



South
Cambridgeshire
District Council

**GREATER CAMBRIDGE SHARED PLANNING SERVICE
PLANNING COMMITTEE REVIEW
SCHEME OF DELEGATION**

Planning Committee Date January 2025

Report to Cambridge City Council Planning Committee
South Cambridgeshire District Council Planning
Committee
Joint Development Control Planning Committee

Report By Joint Director of Planning and Economic
Development

Ward / Parishes affected All

1.0 Executive Summary

1.1 The joint member and officer project to review the effectiveness of each of the Councils Planning Committees resulted in some 49 recommended changes. Each Planning Committee has already considered and agreed these recommendations at meetings in August 2024. The recommendations included changes to the schemes of delegation for each of the committees as follows:

- Creation of one Greater Cambridge Shared Planning Service Scheme of delegation.
- Reviewing the types of applications that can be brought to committee, allowing Members to focus upon the more complex, significant and controversial applications.
- Aligning the triggers for committee referral
- Introducing a Delegation Panel for Cambridge City Committee and Joint Development Management Committee.
- Review and align triggers for the existing Delegation Panel
- Name Change for JDCC to JDMC

1.2 The Committee Review Steering group also recommended changes to the Public Speaking arrangements at Planning Committee which has been reviewed and updated for all Planning Committees.

1.3 In addition, the Committee Review Steering group also recommended a Members Planning Good Practice Guide for Planning which has been produced for all members. This includes guidance and will sit within the broader range of guidance for councillors.

2.0 Recommendation

2.1 It is recommended that the Cambridge City Council / South Cambridgeshire District Council / Joint Development Control Committee endorses the following for approval at Cambridge City Council Civic Affairs Committee and the South Cambridgeshire District Council Civic Affairs Committee before final approval at each authorities Full Council:

- (i) the Greater Cambridge Shared Planning Service Scheme of Delegation, December 2024
- (ii) the amended Public Speaking Rights at Planning Committee
- (iii) the amended Members Planning Good Practice Guide

with delegated authority for minor amendments to officers in consultation with the relevant Executive Councillors.

- 2.2 That Committee delegates authority for minor amendments to the drafting to assist in providing clarity only to officers in consultation with the relevant Executive Councillor.
- 2.3 That a review of the revised Scheme of Delegation be undertaken in 12 months and a report prepared to each Committee for consideration and action.

3.0 Introduction and background

- 3.1 Currently the Greater Cambridge Shared Planning Service (GCSP) supports three Planning Committees - Cambridge City Council, South Cambridgeshire District Council and the Joint Development Control planning committees.
- 3.2 The GCSP has been undergoing a period of transformation and this has included a review of the planning committee processes, of both partner Councils.
- 3.3 In 2020, the Planning Advisory Service (PAS) carried out reviews of all three committees, as part of a commitment by the Councils and Shared Planning Service to improving the effectiveness and consistency of approaches to planning and embodying where possible best practice to support improved community participation and effective and transparent decision making. The purpose of the committee process review was to review those recommendations made as part of the PAS reviews and develop an action plan.

- 3.4 Since 2020, work has been undertaken to revisit the review and aligning the recommendations made by PAS into the review of the Planning Committee process. The recommendations included identifying inconsistencies between committee meetings and opportunities to improve transparency, improving the experience for all “users” of the Planning Committee process for decision making on planning and related applications and improving Compliance against statutory and service performance indicators (KPIs).
- 3.5 The scope of the committee review project included engaging with members of all planning committees to review their experiences and seek their insight into the future roles of the planning committee members, committee processes and to consider what makes a successful committee meeting. An officer working group and separate member working group were set up and have been working together to inform the committee review to align the 3 planning committees.
- 3.6 As set out in the update report in August 2024, the next stage was for smaller working groups to bring forward the necessary changes to implement the 49No. recommendations. This report seeks committee approval for the changes to the schemes of delegation from the 3 planning committees to the Joint Director of Planning and Economic Development. The recommended changes are set out in section 5 of this report.

4.0 Reasons for Change

- 4.1 The reasons for changing the scheme of delegation are in line with the 2020 PAS recommendation to make the most efficient use of officer and member time at Committees by focusing on the most sensitive / complex applications; and to ensure that there is consistency between the three planning committees to aid understanding by users and support transparency and efficiency of decision making. This approach pre-dates the Government’s intentions in the Planning Reform Working Paper: Planning Committees (December 2024), to bring a standardisation and certainty to applicants. Over 90% of decisions are currently delegated to Officers (from 1/1/24 to 1/11/14). Whilst this is broadly in line with the current national average according to PAS, there are wide

variances across the Country, and it is worthy of note that some councils delegate 95% of their applications to officers.

