

RESPONSE TO TASK AND FINISH GROUP ON PLANNING SYSTEM REVIEW

Recommendation R1	Constitutional changes to member briefing on major/strategic/controversial applications			
Cabinet Response	Accepted In principle this recommendation is accepted. There are two issues that will need to be addressed. Firstly applications can often only become controversial well into the consultation process, and judgements will be required on when it is necessary to broaden the ward member briefing/advice. Secondly an increase in the nature and frequency of ward briefings will have a cumulative impact on officer time. This will need to be addressed through the Root and Branch review process.			
Action	Owner	By When	Target/Success Criteria	Progress
Monitoring Officer to amend constitution.	Assistant Director (Economic, Environment and Cultural Services) / Monitoring Officer	Sept 2012	Clarity on briefings	Work in progress to amend the constitution. Ward member(and adjacent members) are briefed on significant applications
Recommendation R2	Remodelling of Planning web-site			
Cabinet Response	Accepted. On-going changes are being made to the web-site based on customer feedback and practitioner experience.			
Action	Owner	By When	Target/Success Criteria	Progress
On-going amendments to web-site.	Head of Neighbourhood Planning	Aug 2012	User-friendly web-site.	Subject to on-going and regular updates and improvements

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Recommendation R3	Use of Plain English			
Cabinet Response	Accepted. Opportunities should be taken to explain to the public in plain English about the range of services offered by the Planning Service and how the public can interact with the Service.			
Action	Owner	By When	Target/Success Criteria	Progress
Review/amendment of document text.	Head of Neighbourhood Planning	Oct 2012	Clarity of guidance	On-going as documents come forward for review
Recommendation R4	Training for Members on use of web-site			
Cabinet Response	Accepted. This recommendation is accepted subject to the insertion of 'be invited' between should and attend. This review process cannot in itself require other Members to attend training events.			
Action	Owner	By When	Target/Success Criteria	Progress
Member training event on use of web-site.	Head of Neighbourhood Planning	Nov 2012	Understanding of opportunities/information available.	Will form part of future member training session

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Recommendation R5	Changes of redirection procedure.			
Cabinet Response	Not Accepted. Under s101 of the Local Government Act it is not lawful to delegate a non-Executive Planning function (which includes decisions made under the re-direction arrangements) to a single member. The importance of close liaison between the Chairman of the Planning Committee and the Assistant Director – Economic, Environment and Cultural Services and/or the Head of Neighbourhood Planning is, however, fully recognised by your officers.			
Action	Owner	By When	Target/Success Criteria	Progress
N/A	N/A	N/A	N/A	
Recommendation R6	Officer liaison with multi-ward Members.			
Cabinet Response	Accepted in principle. The approach set out in recommendation recognises the complexities that exist in multi-Member wards. It is suggested that the recommendation is amended to require case officers to treat all Members in multi-wards in an equitable way.			
Action	Owner	By When	Target/Success Criteria	Progress
Amendments to internal guidance notes.	Head of Neighbourhood Planning	Aug 2012	Clarity of approach.	Officers have been reminded of the need to ensure appropriate briefings/consultations are undertaken in multi member wards.

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Recommendation R7	Direct link to Planning web-site from Council's web-site.				
Cabinet Response	Accepted.				
Action	Owner	By When	Target/Success Criteria	Progress	
Creation of direct link.	Head of Neighbourhood Planning/Hoople	Aug 2012	Easier access to planning web-site.	A direct link from the front page of the Councils website through to Planning Applications now exists.	
Recommendation R8	Committee motions contrary to recommendation.				
Cabinet Response	<p>Accepted in principle.</p> <p>This recommendation represents best practice, and was the subject of much discussion during the work of the Task and Finish Group. It is suggested that the wording is amended to read as follows:</p> <p><i>'Any member of the Planning Committee who may be minded to propose a motion contrary to the officer recommendation at the Committee should contact the Head of Neighbourhood Planning (or the relevant Development Manager) before the meeting takes place. As a result of this contact the relevant Member should give consideration to a motion for his/her presentation to the Committee, and which sets out material planning reasons for taking a different approach'. At the meeting officers should be invited to advise the Committee on the planning and legal implications of any such proposed decision.</i></p> <p>The implementation of the recommendations are designed to enhance public confidence in the planning process.</p>				
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Monitoring Officer to amend Constitution.	Assistant Director (Economic, Environment and Cultural Services) / Monitoring Officer	Sept 2012	Improved performance and reputation of the Planning Committee.	Work in progress to amend the constitution. Enhanced member / officer working has help provide clarity in such situations.
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Recommendation R9	Refresher training for Members.			
Cabinet Response	Accepted. This is accepted, subject to the substitution of 'given' with 'offered'.			
Action	Owner	By When	Target/Success Criteria	Progress
Annual refresher training.	Head of Neighbourhood Planning	On-going	Enhanced performance of system.	Updates on planning issues continue to be arranged.
Recommendation R10	Town and Parish Councils to provide training for their members.			
Cabinet Response	The principles of this recommendation are supported. Nonetheless town and parish councils will make their own judgements on the need or otherwise for training for their members.			
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N/A	N/A	N/A	N/A	Officer have attended Town and Parish Councils meetings to provide general guidance and updates

