

## Appendix A - The Executive response to the General Scrutiny Committee recommendations

### Update on the planning service

On 21 March 2022, the General Scrutiny Committee, having heard the verbal presentation 'Planning Services Improvement Plan', recommended that:

<b>Recommendation a)</b>	<b>A detailed report on the historic handling and recommended future management of the entire Section 106 process be brought back to the relevant scrutiny committee within 3 months.</b>
<b>Executive response</b>	<p>The council commissioned consultants to review and report on the historic handling and recommended future management of the entire Section 106 process. The consultants have produced the following set of recommendations;</p> <p><b>Infrastructure Planning Team – Structure &amp; Resources</b></p> <ul style="list-style-type: none"> <li>• With the skills and resources for not just for collection &amp; monitoring, but for longer-term planning</li> </ul> <p><b>The process for agreeing S106s should be revised</b></p> <ul style="list-style-type: none"> <li>• With more transparency for officers and oversight for members, alongside changes to governance and Local Plan / CIL</li> </ul> <p><b>Governance at an exec &amp; officer level</b></p> <ul style="list-style-type: none"> <li>• To provide more oversight and transparency, to integrate not duplicate changes to governance</li> </ul> <p><b>Local Plan ‘steering group’</b></p> <ul style="list-style-type: none"> <li>• To ensure that the spatial strategy is informed by what infrastructure is required – managed and maintained through the IDP</li> </ul> <p><b>An Infrastructure Delivery Plan &amp; Infrastructure Funding Statement</b></p> <ul style="list-style-type: none"> <li>• IDP will be maintained as a delivery document not a planning document. IFS should have Cabinet approval.</li> </ul> <p><b>Proposal to implementing CIL</b></p> <ul style="list-style-type: none"> <li>• It will provide more flexibility, it can be twintracked with your Local Plan, and will make it clear how much £ parishes get</li> </ul> <p><b>Procure a new developer contributions data system</b></p> <ul style="list-style-type: none"> <li>• And set the protocols and role to ensure transparency accountability. Import old data</li> </ul> <p><b>Define a new corporate approach for capital delivery</b></p> <ul style="list-style-type: none"> <li>• For more oversight at a member and corporate level.</li> </ul>

	In the last 5 years over 10 million pounds of s106 money has been received together with significant off site works undertaken by the developers to mitigate developments in the local area.
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Action	Owner	By when	Target / success criteria	Progress
<ul style="list-style-type: none"> <li>Set up a Planning Project Board</li> <li>Review Developer Contributions SPD</li> <li>Capital bid for XACOM dedicated system (or comparable)</li> <li>CIL cannot be adopted until new LP in Place</li> </ul>	Justine Burnett Kevin Singleton Kevin Bishop	2022/23 2022/23 2024/25		

<b>Recommendation b)</b>	<b>Information about the costs of all additional resources brought in to address the planning backlog be circulated to all councillors.</b>
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<b>Executive response</b>	The council appointed 7 planning consultants to deal with the backlog of planning applications. The consultants have so far cost £50k and one is retained to complete outstanding reports. The planning back log has been cleared.  The consultants were managed by members of the Development Management Team whilst also undertaking their day to day work.
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Action	Owner	By when	Target / success criteria	Progress
No action required.	Kevin Bishop			

<b>Recommendation c)</b>	<b>Further consideration be given to the capacity of the planning service to meet demand, including the range and level of applications being received.</b>
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<b>Executive response</b>	Meetings have been held on 29 April, 10 May and 9 June 2022 with officers from Development Management to plan for the future proofing of the planning service, including the range and level of applications being received. As a result of these meetings a draft planning service structure has been produced and shared with Ross Cook and Tracey Coleman for consideration. This will form the basis for the transformation of the service.
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Action	Owner	By when	Target / success criteria	Progress
To consider and decide on whether the proposed draft planning structure is acceptable and deliverable. Confidential until staff consultation taken place.	Ross Cook and Tracey Coleman	30 <sup>th</sup> October 2022		

<b>Recommendation d)</b>	<b>Information be circulated about the quality assurance process and the measures to ensure consistency in the production of planning reports and decisions, including the appropriateness, robustness and enforceability of conditions.</b>
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**Executive response**

With regards to quality assurance the following practices are in place which ensure consistency in the production of planning reports and decisions;

The council constitution provides for the redirection process whereby ward members can request redirection of a planning application, the requirements of which are set out at paragraph 4.8.18 to 4.8.31 of the constitution.

