

Title	Length and late finishes of Planning Committee
Portfolio Holder	Cllr T Phillips OBE
Reporting Officer	David Hubbard – Development Control Manager

Purpose

Several members of planning committee have expressed concern about the length and late finishing times of those committees of a number of recent planning committees.

Those concerns are shared by the Leader of the Council, the Planning Portfolio Holder, the Chairman of Planning Committee and the Cabinet.

This report provides some statistical information about Planning Committee, identifies areas where changes could be made and make some recommendations for changes the committee might like to adopt.

Background

Some facts and statistics

18 planning Committee meetings held in the last year (Nov 2006 – Oct 2007)

Numbers of applications considered

218 applications considered – average of 12.1 per meeting.

This equates to around 10% of the planning application determined by The Council

Most applications per meeting – 20

Least applications per meeting – 7

Meetings with

- 10 or less applications – 4 occasions
- 11 – 14 applications – 8 occasions
- 15 or more applications – 6 occasions

Reasons why planning applications are referred to Planning Committee

- Town / Parish Council – 74%
- WWDC member call in – 13%
- WWDC member or officer as applicant – 4%
- Departure / DC manager discretion – 5%
- WWDC developments – 4%

Times and length of meeting

Average length of meeting - 3hrs 30mins

Longest meeting – 5hrs 15mins

Shortest meeting – 1hr 30mins

1 – 2 hrs - 1

2 – 3 hrs - 3

3 – 4 hrs - 9

4 - 5 hrs - 4

More than 5hrs – 1

Average time per planning application – 17mins

Average finishing time – 10.30 pm

Earliest finish – 8.30pm

Latest finish – 12.15am

The committee failed to complete the agenda on 6 occasions

Open Forum

Open forum contributors – 304

Average number of open forum contributors per meeting – 17

Meetings with

- 10 or less open forum contributors – 2
- 11 – 14 open forum contributors – 4
- 15 – 19 open forum contributors – 5
- 20 – 29 open forum contributors – 6
- 30 or more open forum contributors – 1

***Officer recommendations overturned –
39 Of 218 (18%)***

Report to Planning Committee on 8th March, 2007

Planning Committee considered a report about planning committee performance at its meeting of 8th March 2007. The committee resolved that any action on the issues raised should be left to the new committee following the May 2007 council elections

Individual member comments from that meeting included:-

- Concerns about meetings lasting more than four hours
- Meetings to end after four hours
- The need for reserve meeting dates
- Earlier start times
- Fortnightly meetings

- Limits on the number of people who can speak to each item
- No need for open forum – is it not the ward member’s role to speak up for people in his / her ward
- An end to member training preceding planning committee and delaying the start of the committee (the committee voted that such arrangements should be avoided in the future)

Key Issues

There are a number of areas which could be explored as possible ways of reducing the length planning committees and bringing forward the finishing times of those committees in the short term. These include:

- Number of applications and other reports considered
- An earlier start time
- Meetings every two weeks or use of reserve dates
- Changes to open forum
- Officer presentations and member contributions

The committee could also consider looking at changes to the scheme of delegation but this would require reference to cabinet and full council and could not be the bring forward changes which could be acted upon very quickly. It is also important to recognise the need to maintain the right democratic balance in the planning decision making process.

1 Number of planning applications and other reports considered

Development Control and by association Planning Committee are demand led. The Council can not control the number of planning application it receives. The percentage of applications being decided by Planning Committee has remained fairly constant at around 10% of the Council’s overall planning application caseload for several years. This figure is in line with central government targets for the percentages of applications dealt with by Committee and under delegated powers.

There is little scope to reduce the number of applications being referred to planning committee under the present scheme of delegation. Nor would it be good practice to withhold applications for lighter agendas given the desirability meeting customer aspirations for early decisions and pressure to meet government performance targets.

From time to time other matters are reported to planning committee (as ‘front end items’). These do not occur at every Planning Committee meeting. The three front end items at the last meeting was exceptional. Where they are for information or there is no urgency to consider an item at a particular time, they could be held over to later meetings where agendas and plans list are shorter.

Recommendation

Front end items for dissemination of information or where or there is no urgency to consider items at a particular meeting with a lengthy agenda are held over to later meetings where agendas and plans list are shorter.

2 Earlier Start Time

An earlier start would be the most effective way of securing earlier finishes to planning committee but does not address the length of meeting. Most meetings (70%) based on the figures for the last year would be finished by 10.00 pm.

If members are reluctant to commit permanently to an earlier start time, an earlier start time could be used on an experimental basis for a specified number of meetings. Committee could review the success or otherwise of starting earlier in light of experience of those meetings at a later date.

Recommendation

1. The next five planning committee (6th December, 3rd January, 24th January, 14th February and 6th March) meetings and any meetings held on reserve dates during that period commence at 6.00pm.
2. A further report be brought to the committee at its meeting of 6th March to consider the success or otherwise of commencing planning committee at 6.00 pm.

