

<b>MEETING:</b>	<b>CABINET</b>
<b>DATE:</b>	<b>30 JULY 2009</b>
<b>TITLE OF REPORT:</b>	<b>RESPONSE TO AUDIT COMMISSION AND ENVIRONMENT SCRUTINY COMMITTEE REPORTS ON THE PLANNING SERVICE</b>
<b>PORTFOLIO AREA:</b>	<b>ENVIRONMENT AND STRATEGIC HOUSING</b>

**CLASSIFICATION:** Open

### **Wards Affected**

County-wide

### **Purpose**

To approve responses to the two reports.

### **Key Decision**

This is not a Key Decision.

### **Recommendations**

**THAT:**

- (a) the responses as set out in Appendix 1 and 2 be approved; and**
- (b) the proposed incorporation of the responses into a single action plan for service improvement be noted.**

### **Key Points Summary**

- Two reports have recently been produced on the Planning Service.
- Both make detailed recommendations on service delivery.
- The proposed responses will assist in future service delivery and will be incorporated into a single action plan for service improvement.

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Further information on the subject of this report is available from  
Andrew Ashcroft, Head of Planning and Transportation on (01432) 383098

## **Alternative Options**

- 1 Both reports require the preparation of a detailed response.

## **Reasons for Recommendations**

- 2 The two reports have provided useful guidance on service improvements which complement and extend improvements already being implemented or planned for the future.

## **Introduction and Background**

- 3 The Audit Commission published a report in March 2009 on the operation of the development control system. The report was produced as part of the 2008/09 programme that the Audit Commission agreed with the Council for the delivery of its audit and inspection remit. A copy of the report is attached at Appendix 3 for Members' information.
- 4 The report of the Planning Services Scrutiny Review Group of the Environment Scrutiny Committee was presented to the Environment Scrutiny Committee on 20 April, 2009. The remit of this report covers a far wider area than the Audit Commission report. A copy of the report is attached at Appendix 4 for Members' information.
- 5 There are clear overlaps between the two reports. Usefully there is a high degree of consistency between the two sets of findings and recommendation.
- 6 A summary of the two sets of recommendations are set out in Appendix 1 (Audit Commission) and Appendix 2 (Environment Scrutiny review) together with a series of proposed responses and actions plans.

## **Key Considerations**

- 7 The reports set out recommendations that largely fall to be tackled at two levels. The majority are of a professional, procedural or technical nature and can be readily incorporated into systems and practices within the Planning Service. Others are of a constitutional nature and relate to the way in which the Council delivers its development control service in general, and the composition of planning committee structures in particular. This latter aspect has already been the subject of detailed discussion with political groups, and is being reported to Council on 24 July, 2009 in order to allow the widest possible debate on this matter. The views of Council will be reported verbally to Cabinet.

## **Community Impact**

- 8 The acceptance of the recommended responses will have a largely notional impact on the wider community. The degree of public involvement in the planning process will continue. The ability of local members to engage in the planning process will be consolidated and extended.

## **Financial Implications**

- 9 Most of the proposed responses to the recommendations are likely to be cost neutral.
- 10 Any potential reduction in the number of planning committees may bring about some reduction in the overheads of delivering the existing development control service and these will need to be assessed in full in due course.

- 11 The Audit Commission's report has highlighted the high cost of the unsuccessful defence of several high profile refusals of planning permission in recent years, together with the costs that have been associated with other challenges to the operation of the service. An improved Planning Service would be in a better position to avoid future legal and other expenses.

## **Legal Implications**

- 12 There are no specific legal implications arising from this report.
- 13 Appropriate amendments will need to be made to the Constitution to give effect to the proposed changes; these will be effected as part of the ongoing refresh of the Constitution.

## **Risk Management**

- 14 The Planning Service remains high-profile, and this will continue as the county embarks on the New Growth Point initiative in general, and its Local Development Framework in particular.
- 15 The effective operation of the planning system also has a significant impact on the wider reputation of the Council. Since the publication of the Audit Commission report and the findings of the Environmental Scrutiny review group the Local Government Association has published an update of its report on Probity in Planning. This is timely and will allow your officers to ensure that all documentation that supports the new arrangements will be entirely in accordance with national best practice.

## **Consultees**

- 16 Both reports engaged with Members and other key stakeholders in the formulation of their recommendations. Detailed meetings have taken place with political groups on the proposals for new governance arrangements in delivering the development control function.

## **Appendices**

- 17 Appendix 1 – Recommendations and Proposed Actions – Audit Commission Report.  
Appendix 2 – Recommendations and Proposed Actions – Environment Scrutiny Report.  
Appendix 3 – Audit Commission – Planning Services Review – Herefordshire Council Audit 2008/09 – March 2009  
Appendix 4 – Scrutiny Review of Planning Services – Report by Planning Services Scrutiny Review Group – March 2009

## **Background Papers**

Local Government Association – Probity in Planning May 2009