



To: Executive Councillor for Planning Policy and Transport: Councillor Kevin Blencowe
Report by: Head of Planning Services
Relevant scrutiny committee: Environment 8/7/2014 Scrutiny Committee
Wards affected: All

TRANSFER OF PLANNING ITEMS FROM AREA TO CENTRAL PLANNING COMMITTEE

Not a Key Decision

1. Executive summary

1.1 This report considers the issues inherent in moving to a single planning committee dealing with development management and enforcement decisions in the City, reverting to the way decisions were made prior to 2003. The report considers the benefits and dis-benefits of this change, along with two potential options for a single committee and concludes that a single planning committee operating on a monthly cycle but with a carefully ordered agenda and operating principles should be considered. A transition period will be necessary in the implementation of this change and 1st October 2014 is suggested as the start of any new arrangements. There should be a review of the operation of any new arrangement after 6 months.

2. Recommendations

2.1 The Executive Councillor is asked to recommend to Council:

[1] To rescind the delegation of powers to Area Committees to determine planning applications and enforcement matters set out in paragraph 11.3 of the terms of reference for Area Committees (section 11 of Part 3 of the Constitution) to come into effect from 1 October 2014

[2] To delegate responsibility for determining those applications and enforcement matters to the Planning Committee with effect from 1 October 2014,

[3] To endorse the operating principles for the Planning Committee set out in paragraph 3.10 of this report and adopting the approach set out in option1 in the report,

[4] To delegate authority to the Heads of Corporate Strategy, Legal and Planning Services to make changes to the constitution, committee operating arrangements, publications, procedures and any other matters as necessary to secure the smooth implementation of this change, consulting with the Executive Councillor, Chair and Vice Chair and opposition spokes of Planning Committee as appropriate and necessary.

3. Background

3.1 Specific types of planning applications have been determined at Area Committee since 2003¹. In the last two years 173 planning applications were considered by the four Area Committees (averaging between 5 and 13 items a month). This represents around 6% of the total planning applications determined by the council each year (Appendix A at the end of this note shows the distribution of applications to Area Committees). The current number of meetings held that deal with planning applications is as follows²:

- **2012/13:** 29 Area Committees were held with the total number of meetings comprising: East Area 10, North Area 6, South Area 7, West/Central Area 6, Planning Committee 13
- **2013/14:** 25 Area Committees held: East Area 9, North Area 6, South Area 6, West/Central Area 6, Planning Committee 13

3.2 The council's current scheme of delegation provides for applications to go to planning committee where they are:

- Major applications (involving more than 10 dwellings <1,000m² floorspace for other types of development),
- Departures from the development plan
- Those referred by the Head of Planning Services involving policy or other issues that make it inappropriate to be dealt with under delegated authority
- Applications submitted by any member of the council or their immediate families

¹ Limited to mainly minor applications defined by government as small planning applications of up to 9 dwellings and changes of use

² Excluding the Joint Development Control (Cambridge Fringes) Committee

- Area committee type applications but which affect across two area committee boundaries
 - City Council own development
- 3.3 Area Committees deal with minor applications and those applications ‘called in’ by councillors as follows:
- Minor developments of up to 9 dwellings (or where there are representations contrary to the officer recommendation)
 - Changes of use (where there are representations contrary to the officer recommendation)
 - ‘Called in’ applications³
 - Authority to serve an enforcement notice
 - Authority not to pursue unauthorised development on the grounds of expediency

Options for the Planning Committee

3.4 The transfer of all planning business to a single central planning committee could be dealt with in a number of ways but two main options for a single committee approach would appear to exist:

- 1) Continue with the current main planning committee meeting held every month (13 meetings per year)
- 2) Meet more regularly, say every three weeks (approximately 17 meetings per year)

