



**REPORT of
DIRECTOR OF STRATEGY, PERFORMANCE AND GOVERNANCE**

**to
COUNCIL
13 SEPTEMBER 2018**

RESTRUCTURE OF PLANNING COMMITTEES

1. PURPOSE OF THE REPORT

- 1.1 This paper follows on from the Council meeting on 17 May 2018 when the Council considered a report of the Director of Planning and Regulatory Services on the subject of the Restructure of Planning Committees as part of a wider Committee Structure Review. The Report included recommendations which related directly to the Area Planning Committee structures for decision making relating to the determination of planning applications, and in addition to noting the data in the report Council resolved that:

Members undertake a further review of data in September 2018, and agree at that time, either:

- a. continuation of the three Area Planning Committees*
- b. change to a single Planning Committee for the Maldon District. This would include:*
 - proposed options for structure of single planning committee for all Members to take part in the planning process in their wards;*
 - schedule for implementation.*

- 1.2 This report provides updated data and feedback on the changes to the demands on the three Area Planning Committees as the Local Development Plan (LDP) has been embedded and provides the evidence for Members to consider regarding the proposed future operation of the Committees including an outline of a proposed single Planning Committee.

2. RECOMMENDATIONS

- (i) that Members note the data showing the changes to the demands on the three Area Planning Committees since November 2017;
- (ii) that Members agree to, either:
 - a. continue with three Area Planning CommitteesOR
 - b. Change to a single Planning Committee for Maldon District, to commence in May 2019

- (iii) that subject to agreement of (ii) b. Members will receive an updated report in February 2019 to provide detailed options on the proposed structure and operation of the single Planning Committee for the Maldon District.

3. SUMMARY OF KEY ISSUES

- 3.1 A report of the Chief Executive to the Council on 2 November 2017 on the subject of the Committee Structure Review included a number of recommendations which related directly to decision making for the determination of planning applications. These included the implementation of a change to the Parish Trigger and the introduction of mandatory training for Members to cover core planning regulations and guidance to support and inform Members when determining planning applications. Both of these recommendations have been actioned.
- 3.2 Further, as outlined in paragraph 1.1 above, Members agreed to consider a report regarding arrangements with Area Planning Committees, following a further period of review of the impact of the adoption of the LDP, with a report to the Council coming forward in September 2018.
- 3.3 To enable Members to undertake this review, an analysis has been completed, comparing the period November 2016 to July 2017 (Period 1) with the corresponding data for November 2017 to July 2018 (Period 2). The data considered for each period was:
- Number of applications considered by Area Planning Committees and the Council
 - Average length of planning meetings
 - Percentage of members attending meeting.
 - A full copy of the data considered is presented in **APPENDIX 1**.
- 3.4 The data in Table 1 overleaf shows the combined monthly figure for all three Area Planning Committees and shows a reduction of some 10% in the number of applications considered by Committees within each period with 126 in Period 1 and 113 in Period 2.

3.5 Table1: Applications considered and total meeting Duration by month.

Period 1 (P1)			Period 2 (P2)			Change (P1 to P2)	
Date	Total Applications	Total Duration	Date	Total Applications	Total Duration	Total Applications	Total Duration
Nov-16	8	03:09:00	Nov-17	11	02:16:00	38%	-28%
Dec-16	7	03:24:00	Dec-17	7	02:49:00	0%	-17%
Jan-17	23	04:47:00	Jan-18	14	03:13:00	-39%	-33%
Feb-17	17	03:01:00	Feb-18	12	04:07:00	-29%	36%
Mar-17	17	06:00:00	Mar-18	12	02:50:00	-29%	-53%
Apr-17	11	05:53:00	Apr-18	19	05:29:00	73%	-7%
May-17	19	03:45:00	May-18	14	04:23:00	-26%	17%
Jun-17	12	04:42:00	Jun-18	15	04:02:00	25%	-14%
Jul-17	12	03:17:00	Jul-18	9	03:17:00	-25%	0%
Total	126	37:58:00	Total	113	32:26:00	-10%	-15%
Average length per month			Average length per month				
4:13:07			3:36:13				

3.6 Table 1 also shows the average length of Planning Committee Meetings per month and shows a clear reduction from an average of 4 hours 13 minutes in Period 1 to 3 hours 36 minutes in Period 2, a reduction of some 15%.

3.7 **Differential costs**

3.7.1 As detailed in 3.7.1 et seq there are a range variable costs depending on the number of meetings, timings of meetings and location of meetings.

3.7.2 There are also a range of fixed costs incurred per meeting which include the issue and formatting of each agenda and review of standard items and creation and checking of recordings and minutes. It is arguable that a reduction in the number of meetings per annum will reduce these fixed costs per meeting incurred by the Council. The table in 3.7.5 highlights this potential saving under the line item described pre-meeting agenda preparation and post-meeting minutes preparation.

