

REPORT TITLE: Constitutional Changes to Cambridge City Council in regards of Planning.

To:

Executive Councillor

Civic Affairs Committee (5th February 2025)

Report by:

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Wards affected:

All

1. Recommendations

1.1 It is recommended the Civic Affairs Committee:

- a. Recommends to Council approval of the changes to the Council Constitution as set out in Appendices A and B
- b. approves the amended Public Speaking Rights at Planning Committee Appendix C
- c. approves the Members Planning Good Practice Guide Appendix D

Members are to note that there are proposed changes being made to the City Constitution as part of the review of governance arrangements, these updates will transfer into any updated constitution moving forward.

2. Purpose and reason for the report

2.1 The reason for this recommendation is to revise the Council constitution to allow for the Planning Committee to determine the extent and form of the officers scheme of delegation. A revised scheme of officer delegation is also proposed following an extensive review of the Planning Committee process with members which resulted in 49 recommendations aimed at enhancing the effectiveness of the Planning Committee and increasing consistency of approach across the Shared Planning Service to aid understanding and support increased participation and in the process. The report is accompanied by updated Public Speaking Guidance and a Member Good Practice Guide that complement the revisions to the Constitution proposed. A copy of the report containing the 49 recommendations is attached at Appendix E.

3. Alternative options considered

- 3.1 Not to revise the Constitution, Public Speaking and Member Good Practice guide. This would not realise objective of greater agility, consistency or transparency underpinning the Committee Review project previously considered by the Planning Committee and has been rejected.

4. Background and key issues

- 4.1 In 2020 the Planning Advisory Service (PAS) undertook a review of all three Planning Committees that are supported by the Greater Cambridge Shared Planning Service (GCSP). A further review has been undertaken by a Member and Officer working group, where 49 recommendations have been made. Some of which are to streamline the Planning Committee process and improve transparency, improving the experience for all “users” of the Planning Committee process. Improving statutory and service Key performance indicators (KPIs) for decision making on planning and related applications.

A Planning Reform Working Paper: Planning Committees (December 2024) has been published which is to bring a standardisation and certainty to applicants when an application is to be determined by a Planning Committee. Over 90% of decisions are currently delegated to Officers (from 1/1/24 to 1/11/14) in the GCSP. Whilst this is broadly in line with the current national average according to PAS. This reform paper has the aim to focus Planning Committees time to the most sensitive / complex applications.

In 2024 there were 151 Planning applications heard between the three planning committees that GCSP cover, 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. 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.

The below recommendations are in Appendices B, C and D of this report and have been considered and endorsed, or at the time of writing this report are due to be considered by the following Planning Committees.

- a. Cambridge City Planning Committee – 8th January 2025 (Endorsed)
- b. South Cambridge District Council – 15th January 2025 (Endorsed)
- c. Joint Development Control Committee – 22nd January 2025 (Endorsed)

Where there have been recommended amendments at the committees, these have been made to the Appendices in this report.

The proposals seek 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.

To achieve this objective, the recommendations seek to establish a single Greater Cambridge Shared Planning Service Scheme of Delegation in respect of planning and related functions (in Appendix B) and introduce a Delegation Panel for Cambridge City Committee and Joint Development Management Committee. This is complemented with the revised scheme for Public Speaking at Planning Committee (Appendix C) and a Members Planning Good Practice Guide (Appendix D).

Following discussion at SCDC Planning Committee, Paragraphs 3.10 to 3.12 of Appendix D have been revised with Paragraphs 3.10 to 3.12 to ensure the wording relating to the different types of interest is consistent and further clarified. Any further revisions proposed at the Joint Development Control Committee meeting will be reported verbally.

The relevant Planning matters are recommended to be removed out of the South Cambridgeshire District Council and Cambridge City Council Constitutions and placed in these three documents. The constitutions for South Cambridgeshire District Council and Cambridge City Council in regards of Planning 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 the detail of officer delegations outside of the constitutions, means that in future changes in legislation or refinements to the officer scheme of delegation can be carried out more efficiently without a need to amend the constitution. This will be particularly helpful in response to the planning reform agenda of the Government which may impact process changes to the current planning regime.

The changes that are being recommended to the Council Constitution are in Appendix A of this report. The sections that are to be removed and placed in the documents are detailed in the Appendix along with where the new Greater Cambridge Shared Planning Service Scheme of Delegation in respect of planning and related functions December 2024 is to be referenced.

In Summary the details of the Scheme of Delegation to Planning Committee is removed along with the areas of Delegation to Officers, the details of the Joint Development Control Committee and The Planning Code of Good Practice.

Members are to note that there are also proposed changes being made to SCDC Council Constitution as part of the review of governance arrangements, these updates will transfer into any updated constitution moving forward.

5. Consultation, engagement and communication

5.1 The proposed revisions form part of a wider programme focused upon developing the Planning Committee which have been subject to an extensive period of engagement with Members and users of the Shared Planning Service. The proposed detail changes outlined in the Appendices have been subject of reports to each Planning Committee served by the Greater Cambridge Shared Planning Service. The Changes to the Officer scheme of delegation have been the subject of significant engagement with Legal officers within 3C Legal Services.

6. Anticipated outcomes, benefits or impact

6.1 The anticipated outcomes and benefits are that, the Planning service refines the types of application that are brought to Planning Committee and aligns the process which determines how a decision is made in order to allow the Committees to consistently focus on the more complex, significant and controversial applications whilst also improving consistency and transparency to the processing of all planning and related applications to be determined.

7. Implications

7.1 Relevant risks

The risks associated with the process are those that already apply to the Councils constitution and Scheme of Delegation; that ambiguity or a lack of clarity around the drafting and process

bring reputational damage and prevent the timely determination of planning matters by the Local Planning Authority in line with national requirements. To mitigate that risk, alongside the ISO 9001 Quality Assurance process already in place across the Shared Planning Service, the revisions proposed have been prepared by and in close consultation with officers from the respective Legal Services and Democratic Services Teams.

Financial Implications

- 7.2 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 already 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.

Legal Implications

- 7.3 The recommended changes do include amendments to the schemes of delegation, and constitution; these recommendations have been agreed by all three of the Planning Committees and therefore are being recommended in this report for changes to the constitutions.

Equalities and socio-economic Implications

- 7.4 The proposed changes are not anticipated to impact any specific protected characteristics and accordingly an equalities assessment has not been carried out in respect of the Appendices attached.

Net Zero Carbon, Climate Change and Environmental implications

- 7.5 *None*

Procurement Implications

- 7.6 *None*

Community Safety Implications

- 7.7 *None*

8. Background documents

Local Government (Access to Information) Act 1985

8.1 *None*

9. Appendices

9.1 *Appendix A: Changes to Cambridge City Council Constitution*

Appendix B: Greater Cambridge Shared Planning Service Officer Scheme of Delegation in respect of planning and related functions December 2024 and associated

Appendix C: Public Speaking Rights at Planning Committee

Appendix D: Members Planning Good Practice Guide

Appendix E - Committee Review Outcome Report, August 2024 (excluding appendices)