISIONAL PREFERRED OPTION: one parent committee for dealing with strategic/cross boundary issues and five local committees – one each for of the area offices in West Wiltshire, North Wiltshire and Kennet and two for the Salisbury area office. The proposal for more than one committee in Salisbury is based on the scale and nature of its geographical area. All meetings to commence at 6pm.

Other issues

22. The task group will also be making a number of recommendations on other aspects of the planning application process, including:
- Involvement of town and parish councils at an early stage in the pre-application process
 - Design advice – standardising the design guide and setting up local design panels
 - Consultation via site notices and neighbour notifications

- Weekly list of planning applications to be circulated to all members, including town and parish councillors
- Four area office hubs in Trowbridge, Salisbury, Chippenham and Devizes
- Training for unitary and town and parish members
- Consistency/rationalisation achieved through the standardisation of reports, a structured application process and a county-wide set of customer standards
- Consistent and comprehensive use of the website
- Proactive enforcement
- Aspirations for the service beyond 2009, including such issues as the possibility of charging for pre-application advice.

Savings

23. Savings of £1.8m across the planning services as a whole were identified in the original bid for unitary status. The task group believes that its recommendations will result in a number of efficiency savings from the Development Control service in respect of a reduced number of applications being considered by Committee and by rationalisation of the application process. Further work will be done with the help of the Frontline Services Planning Project Group to assess the costs and potential savings.

Next steps

24. A members seminar is being held on 12 June at which the task group will discuss their preferred options. All members countywide have been invited to attend and it is being held at the Corn Exchange in Devizes at 6pm (for a 6.30pm start).

The task group will be presenting its final recommendations to the JOSTB on 27 June, with a report then being considered by the Implementation Executive on 9 July.

Recommendation

25. The JOSTB is asked to:
- endorse the interim report of the Development Control Task Group