Recommendation R11	Preparation of Guidance Notes for town and parish councils.			
Cabinet Response	Accepted in principle. This will involve an update and refresh of existing guidance.			
Action	Owner	By When	Target/Success Criteria	Progress
Refresh existing guidance.	Head of Neighbourhood Planning	Sept 2012	Enhanced understanding at town/parish level.	This has been undertaken by visiting a number of Town and Parish Councils to provide updates on processes and Neighbourhood Planning
Recommendation R12	Retrospective planning fees.			

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Cabinet Response	Accepted. This issue is part of the current administration's policy.			
Action	Owner	By When	Target/Success Criteria	Progress
Introduce fees and charges at time of legislation of locally setting application fees.	Head of Neighbourhood Planning	N/A	Full cost recovery.	Local fee setting has not been approved by Central Government

Recommendation R13	Contact between Enforcement Officers and Ward Members.			
Cabinet's Response	Accepted It is also suggested that the scope of this recommendation is widened to include Section 106 Agreements and court action.			
Action	Owner	By When	Target/Success Criteria	Progress
Amendment of internal guidance notes.	Head of Neighbourhood Planning	Sept 2012	Improved Member knowledge and information.	Officers keep Ward Members updated.
Recommendation R14	Training on Planning Enforcement Policy.			

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<p>Cabinet Response</p>	<p>Accepted in principle. The principle of additional training is supported. In respect of Herefordshire Council members it is suggested that the emphasis of the recommendation be changed to one of 'offering' training. In respect of Town and Parish Council members this Council neither has the capacity nor the funding to deliver specific training on enforcement matters. The issue will however be included within the context of any one off visits to town and parish councils.</p>			
<p>Action</p>	<p>Owner</p>	<p>By When</p>	<p>Target/Success Criteria</p>	<p>Progress</p>
<p>Delivery of Member training</p>	<p>Head of Neighbourhood Planning</p>	<p>Oct 2012</p>	<p>Improved Member knowledge and information.</p>	<p>A new Enforcement Policy is in preparation. Consultation with Members will be undertaken</p>

<p>Recommendation R15/16</p>	<p>Localism Act and Planning</p>			
<p>Cabinet's Response</p>	<p>Accepted in principle. The key elements of the Localism Act are now embedded in the planning system. It will inevitably take time for neighbourhood plans (the key element of the Localism Act) to work their way through the system. On this basis it would be useful to hold a consolidating training session on the Localism Act early in 2013.</p>			
<p>Action</p>	<p>Owner</p>	<p>By When</p>	<p>Target/Success Criteria</p>	<p>Progress</p>
<p>Consolidating training session on Localism Act.</p>	<p>Head of Neighbourhood Planning</p>	<p>May 2013</p>	<p>Enhanced understanding of Localism Act and update on neighbourhood planning roll-out.</p>	<p>Members have updates and on Neighbourhood progress in their wards</p>

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Recommendation from Overview & Scrutiny Committee	Members voting in their own wards.			
Cabinet's Response	The recommendation in the report is that the Monitoring Officer be requested to ask the Audit and Governance Committee to consider whether the Planning rules should be changed to allow Planning Committee Members to vote on applications within their wards. Details comments will be provided to the Audit and Governance Committee on this proposal in due course. At this point however, the Monitoring Officer recommends that this change is accompanied by amended guidance for ward members in the Planning Code of Conduct both to reflect the current law on bias and pre-determination and to protect ward members who are also members of the Planning Committee and who wish to take part in the decision-making process.			
Action	Owner	By When	Target/Success Criteria	Progress
Monitoring Officer to prepare a report to Audit and Governance Committee.	Monitoring Officer	Sept 2012		