



REPORT of THE CORPORATE GOVERNANCE WORKING GROUP

to
COUNCIL
2 SEPTEMBER 2021

PLANNING ADVISORY SERVICE - REVIEW OF RECOMMENDATIONS

1. PURPOSE OF THE REPORT

- 1.1 To provide considered feedback from the Corporate Governance Working Group (CGWG) further to the recommendations made in the report of the Planning Advisory Service (PAS). PAS are a Local Government Association (LGA) group that are an authoritative voice in planning policy, providing consultancy, peer support and resources to help Local Authorities respond to planning reform, and embed best practice.

2. RECOMMENDATIONS

- (i) that the recommendations as set out in the CGWG feedback column at **APPENDIX A**, be adopted;
- (ii) that the Terms of Reference set out at **APPENDIX B** be accepted as an update to the Constitution, and apply associated constitutional updates to removing Area Planning Committees;
- (iii) that the above changes be brought into effect as soon as possible and following a further Council meeting where the appointments can be made.

3. SUMMARY OF KEY ISSUES

- 3.1 The Planning Advisory Service (PAS) conducted a review into our planning committees as part of wider Local Government Association (LGA) training and support to support the move to remote working, and recommended best practice for planning decision making, which was produced in March 2021.
- 3.2 The Corporate Governance Working Group met several times in July and August to review the report, focussing on the recommendations from the report that remained relevant after we moved back to physical committee meetings.
- 3.3 Attached at **APPENDIX A** is a summary of the information considered and conclusions and recommendations that came out from the Working Group that are recommended to the Council for adoption.
- 3.4 The detailed explanation and reasoning behind the original recommendations are set out in the background paper from the PAS.
- 3.5 The majority of these are operational / procedural matters but should R11 (removing multiple Planning Committees) be adopted by the Council it will require Constitutional

amendments. A proposed Terms of Reference for the new planning committee, and updated Terms of Reference for the District Planning Committee, should the Council agree this approach, are attached as **APPENDIX B** for reference.

3.6 It is now well established that consistency is an important material consideration in planning decision making.

3.7 As well as the good practice merits, (such as consistency in planning decisions) highlighted in the PAS report and leading to the recommendation, a table of costs for the various options is highlighted below:

	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 overtime	1,607.6	539	0	539	0.00
Post meeting minutes preparation and agreement	2,945.7	1,172.76	1,172.76	1,270.49	1,270.49
Committee Clerk attendance cost Time Off In Lieu (TOIL)	2,554.84	818.28	0	886.47	0.00
Planning Officer TOIL	2,375.92	758	0	821.86	0.00
Senior Planning Officer TOIL	2,953.44	984.48	0	1,066.52	0.00
IT support and streaming	1645.56	548.52	0	594.23	0
Mileage and expenses	648	0	0	0.00	0.00
Planning admin (grade tbc- cw level 1)	359.40	119.18	119.18	119.18	119.18
Pre-meeting agenda preparation	3,373.12	2727.6	2727.6	2,954.90	2,954.90

	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
	£	£	£	£	£
Costs of Allowance for Chairman	5,793	1,931	1,931	1,931	1,931
Total	24,256.6	9,598.8	6,499.06	10,183.7	6,869.8
Legal presence cost	28,800	1,080	In current hours (0)	1,170	In current hours (0)
Total with PAS recommended legal presence	53,056.6	10,678.8	6,499.06	11,353.7	6,869.8

3.7.1 A single planning committee would save the Council a minimum of £12,233 per annum, depending on the approach to arranging meetings savings could be higher.

3.7.2 A single planning meeting would also allow for legal presence at every meeting, but if the committee structure does not change, this resourcing would not be possible without an additional £800 per meeting cost.

3.7.3 In total, if we put in legal support to meetings, and adopt the recommendation to remove individual area planning, the annual saving is at least £41,703.

3.8 A suggested implementation date for a change in Committees is put forwards as January 2022. This is on the basis that should the Council agree, a report will come back to appoint to this committee at the next Council date and an update to the structure and schedule, so this could be implemented by January on current timelines.

4. CONCLUSION

4.1 Upon detailed consideration of the recommendations of the Planning Advisory Service, the Corporate Governance Working Group feedback is provided for Member review, and the recommendations put forward to the Council.

5. IMPACT ON STRATEGIC THEMES

5.1 A review of the way we manage planning committees based on the guidance of the national PAS could help contribute to our 'performance and value' Outcomes if adopted.

6. IMPLICATIONS

- (i) **Impact on Customers** – Removing Area Planning Committees could give the public perception that they are less served locally, but this is aimed to reduce a corporate risk around making solid, defensible planning decisions.
- (ii) **Impact on Equalities** – Electronic voting recommendation would need robust training and planning, to ensure no Member is digitally excluded.
- (iii) **Impact on Risk** – The recommendations are based on areas where we can reduce corporate risks around planning decisions.
- (iv) **Impact on Resources (financial)** – Adopting the recommendations advised would put us at risk to court challenge and associated financial costs.
- (v) **Impact on Resources (human)** – At a time where meeting arrangements put Maldon District Council 0.5FTE (Full Time Equivalent) over resource, this would increase efficiency and officer time as outlined in paragraph 3.7 above.
- (vi) **Impact on the Environment** – Consistent planning decisions and approach across the District.
- (vii) **Impact on Strengthening Communities** - Taking away the local planning committees could give the public perception that they are less served locally, but this is aimed to reduce a corporate risk around making solid, defensible planning decisions.

Background Papers: Planning Advisory Service - Maldon virtual planning committee report.

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