3.5 Both options have benefits and dis-benefits, set out below.

Table 1: Assessment of benefits and dis-benefits – Option 1

Benefits	Dis-benefits
Option 1	
Monthly/Four-weekly meeting (13 per year)	
Central location for planning committees is highly accessible	Considerably longer planning committee meetings each month. Potential for between 5 and 13 extra items each meeting
The Guildhall has committee rooms with media and audio visual support in place	
	Loss of some direct local input to

³ Member requests for committee decisions made on specific planning grounds

<p>Many customers and service users are used to attending committee meetings in the Guildhall</p>	<p>planning decision making.</p>
<p>Public speakers wishing to attend committee and speak may find day time/early evening meetings more convenient than late night meetings</p>	<p>Visibility of the democratic decision making process for particular types of planning application moved from a local to a central venue.</p>
<p>A single planning committee enables greater consistency in decision making, fewer members overall are constrained by pre-determination restraints on advocacy</p>	<p>Loss of minor planning decisions being taken in the local area</p>
<p>A single committee enables focussed provision of planning training and development activities</p>	<p>Some public speakers wishing to attend committee and speak may find day time/early evening meetings less convenient than evening/late night meetings</p>
<p>There has been some criticism and complaints about Area Committees making planning decisions late at night, this approach would reduce the council's risks</p>	
<p>Area Committees will have greater time to focus on other wards specific issues on behalf of and with residents</p>	
<p>More frequent planning committees will assist with meeting government performance targets for planning applications</p>	

Table 2: Assessment of benefits and dis-benefits – Option 2

Benefits	Dis-benefits
<p>Option 2 Three weekly meeting cycle (17 meetings per year)</p>	
<p>More in number but potentially shorter meetings</p>	<p>This would require a greater time commitment from Planning Committee members than option 1, staffing and other implications also increase, including adding costs</p>
<p>Central location for planning committees is highly accessible</p>	<p>including adding costs</p>

<p>The Guildhall has committee rooms with media and audio visual support in place</p> <p>Many customers and service users are used to attending committee meetings in the Guildhall</p> <p>Public speakers wishing to attend committee and speak may find day time/early evening meetings more convenient than late night meetings</p> <p>A single committee enables greater consistency in decision making, fewer members overall are constrained by pre-determination restraints on advocacy</p> <p>A single committee enables focussed provision of planning training and development activities</p> <p>There has been some criticism about Area Committees making planning decisions late at night, this approach would reduce the council's risks</p> <p>Area Committees will have greater time to focus on other wards specific issues on behalf of and with residents</p> <p>More frequent planning committees will assist with meeting government performance targets for planning applications</p>	<p>Loss of some direct local input to planning decision making</p> <p>Visibility of the democratic decision making process for particular types of planning application moved from a local to a central venue.</p> <p>Loss of minor planning decisions being taken in the local area</p> <p>Some public speakers wishing to attend committee and speak may find day time/early evening meetings less convenient than evening/late night meetings</p>
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Preferred Option

3.6 Planning business proposed to be transferred from Area to Planning Committee could be handled in a number of ways and clearly there will be an increased workload for the committee to deal with whichever

approach is followed. The table above identifies the main issues, benefits and dis-benefits that need to be considered.

- 3.7 In any scenario, a mix of minor and major applications at each committee, separated into agenda sections based upon application size and scale, rather than geography would probably be simplest to operate. Changes to the scheme of delegation, strict chairing and tightening up on the call-in by members could also assist with the overall numbers of applications having to be dealt with by the committee but that would need to be looked at separately and is not part of the current proposal.
- 3.8 Increased Government scrutiny of planning application performance means anything that has an adverse impact upon overall application processing times needs to be avoided. Given this there would need to be a transition period to move planning applications from Area to Planning Committee or any other option that is agreed. Officers suggest that October is the appropriate time to allow effective transition into the new arrangement. Whichever option is chosen there will be issues that arise that need resolution during implementation and the effectiveness of the new arrangement would benefit from a review after 6 months to ensure it is delivering against expectations. This change may also mean that the timing and frequency of Area Committees needs to be reviewed as a consequence.
- 3.9 Having considered the issues your officers suggest that the existing monthly cycle of Planning Committee meetings proposed by option1 offers the slightly greater degree of benefits over dis-benefits in moving to a single planning committee system.