4.1 By way of background, in 2024 there have been 151 applications heard between the three planning committees, equating to over 156 hours (equivalent to nearly 4 and a half weeks) of Member and officers time spent in the committees, in a total of 37 meetings. This time can be multiplied by all of those attending and servicing planning committee including its members, planning and legal officers, democratic services and internal specialists. Additionally, significant officer and member preparation and administrative time is also spent (for example sending out letters, organising rooms and equipment), report checking and writing, site visits, briefings and update sheets, all prior to the meeting. Post committee time is also spent writing and checking minutes and providing advice and information after committees to Councillors, staff, applicants, agents and members of the public.

4.2 In summary, the committee process represents a very significant investment in scarce capacity and resources by each of the Councils and it is therefore critical, given the opportunity cost of that time, that this investment is targeted to have the greatest benefit for the Communities that both Councils serve. This reflects the need identified by PAS and agreed by Members of making the most efficient use of officer and member time at Committees by focusing on the most sensitive / complex applications.

5.0 Recommended Changes

5.1 The recommendations that are being made are to:

- align the three Planning Committees approach through a clear set of common criteria which help filter and more clearly define those applications that are to be brought before committee.
- refine the types of applications that are reported to committee for determination - ensuring the Planning Committee is able to focus on the more complex, significant and controversial applications to be determined.

- 5.2 It is recommended that the detail of how planning decisions are delegated to the relevant Planning committee and then to Officers is to be removed from both City and South Cambridgeshire District Council constitutions, as this is more operational detail that is better placed in one document. This singular GCSP document will then be referenced in the constitutions.
- 5.3 The two constitutions do not currently align nor are they up to date in terms of reflecting the most recent Government Guidance and legislation in relation to planning. Having all of the detail in one document, which does not require an amendment to the constitution to update, will in turn allow for any subsequent changes or updates, including those required in response to the planning reform agenda of the new Government to be within the control of the relevant Planning Committees themselves. This allows each Committee the flexibility to review and readily adapt its Scheme of Delegation in a timely manner to reflect changes in legislation and / or policy without the need for constitutional change.
- 5.4 One of the central recommendations from the committee review steering group was to review the threshold and application types in schemes of delegation for committee decisions; and align the scheme of delegation for the 3 Planning Committees. The recommended changes to the scheme of delegation does that and aligns the triggers for committee determination to a common format, as well as review the existing delegation panel arrangements and introduce a new delegation panel for both City Planning Committee and the renamed JDMC.
- 5.5 Appendix 1 of this report is the recommended Greater Cambridge Shared Planning Service Scheme of Delegation in respect of planning and related functions December 2024. This document includes the details of the scheme of delegation and sets out which applications can be called-in, how call-ins are to be considered by the Delegation Panel and which applications are more generally delegated only to officers.
- 5.6 All of the current schemes of delegation are appended to this document, Cambridge City Council is in Appendix 2 and South Cambridgeshire District

Council is in Appendix 3, the Joint Development Control Committee is in Appendix 4.

Summary of recommended changes

5.7 Recommended changes for Cambridge City and South Cambridgeshire District Council Planning committees, these should be read alongside the proposed Scheme of delegation attached in Appendix 1 of this report.

- The terms and definitions have been updated and aligned within the scheme of delegation
- Triggers have been aligned for planning committee determination as follows:
 - If there is a request from a Ward Member (or in the case of SCDC area a Parish Council) within the 21 days consultation, or 14 days if an amendment, for the planning application to be reviewed by a Delegation Panel to determine if a planning committee decision is required.
 - Where there are 5 or more Third-party Representations on material planning grounds (that cannot be resolved by way of a condition) within the 21 days consultation, or 14 days if an amendment, for the planning application to be reviewed by a Delegation Panel to determine if a planning committee decision is required.
 - Where there are 5 or more Third-party Representations on material grounds to a Tree Preservation Order application which are contrary to the Officer recommendation and which cannot be resolved by way of a condition, made within the 21 days consultation, or 14 days if an amendment, for the application to be considered by Planning Committee.
 - If the application is a significant departure from the Local Plan and it is recommended for approval.
 - If the applicant is an elected Member or an Officer of the relevant Council, or close relative or family member of either of such persons or where an Application is made on their behalf.