The ward member is invited to attend a redirection meeting with the Chair and Vice Chair of Planning Committee and the Lead Development Manager which are held on a monthly basis

Delegated decisions on planning applications are signed off by two officers under the scheme of delegation – the case officer and a manager - thereby ensuring quality assurance in the decision making process.

The Development Management Team meet every Monday morning to discuss any matters arising in the functioning of the department. One in four of these meetings is used to report on Performance and any actions required.

The Development Management officers are invited to meet every Friday morning to undertake a Peer-on-Peer review of current planning applications under consideration to ensure consistency in the decision making process.

A Development Management Team meeting is held on a monthly basis to communicate council business and any matters that need to be conveyed to the team with regards to planning matters i.e. update on phosphate credits to release development sites in the north of the county.

With regards to planning conditions, paragraph 55 of the National Planning Policy Framework makes clear that planning conditions should be kept to a minimum, and only used where they satisfy the following tests:

1. necessary;
2. relevant to planning;
3. relevant to the development to be permitted;
4. enforceable;
5. precise; and
6. reasonable in all other respects.

These are referred to as the 6 tests, and each of them need to be satisfied for each condition which the planning officer applies. The planning report lists the conditions which is signed off by two officers who will consider the planning conditions and the 6 tests before authorising the report.

The Development Management Team would like to produce a set of Practice notes/guidance notes on specific subject matters for officers to further improve the consistency of decision making. These would be made available on the council website so that users of the service know what considerations are being applied to different planning matters i.e. sustainable rural tourism. Time and resource will be required to produce these documents. (This is for internal use only)

	<p>The decisions made are fully supported by the appeal outcomes where we sit at around 70% of dismissed appeals. The previous but now redundant national target was 65%.</p> <p>Monitor and review complaints especially those that have been upheld in order to ensure that we learn from our mistakes.</p>			
Action	Owner	By when	Target / success criteria	Progress
Production of practice notes/guidance notes on specific subject matters for officers to further improve the consistency of decision making.	Andrew Banks/Simon Withers/Kelly Gibbons	31 December 2022		

Recommendation e)	<p><b>A detailed response be provided about the staffing and recruitment challenges, including the reasons why business cases were not received from the service.</b></p>
Executive response	<p>Detailed business cases were produced and received for all recruitment via Business World by the service managers. These were then signed off by the Lead Development Manager and the Assistant Director. Six planning recovery reports were also drafted from April to October 2021 and shared with Senior Management for approval.</p> <p>Emailed to Interim Director, Neil Taylor on 8 October 2021.</p> <p>This version reviewed and amended version 1.5 and also included:</p> <ul style="list-style-type: none"> <li>○ A combined Development Management and Strategic Planning Service;</li> <li>○ A proposed before and after structure;</li> <li>○ A new Head of Planning role;</li> <li>○ The relocation of the Building Control team into the Planning Service;</li> <li>○ Improvements to the Planning Enforcement team;</li> <li>○ Restoring the planning officer posts as per the establishment listing;</li> <li>○ Removing the £300k unachievable income target and the £100k unachievable savings target;</li> <li>○ A one off corporate payment to pay for contractors to clear the backlog of applications;</li> <li>○ Recommendations to tackle the PAS Review;</li> <li>○ The recommended level of contractors needed to tackle the growing backlog of applications and enforcement cases; and</li> <li>○ The recommended number of staff required on fixed term contracts to deliver the Core Strategy within the timeframe required.</li> <li>○</li> </ul> <p>The previous interim Service Interim Director Florence Churchill was appointed on 29 November 2021 and reviewed the previous business plans. In February/March 2022 Ms Churchill obtained agreement from the Section 151 Officer to engage 7 planning consultants to clear the planning backlog. The new Service Interim Director, Tracey Coleman, was appointed on 11<sup>th</sup> July 2022. She will be reviewing the service and its structure taking into account previous discussions.</p>