Proposed Operating Principles – Planning Committee

- 3.10 These principles are suggested as the basis for reshaping the Planning Committee to deal with all planning business:
- The committee will operate on a monthly cycle as now
 - Development Control Forum dates will be arranged on the monthly cycle as now
 - Planning Committee will operate on a single committee meeting format but organised with a three part agenda, managed as follows:
 - Part One agenda – city wide major items
 - Part Two agenda – city wide items that would previously have been dealt with at Area Committee
 - Part Three agenda – General and Enforcement items
 - Agenda timings:

- Part One – 10.00 am start (including where there is a scheduled member briefing/development session beforehand – these will be programmed to start at 9.00 or 9.30 am)
- Part Two – advertised in advance to start no earlier than 1.00pm
- Part Three – to follow on from part two agenda items with earliest start time advertised where this is appropriate
- Breaks:
 - There will be a 30 minute lunch break before the part two agenda is heard
 - There may be a short break between agenda part two and three at the Chair's discretion
 - Other comfort breaks will be at the Chair's discretion during the meeting
- Where a meeting lasts to 6pm, a vote will be taken as to whether or not the meeting will be adjourned. A decision to adjourn the meeting will also agree the date and time of the continuation meeting which will be held no later than 7 days from the original meeting.
- Public speaking will operate as it does now with the addition of public speaking rights on Enforcement items to operate in the same manner as the current scheme provides for planning applications
- The first Planning Committee meeting in this new format will take place in October
- A review report will be prepared for the planning committee after 6 meetings in the new format have taken place

4. Implications

(a) Financial Implications

Modest savings (cashable) will be delivered through reductions in the cost of venue and audio hire and agenda delivery with planning items being transferred to Planning Committee for consideration. Longer committee meetings at the Guildhall may slightly reduce flexibility in available income from accommodation lettings. Some savings in staff time (non-cashable) will arise with the transfer from attendance at Area Committee to supporting the Planning Committee and administratively in planning support in not having to co-ordinate production of a number of separate committee agendas.

(b) Staffing Implications

Planning, Democratic Services and other staff will be able to support the Planning Committee meetings more easily if the meetings take place in the Guildhall. A wider range of planning officers will also be able to present cases to the committee which will help support their professional development.

Legal Services currently attend and support the Planning Committee but do not generally attend Area Committees other than on request. This arrangement will continue in the new committee format in respect of items currently considered at Area Committee level.

(c) Equality and Poverty Implications

An EQIA has been undertaken and is attached at Appendix B. The implications identified have been considered in this report.

(d) Environmental Implications

There are no adverse implications for climate change as a result of this proposed change.

(e) Consultation and communication

Civic Affairs Committee was consulted on this proposed change at their meeting on 25/6/14. Feedback from that meeting will be reported to the Environment Scrutiny Committee.

(f) Community Safety

There are no adverse community safety implications from the proposed changes.

5. Background papers

5.1 These background papers were used in the preparation of this report:

Transfer of Planning Business from Area to central Planning Committee: Equalities Impact Assessment Report

Report to Civic Affairs Committee 25/6/14 – Transfer of Planning Matters from Area to Planning Committee

6. Appendices

Appendix A

Analysis of Area Committee application numbers and meetings 2012 and 2013

7. Inspection of papers

7.1 To inspect the background papers or if you have a query on the report please contact:

Author's Name: Patsy Dell
 Author's Phone Number: 01223 – 457103
 Author's Email: patsy.dell@cambridge.gov.uk