- The application is for the substantial demolition of a Listed Building or Building of Local Interest.
- Regulation 3 application (application made by the Local Authority)
- If, in the opinion of Officers, it should be determined by the Planning Committee, subject to special planning policy considerations or the complexity of the application or it is of significant and / or of strategic importance.

5.8 The Scheme of Delegation for the Joint Development Control Committee has also been reviewed and amended, including being updated with a new name, the Joint Development Management Committee (JDMC). Throughout the remainder of the report this committee will be referenced by the new name.

- Triggers for JDMC planning committee determination
 - If the application is for one hundred (100) or more residential units, or 1,000m² or more non-residential development on a site that is one hectare or more.
 - The application includes primary roads, open space, or strategic infrastructure.
 - Regulation 3 applications by the Local Authority
 - If the application is a significant departure from the Local Plan and it is recommended for approval.
 - If the applicant is an elected Member or an Officer of the relevant Council, or close relative or family member of either of such persons or where an Application is made on their behalf.
 - If, in the opinion of Officers there are special planning policy considerations, complex, significant or of strategic importance.
 - If there is a request from a Parish Council or Ward Member within the 21 days consultation, or 14 days if an amendment, for the planning application to be considered by a Delegation Panel to determine if a planning committee decision is required.
 - Where there are 5 or more Third-party Representations on material planning grounds (that cannot be resolved by way of a condition)

within the 21 days consultation, or 14 days if an amendment, for the planning application to be reviewed by a Delegation Panel to determine if a planning committee decision is required.

- 5.9 In order to make the most efficient use of officer and member time at Committees by focusing on the most sensitive / complex applications Schedule A within the scheme of delegation lists those application types which are recommended to be delegated to the Joint Director for Planning and Economic Development and not subject to a call-in process into Planning Committee. Subject to the exception provided which allows officers to refer any application to Committee in specific circumstances, such applications would thus generally be delegated.
- 5.10 The types of applications listed in Schedule A include for example prior approval applications, lawful development certificates and householder applications, thereby ensuring that Planning Committee's time is used wisely and focuses on the types of planning applications which require wider debate and which are complex, controversial and / or significant in nature.
- 5.11 The recommended scheme of delegation also includes a Schedule B which sets out the different current legislation that relates to operating the Planning Service, as well as determining the plethora of different types of planning applications. By including this within the scheme of delegation and not within the constitution this ensures it can be easily updated and amended as necessary, to ensure we constantly have an up-to-date scheme for determining planning, and other, related applications.
- 5.12 Figures 1, 2 and 3 below set out examples to illustrate the journey for different types of planning applications and how they would proceed to determination under the recommended scheme of delegation. Figure 1 sets out the journey of a Full Planning application for 10 dwellings showing how such an application would be processed as per the recommended scheme of delegation.