3 Meetings every two weeks or use of reserve dates

It will not be easy to re-programme planning committee on a two weekly basis for the remainder of this municipal year as there would be a number of clashes with other committees and area seminars which would be difficult to avoid. Members of planning committee are also members of the other committees and attend the area seminars

An alternative would be to identify a number of reserve dates when additional meetings could be programmed to meet a high demand or for special meetings for major applications. This has been done on an informal basis between the Development Control Manager and members support in the past. An additional meeting was held in June and on 29th November a reserve date may be used for consideration of the Kingston Mills, Bradford on Avon applications. Five such dates are available for the remainder of the municipal year.

If members are minded to move to meetings every two weeks, the implications for elected members being required to attend a further 8 / 9 meetings a year and for the members support and development control sections would need to be fully considered.

In light of the statistical information included in this paper the best way forward is considered to be for planning committee to meet every three weeks but to have a reserve date for an extra planning committee is for every three scheduled planning committees the reserve dates should be kept free from other meetings and commitments.

Recommendation

Planning Committee to meet every three weeks but with a reserve date for an extra planning committee identified for every three planning committees and kept free from other meetings and commitments.

4 Changes to open forum

The number of members of the public taking part in open forum is a significant contributor to the length of planning committee. There is a clear correlation between the length of meetings and the number of open forum contributors.

Open forum offers people with views on planning applications the opportunity to speak at the planning committee in person in addition to making comments in writing which are summarised in the written report to Planning Committee. At present speakers may address the committee for up to three minutes. The management of open forum is at the discretion of the chairman.

Many Councils have a more limited open forum format than West Wiltshire. In the main practices elsewhere either limit the number of speakers or limit the time overall for open forum contributions. This requires objectors and applicants / supporters getting together and appointing spokespeople to express their views

Based on practices used elsewhere the following guidelines are suggested:

- For minor and other applications (i.e. householder applications through to schemes of up to the equivalent of ten houses or 1000 square metres of development), 1 speaker for objectors, 1 speaker for Town or Parish Council and 1 speaker for applicant / supporters each having up to 3 minutes.
- For major / contentious applications (i.e. schemes of the equivalent of more than ten houses or more than 1000 square metres of development) for 3 minutes each for all objectors subject to a maximum of 10 minutes in total and 3 minutes for Town or Parish Council and 3 minutes each for applicant / supporters up to a maximum of 10 minutes in total.
- For the significant major applications (i.e. schemes of 50 dwellings or more and over 50,000 square metres – e.g. current planning applications at Kingston Mills, Bradford on Avon and for residential development to the East of Trowbridge) the practices for special meetings should be applied.

It must be emphasised that this is guidance as to how open forum could work and that the Chairman of Planning Committee in consultation with the Development Control Manager should have discretion to vary the guidance if circumstances of a particular case require.

Also it must be recognised that in cases where several people wish to speak in open forum it will be necessary for open forum contributors to get together and appoint spokespersons to represent their views.

The guidelines indicated above are in accordance with the Council's constitution.

Recommendation

The committee adopts the following guidelines for open forum subject to discretion being given to Chairman of Planning Committee in consultation with the Development Control Manager to vary the guidance if circumstances require.

- For minor and other applications (i.e. householder applications through to schemes of up to the equivalent of ten houses or 1000 square metres of development) 1 speaker for objectors, 1 speaker for Town or Parish Council and 1 speaker for applicant / supporters each having up to 3 minutes.
- For major / contentious applications (i.e. schemes of the equivalent of more than ten houses or more than 1000 square metres of development) for 3 minutes each for

all objectors subject to a maximum of 10 minutes in total and 3 minutes for Town or Parish Councils 3 minutes each for applicant / supporters up to a maximum of 10 minutes in total.

- For the significant major applications (i.e. schemes of 50 dwellings or more and over 50,000 square metres – e.g. current planning applications at Kingston Mills, Bradford on Avon and for residential development to the East of Trowbridge) the practices for special meetings should be applied.

5 Officer presentations and member contributions.

All officers making presentations and members speaking at Planning Committee be reminded of their role in helping to control the length of Planning Committee and in particular, the need to keep comments as brief as possible, to the point and to avoid repetition of their own comments or of what others have said previously.

Recommendation –

All officers and members attending committee note the above comment.

6 Changes to the scheme of delegation.

The scheme of delegation could be reviewed with a view to reducing the number of applications referred to Planning Committee. Any changes would require reference to cabinet and full council and could not be brought forward which could be acted upon quickly.

The current scheme of delegation delivers a good level of democratic balance in the planning decision making process and delivers performance in terms of the percentage of planning applications referred to Planning Committee in line with government performance targets.

Recommendation

That the Committee seeks not to change the scheme of delegation.

Legal Issues

The recommendations are in line with the Council's constitution

Financial Implications

Reducing the length and bringing forward the finishing time of planning committee will bring about small savings.

Human Rights

There are no human right issues.