Appendix A: Area Committee planning applications 2012 and 2013

North		South		East		West/Central	
26/1/12	3	9/1/12	0	9/2/12	2	5/1/12	1
23/3/12	2	5/3/12	2	12/4/12	5	1/3/12	2
17/5/12	2	10/5/12	0	21/6/12	10	26/4/12	3
26/7/12	4	16/7/12	1	2/8/12	0	21/6/12	4
27/9/12	2	5/9/12	4	6/9/12	4	23/8/12	3
22/11/12	3	19/11/12	7	18/10/12	2	1/11/12	1
31/1/13	3	14/1/13	0	29/11/12	4	10/1/13	3
21/3/13	4	7/3/13	0	10/1/13	3	28/2/13	6
16/5/13	6	9/5/13	1	14/2/13	4	25/4/13	6
1/8/13	2	15/7/13	10	26/3/13	5	20/6/13	0
3/10/13	6	16/9/13	3	25/4/13	3	5/9/13	2
21/11/13	2	4/11/13	2	6/6/13	2	14/11/13	4
6/2/14	1	13/1/14	4	25/7/13	7	9/1/14	2
				12/9/13	2		
				17/10/13	2		

				28/11/13	4		
				9/1/14	3		
	40		34		62		37
Total: 173							

Appendix B: EQIA

Cambridge City Council Equality Impact Assessment

Completing an Equality Impact Assessment will help you to think about what impact your strategy, policy, plan, project, contract or major change to your service may have on people that live in, work in or visit Cambridge, as well as on City Council staff.



The template is easy to use. You do not need to have specialist equalities knowledge to complete it. It asks you to make judgements based on evidence and experience. There are guidance notes on the intranet to help you. You can also get advice from Suzanne Goff, Strategy Officer on 01223 457174 or email suzanne.goff@cambridge.gov.uk or from any member of the Joint Equalities Group.

1. Title of strategy, policy, plan, project, contract or major change to your service:

Transfer of Planning items from Area to Planning Committee

2. What is the objective or purpose of your strategy, policy, plan, project, contract or major change to your service?

In the past, planning items have been taken to Area Committees for a decision. The change being proposed will mean that planning items will be brought to the Planning Committee at the Guildhall. This is a change in the council's approach to decision making on some planning matters.

3. Who will be affected by this strategy, policy, plan, project, contract or major change to your service? (Please tick those that apply)

X Residents - yes

X Visitors - where their visit relates to a committee considering a planning matter

X Staff - moderately

A specific client group or groups (please state):

Applicants for planning permission and people (individual or in groups) objecting or supporting planning applications.

4. What type of strategy, policy, plan, project, contract or major change to your service is this? (Please tick)

New

X Revised - yes

X Existing - being changed

5. Responsible directorate and service

Directorate: Environment

Service: Planning

6. Are other departments or partners involved in delivering this strategy, policy, plan, project, contract or major change to your service?

No

X Yes : Democratic Services are involved in delivering this change

7. Potential impact

Please list and explain how this strategy, policy, plan, project, contract or major change to your service could **positively** or **negatively** affect individuals from the following equalities groups.

When answering this question, please think about:

- The results of relevant consultation that you or others have completed (for example with residents, people that work in or visit Cambridge, service users, staff or partner organisations).
- Complaints information.
- Performance information.
- Information about people using your service (for example whether people from certain equalities groups use the service more or less than others).
- Inspection results.
- Comparisons with other organisations.
- The implementation of your piece of work (don't just assess what you think the impact will be after you have completed your work, but also think about what steps you might have to take to make sure that the implementation of your work does not negatively impact on people from a particular equality group).
- The relevant premises involved.
- Your communications.
- National research (local information is not always available, particularly for some equalities groups, so use national research to provide evidence for your conclusions).

(a) Age (any group of people of a particular age, including younger and older people – in particular, please consider any safeguarding issues for children and vulnerable adults)

This change will mean that some types of planning matters that have been considered locally, at the Council's four area committees for the last 11 years will in future be considered by a single planning committee based in the Guildhall. The committee meetings will be held in an accessible central location, rather than in a venue local to the specific Area Committee. The meetings are more likely to consider the planning items in the afternoons in future than the mid to late evenings as is the case with the present arrangement.

There are advantages and dis-benefits with both arrangements.