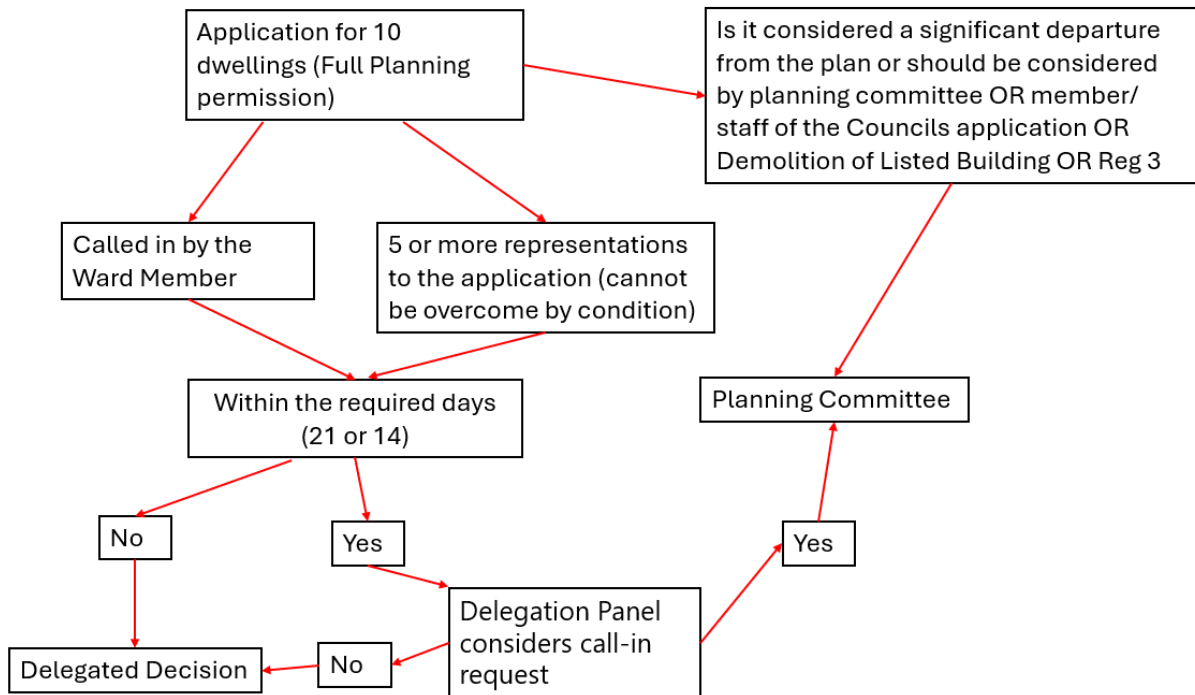


Figure 1: Full Planning Application example

5.13 Figure 2 sets out the journey of a householder planning application and how it would proceed to determination under the recommended scheme of delegation.

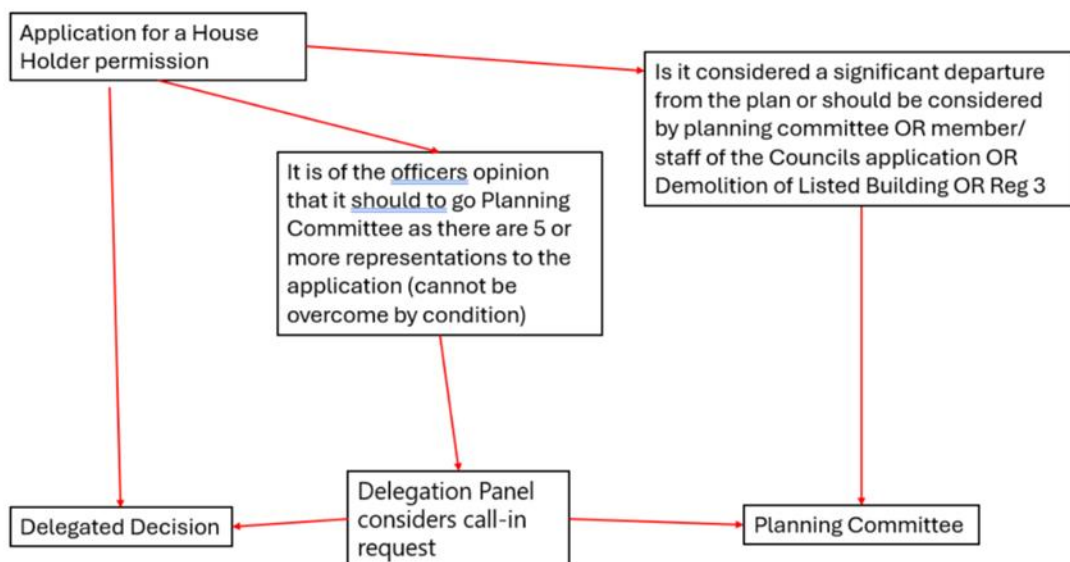


Figure 2: Householder Planning Application

5.14 Figure 3 sets out the journey of a planning application within a strategic site and how it would proceed to determination under the recommended scheme of delegation.