3.7.3 Additional allowances are payable currently to the Chairman of an Area Planning Committee. The annual cost of this was £3554.19 per Chairman in 2017 / 18; by moving to one single area Committee it would be anticipated that only one additional Chair's allowance would be paid, assumed to be at the rate for Programme Committee Chairmen. This would generate a saving of approximately £6,000 per annum (based on 2017 / 18 costs). Further information is provided in the table at paragraph 3.7.5. Table 1 shows that the total length of all Area Planning Committee meetings in the period between April 2017 to March 2018 Committees sat for just under 33 hours. The total allowances of all three Chairs for period was £10,662.57.

3.7.4 There are a number of additional costs associated with holding a meeting outside of Maldon District Council office hours; these include caretaking costs and the cost of providing time of in lieu to all officers other than Directors. These additional costs have been estimated and are provided at paragraph 3.7.5.

3.7.5 Table 2: Costs for existing Committees and estimates for options for a Single Planning Committee

	36 meetings (as is)	12 meetings evening (Single Planning Committee) *	12 meetings daytime (Single Planning Committee)	13 meetings evening (Single Planning Committee) *	13 meetings daytime (Single Planning Committee)
	Area Planning Committee	Combined	Combined	Combined	Combined
	£	£	£	£	£
Caretaker over (not South Eastern Area Planning Committee (SE))	1,407.60	469	0	508.08	0.00
SE cost for Burnham-on-Crouch Town Council	500	0	0	0.00	0.00
Post meeting minutes preparation and agreement	2,945.70	1,172.76	1,172.76	1,270.49	1,270.49
Committee Clerk attendance cost Time Off In Lieu (TOIL)	2,454.84	818.28	0	886.47	0.00
Planning Officer TOIL	2,275.92	758.64	0	821.86	0.00
Senior Planning Officer TOIL	2,953.44	984.48	0	1,066.52	0.00
Officer Mileage SE only **	648	0	0	0.00	0.00
Pre-meeting agenda preparation	3,273.12	2727.6	2727.6	2,954.90	2,954.90
Costs of Allowance for Chairman	10,962.57	4,738.92	4,738.92	4,738.92	4,738.92
Total	27,421.19	11,669.68	8,639.28	12,247.24	8,964.31

3.8 Legal Consideration

- 3.8.1 In June the Court of Appeal in DLA Delivery Ltd v Baroness Cumberlege of Newick the Court reiterated an established principle that consistency in decision making is an important material consideration in planning matters. There is far greater danger of inconsistent decision making with the present arrangement of three Area Planning Committees. Consistent decision making points in the direction of a single Committee.

4. CONCLUSION

- 4.1 The analysis of the data discussed above and presented in **APPENDIX 1**, demonstrates that the Council processes and Committees relating to Planning decisions have become significantly more efficient in light of the adoption of the LDP and the additional changes recommended in the Committee Structure Review.
- 4.2 There has been demonstrable progress, particularly in reducing the amount of time spent with Member meetings to determine planning applications. Based on the progress to date it would now be possible to condense the Members determination of applications into a single Planning Committee for the whole District. Based on the current duration of meetings a move to 13 meetings a year would result in an average duration of 3 hours 19 minutes per meeting (current average duration x12)/13. This would be further reduced through single introduction to meeting etc.
- 4.3 As shown in the financial data presented in Table 2, the move to a single Planning Committee would have a significant financial benefit, with the move to 13 evening meetings providing a saving of over £15,000 per year.
- 4.4 A single Planning Committee approach could take a number of forms and detailed options will be developed should Members approve the option to move to a single Planning Committee. In addition to the operating structure considerations would include whether there are 12 or 13 meetings per year. As set out in the table above it could also be held in the daytime or evening or early evening with items held to after 7:30pm for those members who are unable to attend in the daytime.
- 4.5 Should Members approve the proposal to move to a single Planning Committee, a further report will be presented to Council in February 2018 to provide detailed options for the operation of the Committee.

5. IMPACT ON CORPORATE GOALS

- 5.1 Increasing efficiency and effectiveness in the way we present and deliver our decisions supports the corporate goal of 'delivering good quality, cost effective and valued services'.

6. IMPLICATIONS

- (i) **Impact on Customers** – Improvements in the effectiveness and efficiency of decision making provides benefits to all stakeholders.
- (ii) **Impact on Equalities** – None noted.
- (iii) **Impact on Risk** – The move to a single Committee would reduce the risk to the Council of legal challenge on the basis of the consistency of decision making.
- (iv) **Impact on Resources (financial)** – The table in paragraph 3.6.5 above provides information on the additional costs of both evening meetings and

higher numbers of meetings and the savings that could be achieved with a single committee.

- (v) **Impact on Resources (human)** – A reduction of evening meetings will reduce the requirements for officers to work additional hours and in turn be entitled to Time Off In Lieu (TOIL).
- (vi) **Impact on the Environment** – None noted.

Background Papers:

Previous reports to the Council (2 November 2018 and 17 May 2018).

Enquiries to:

Paul Dodson, Director of Strategy, Performance and Governance, (Tel: 01621 875756).