Advantages:

The Guildhall is located in the centre of Cambridge, arguably the most accessible part of Cambridge. The Guildhall is an accessible public building, set up and fully equipped for meetings to take place. Meetings that take place in the afternoon are better for people who may not wish to be out in the evenings or late at night or who are not normally available in the evening. The availability of public transport is better during the daytime compared to late evening. By and large, individuals are not generally directly affected by planning matters on a frequent basis and taking the time to attend a meeting is something that most are prepared to do.

Disadvantages:

Working people, people of school age or anyone normally unavailable during the day for whatever reason will need to arrange time off to attend an afternoon meeting. For some people, attending a meeting in their local area may be more convenient in the evening than coming into the centre of Cambridge during the day.

(b) Disability (including people with a physical impairment, sensory impairment, learning disability, mental health problem or other condition which has an impact on their daily life)

The change to considering all planning matters at the Guildhall means there is a consistent accessible, centrally located venue available for people wishing to attend the meetings. It is recognised that the venues used for Area Committees vary and not all of them are to the same standard of accessibility and convenience for users.

(c) Gender

There are no specific gender implications from this proposed change. However, attending meetings in the afternoon may be more difficult if individuals have primary childcare or caring responsibilities, but this may apply equally to the evening.

(d) Pregnancy and maternity

There are no specific pregnancy or maternity implications from this proposed change.

(e) Transgender (including gender re-assignment)

There are no specific Transgender implications from this proposed change.

(f) Marriage and Civil Partnership

There are no specific Marriage and Civil Partnership implications from this proposed change.

(g) Race or Ethnicity

There are no specific Race or Ethnicity implications from this proposed change.

(h) Religion or Belief

There are no specific Religion or belief implications from this proposed change. The Guildhall is a civic, secular public venue and formal regulatory meetings generally take place on weekdays. The change in time of day for considering planning matters should not make it more difficult for anyone to attend specifically because this conflicts with their religious adherence or beliefs.

(i) Sexual Orientation

There are no specific sexual orientation implications from this proposed change.

(j) Other factors that may lead to inequality – in particular – please consider the impact of any changes on low income groups or those experiencing the impacts of poverty (please state):

The planning items considered by the Area Committees will be transferred to the main planning committee. The Area Committees meet 6 or 8 weekly, the Planning Committee meets monthly, this may mean that planning items are considered more frequently but that should not lead to inequality.

The change of venue is from a number of local venues to a central, highly accessible venue. This may be less convenient than a local venue depending upon the circumstances but equally for some it may be more convenient.

The meetings will more often deal with planning matters in the afternoon where these are currently dealt with by the Area Committees in the evening. Again this may be less or more convenient depending upon an individual's particular circumstances. This change should not result in a direct dis-benefit to low income groups or those experiencing the impacts of poverty.

8. If you have any additional comments please add them here

None

9. Conclusions and Next Steps

- If you have not identified any negative impacts, please sign off this form.
- If you have identified potential negative actions, you must complete the action plan at the end of this document to set out how you propose to mitigate the impact. If you do not feel that the potential negative impact can be mitigated, you must complete question 8 to explain why that is the case.
- If there is insufficient evidence to say whether or not there is likely to be a negative impact, please complete the action plan setting out what additional information you need to gather to complete the assessment.

All completed Equality Impact Assessments must be emailed to Suzanne Goff, Strategy Officer, who will arrange for it to be published on the City Council's website.

Email suzanne.goff@cambridge.gov.uk

10. Sign off

Name and job title of assessment lead officer: Patsy Dell, Head of Planning Services

Names and job titles of other assessment team members and people consulted:
Suzanne Goff, Corporate Strategy Team, **David Kidston, Strategy and Partnerships Manager and Andrew Limb, Head of Corporate Strategy.**

Date of completion: 20/6/14

Date of next review of the assessment: A review of the operation of the changes to planning committee is proposed after 6 month operation. This assessment should be reviewed at the same time, in spring 2015.