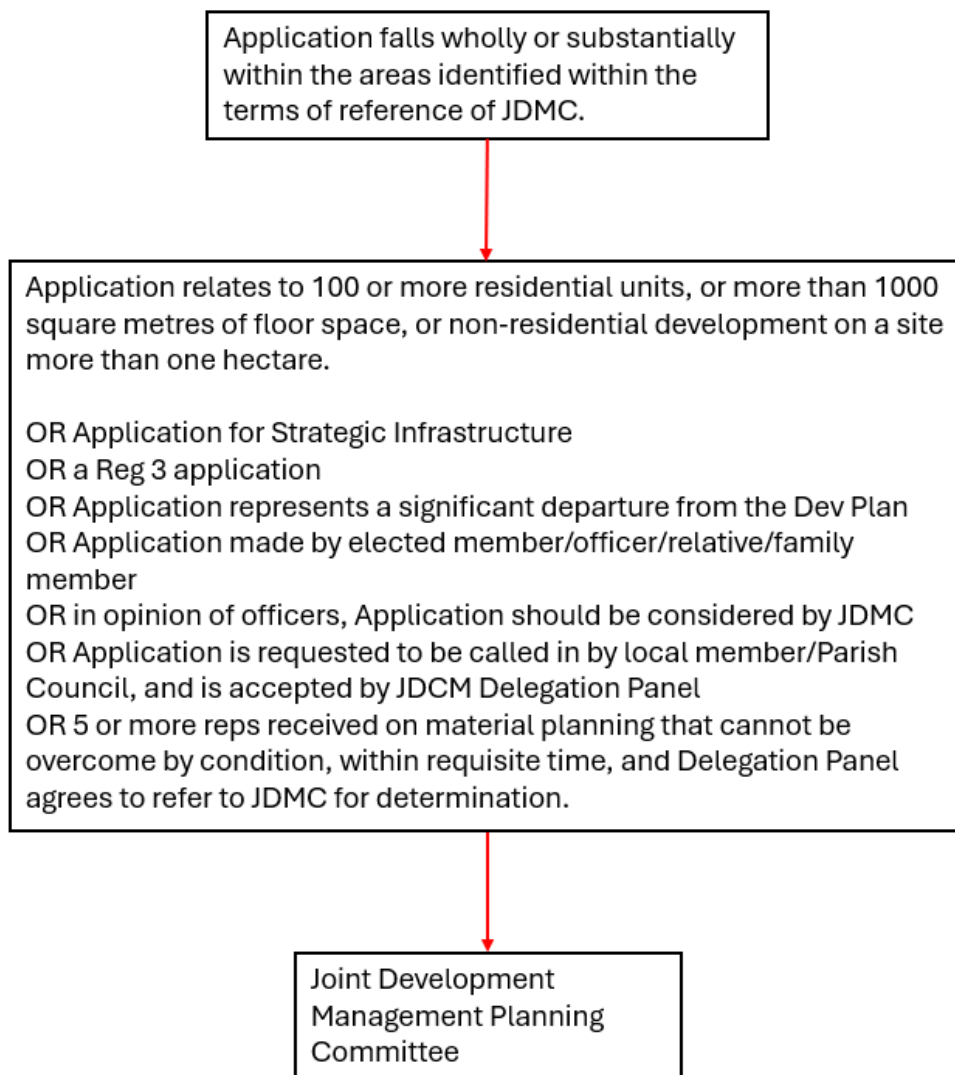


Figure 3: Strategic Site planning application

5.16 There are a number of other documents which are recommended to be removed from either the Cambridge City Council Constitution or the South Cambridgeshire District Council Constitution to ensure that there is capacity to allow for any changes or updates to be within the control of the relevant Planning Committees without the need to make changes to the relevant constitution if changes are needed to update the documents. The documents recommended to be removed and incorporated within the GCSP Scheme of Delegation are:

- The Terms of reference for the Joint Development Management Committee (JDMC), Standing Orders and plans (updated)

- Development Control Forum details
- The JDMC Cost Sharing Protocols

6.0 The Public Speaking Rights for Planning Committee

6.1 Every Planning Committee broadly follows a similar order of business as recommended though LGA Probity in Planning document. Public speaking at Planning Committees is a normal practice. Recommended changes from the Committee Review Steering Group were to update the public speaking at planning committee guidance to ensure it encompasses:

- Review public speaking guidelines of the 3 planning committees to align.
- Registration deadlines – 12 noon 2 days in advance
- 3 mins speaking - per category – objector, petitioner, applicant / agent / supporter, parish council, ward member.
- There is no need to have made a written representation to register to speak at committee
- Speakers can attend in person or virtually
- Written representations can be accepted if person can't attend to speak (12 noon 2 days before the meeting deadline); circulated to members by committee services, update as part of additional late representations in officer presentation (summarise text on screen) and case officers redact and upload on public access.
- If speakers wish to submit photos without captions/ text in advance of the meeting this should be done so by 12 noon 2 days in advance of the meeting for officer verification.
- Install mechanisms within the council chamber to alert public speakers, to assist with speaking time limits – eg Timing, clocks, lights, bells
- Chairs discretion to allow more than 3 mins for larger, more complex major applications
- Advice to speakers on what 3 minutes looks like – guidance e.g. how much text on an A4 page, encourage them to time themselves, and reiterate that they will be cut off when their 3 minutes is up.