<p>The core strategy adoption in 2015 created an influx of applications however since then the requirement to increase income has never been met and the phosphates issue has also hit submissions. The new Local Plan will assist when it progresses to hold weight as it will identify further development opportunities compliant with the Development Plan.</p> <p>If the New Homes Bonus, which is a planning generated income to the council from central government, had been included in the planning budget the service would have provided a significant profit in the last 5 years as it has brought in nearly 11 million pounds.</p> <p>Updating of the Planning ICT system and digital functions ( in line with other LPA's) to facilitate more streamlined processes and procedures. The current system is out of date and not supported.</p>
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Action	Owner	By when	Target / success criteria	Progress
Consideration be given to a capital bid or use of the New Homes Bonus to facilitate new ICT.	Ross Cook	30 <sup>th</sup> October 2022		

<b>Recommendation f)</b>	<b>Options to deliver enforcement action more effectively and efficiently across planning and other service areas be considered.</b>			
<b>Executive response</b>	<p>There was a view that planning enforcement could benefit from better integration with the other regulatory services of the council. Therefore the legal process adopted by the regulatory teams was shared with planning, so that the necessary support would be given. Discussions with an Interim Director and subsequent Interim Director Neil Taylor, affirmed that the planning enforcement team should remain within the planning service.</p> <p>The planning service has invested significantly in Enforcement Officers by having a generic enforcement team this would take away the specialist knowledge base created.</p> <p>Consider options for the future in order to facilitate change.</p>			

Action	Owner	By when	Target / success criteria	Progress
No action required.				

<b>Recommendation g)</b>	<b>The development of a local protocol / charter for communications between members and officers be supported, particularly to improve understanding of the role of local ward members in their communities.</b>			
<b>Executive Response</b>	A workshop, facilitated by an external provider, will be organised between officers and members to understand the role that they both play in the planning function and to help members understand the role of the ward member in their community.			

Action Date to be agreed	Owner	By when	Target / success criteria	Progress
To organise an external workshop	Tracey Coleman	30 September 2022		

<b>Recommendation h)</b>	<b>The update of the Local Plan includes an Infrastructure Delivery Plan.</b>			
<b>Executive response</b>	<p>It is important that infrastructure planning is embedded in the local plan process. National planning policy guidance sets out advice and it is recommended that such advice should be followed. Infrastructure planning will set out the anticipated funding from developer contributions, and the choices local authorities have made about how these contributions will be used.</p> <p>It is anticipated that this work will be addressed as part of the Local Plan. This can only be undertaken at a point where spatial allocations have emerged at least in draft as this will identify where new infrastructure is required. In addition, there will be a need to identify the corporate projects supporting growth to be linked to the SPD. A viability assessment will be produced in order to demonstrate that the allocated sites are deliverable.</p>			
<b>Action</b>	<b>Owner</b>	<b>By when</b>	<b>Target / success criteria</b>	<b>Progress</b>
Commission viability assessment to inform the preparation of both the draft Local Plan and Infrastructure Funding Statement.	K Singleton	Mid-2023	Adoption of Herefordshire Local Plan	Preparation of draft local plan with Infrastructure Funding Statement in 2023.

<b>Recommendation i)</b>	<b>Opportunities be explored to improve public understanding of planning regulations and the planning system, with particular attention given to the content on the council's website and to the potential for planning surgeries, perhaps utilising a virtual meeting platform.</b>			
<b>Executive response</b>	<p>The council website contains a significant amount of information in relation to planning regulations and the planning system. It relies on users of the service to self-serve in the first instance before making contact with the council. Consideration is given to how much of the planning process is understood by the public.</p> <p>Particularly with regards to Neighbourhood Planning, Herefordshire is seen as an exemplar authority, both Department of Levelling Up, Housing and Communities (DLUHC) and Planning Advisory Service (PAS) recommend the information on our website to other neighbourhood planning groups across the country where the provision within their LPA is not as comprehensive. Some other Local Planning Authorities have decided to provide a link on their website to our information and guidance given the praise it receives at a national level.</p> <p>The council website pages enable the following functions (not all listed here);</p> <p><a href="#">Local Plan 2021 - 2041 – Herefordshire Council</a></p> <ul style="list-style-type: none"> <li>• Up to date information on the latest stages of the consultation on the new Local Plan</li> <li>• Invitation to comment on the latest stages of the new Local Plan</li> </ul> <p><a href="#">Neighbourhood planning – Herefordshire Council</a></p> <ul style="list-style-type: none"> <li>• Advice and guidance on Neighbourhood Development Plans</li> <li>• Making a Neighbourhood Development Plans</li> </ul>			