- If speakers are attending virtually, ensure phone numbers are collected to access speakers if there is a problem.

6.2 Similarly to the scheme of delegation, having all of the detail in one aligned guide, which does not require an amendment to the constitution to update, will in turn allow for any subsequent changes or updates to be within the control of the relevant Planning Committees themselves. A singular document also ensures that all three of the Planning Committees are operated consistently, assisting Members, Officers, Applicants, Agents and members of the public in being able to understand and participate in Committee across the Shared Planning Service area, as there is a consistent approach between the three committees and the stakeholders that use them.

6.3 The updated public speaking guidance has incorporated all of the changes recommended by the committee review steering group and is attached in appendix 5.

7.0 The Members Planning Good Practice Guide 2024

7.1 The Committee review steering group acknowledged that an issue that councillors often find confusing is how to differentiate between someone who is pre-determined, pre-disposed. It was also noted that lobbying of Members of planning committees regularly takes place prior to a meeting as applicants and other interested parties look to persuade the Committee of their point of view. Planning Committee Members may be unclear what to do with the lobbying material that they receive.

7.2 As a result, it was recommended that a Members Good Practice Guide for planning was produced for all members. This is attached in appendix 6 and includes guidance for all members not just planning committee members, this will sit within the broader range of guidance for councillors.

8.0 Implications

Financial Implications

8.1 The cost of the Planning Committee meetings, reflecting the amount of Member time, but also the significant officer input to prepare, attend and administer a meeting are significant. The Councils existing staff and resources budgets cover these costs. The changes recommended are not anticipated to increase the frequency of Planning Committee meetings but are designed to make the investment of time and resources effective. These proposals do not introduce additional costs but will indirectly support ongoing work to increase impact and effectiveness the Council and the Shared Planning Service. The introduction of a delegation panel and changes to the scheme of delegation may reduce the caseload at the committee meetings.

Staffing Implications

8.2 There are no negative staffing implications arising from this report.

Equality and Poverty Implications

8.3 An Equality Impact Assessment (EQIA) has not been undertaken in respect of this report, because no material changes are proposed to the fundamental operation of the Committee meetings.

Environmental Implications

8.4 None.

Procurement Implications

8.5 None.

Community Safety Implications

8.6 None.

Legal Implications

8.7 The recommended changes do include amendments to the schemes of delegation, and constitution; these recommendations once agreed will need to be embedded into the governance process for each authority, by next step reporting and approval by the relevant Civic Affair committees.

9.0 Consultation and Communication Considerations

9.1 No formal consultation has been undertaken in the preparation of this report. The review of the committee processes has been carried out in conjunction with a member working party comprising of chairs, vice chairs and spokes of all 3 planning committees operating within GCSP.

10.0 Background Papers

10.1 Background papers used in the preparation of this report:

- PAS report 2020 – Planning Committee Peer Review, Cambridge City Council
- PAS report 2021 – Planning Committee Peer Review, South Cambridgeshire District Council
- South Cambridgeshire District Council Ethical Handbook (May 2020) Ethical Handbook.pdf (moderngov.co.uk) and Constitution. Agenda for Constitution on Thursday, 9 June 2022 (moderngov.co.uk)
- Cambridge City Council Planning Code of Good Practice 2015
- PAS Planning Committee Protocols: [Planning Committee Protocols | Local Government Association](#)
- Cambridge City Council Scheme of Delegation for Planning Committee
- South Cambridgeshire District Council Scheme of Delegation for Planning Committee
- Joint Development Control Committee Scheme of Delegation for Planning Committee
- Planning Committee Review Report to Planning Committees, August 2024
- South Cambridgeshire District Council's Constitution
- Cambridge City Council Constitution

11.0 Report Author

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12.0 Appendixes

Appendix 1 - Greater Cambridge Shared Planning Service Officer Scheme of Delegation in respect of planning and related functions December 2024

Appendix 2 - Cambridge City Council Scheme of Delegation for Planning Committee

Appendix 3 - South Cambridgeshire District Council Scheme of Delegation for Planning Committee

Appendix 4 - Joint Development Control Committee Scheme of Delegation for Planning Committee

Appendix 5 - Public speaking Rights for Planning Committee

Appendix 6 – Members Planning Good Practice Guidance