- Update and progress of Neighbourhood Plans

#### [Planning services – Herefordshire Council](#)

- Search planning applications
- Apply for planning permission
- Get pre-application advice
- Paying planning application fees
- Finding information on planning appeals

#### [Planning enforcement – Herefordshire Council](#)

- What is planning enforcement
- What is the enforcement process

#### [Section 106 planning obligations – Herefordshire Council](#)

- What are planning obligations?
- A manual search of available section 106 monies
- Details of what has been delivered on an annual basis through an Infrastructure Funding Statement

The Government Planning Portal website that has interactive guides and common project examples to assist the public in determining whether planning permission is required. A link is provided through the council website pages for the [Planning Portal](#)

If a user of the service cannot find the answer to their question with all the information that is available there are other forms of contact.

If the user requires a planning search of a property they can contact;

[planningdesk@herefordshire.gov.uk](mailto:planningdesk@herefordshire.gov.uk)

If they have a general planning enquiry they can contact;

[planningenquiries@herefordshire.gov.uk](mailto:planningenquiries@herefordshire.gov.uk)

With regards to the request for planning surgeries the planning service has a Duty Officer email which is monitored and responded to on a daily basis by the Development Management officers.

The LPA offer a pre-application advice service for a fee.

Action	Owner	By when	Target / success criteria	Progress
Update the FAQ's on the Council's website to include signposting	Kevin Bishop	30 <sup>th</sup> December 22		

<b>Recommendation j)</b>	<b>In view of the aspirations of the improvement plan, assurance be provided that there are sufficient resources in place to achieve it.</b>			
<b>Executive response</b>	Meetings have been held on 29 April, 10 May and 9 June 2022 with officers from Development Management to plan for the future proofing of the planning service, including the range and level of applications being received. As a result of these meetings a draft planning service structure will be produced by Ross Cook and Tracey Coleman for consideration. The financial implications of a new structure will need to be considered in the decision making process of approving a new structure.  The review will identify the needs			

Action TC	Owner	By when	Target / success criteria	Progress
To ensure the financial implications are considered and approved in any decision taken on future service delivery.	Ross Cook and Tracey Coleman			

<b>Recommendation k)</b>	<b>A letter be sent to government to highlight the increasing pressures in the children's and adults' directorates and the need for adequate funding to ensure that economy and environment services are not impacted disproportionately.</b>			
<b>Executive response</b>	Corporate Directors to decide funding in relation to funding pressures.			

Action	Owner	By when	Target / success criteria	Progress
Budget Implications	Ross Cook			

<b>Recommendation l)</b>	<b>A review be undertaken of the pre-application advice service, including consideration of charging and value for money, the effectiveness of the service to achieve preferred outcomes, and how it meets the expectations of stakeholders.</b>			
<b>Executive response</b>	A review is already under way by the Lead Development Manager into discretionary charging which includes the pre-application advice service, Tracey Coleman is guiding the process.			
<b>Action</b>	<b>Owner</b>	<b>By when</b>	<b>Target / success criteria</b>	<b>Progress</b>
No action required.				



<b>Recommendation m)</b>	<b>A review be undertaken of the challenges associated with untidy land / derelict sites, particularly in terms of expediting action and bringing forward appropriate development where possible.</b>			
<b>Executive response</b>	<p>The council already investigates and enforces against untidy land by way of section 215 of the Town and Country Planning Act 1990 which provides for the power to require proper maintenance of land;</p> <p>(1) If it appears to the local planning authority that the amenity of a part of their area, or of an adjoining area, is adversely affected by the condition of land in their area, they may serve on the owner and occupier of the land a notice under this section.</p> <p>(2) The notice shall require such steps for remedying the condition of the land as may be specified in the notice to be taken within such period as may be so specified.</p> <p>The council has recently taken direct action at 32 Hospital Cottages, Burghill to clear a garden that was considered to affect the amenity of the area.</p> <p>The challenge associated with untidy land is that there is no budget allocated for direct action to remedy the breach of planning control. The cost of the work when direct action is required is placed as a charge on the land and it may be sometime before the land is sold for the council to recoup the monies. The cost of the work may also be disproportionate to the value of the land.</p> <p>The LPA have a duty to take into account public Interest this includes financial cost versus harm.</p>			
<b>Action</b>	<b>Owner</b>	<b>By when</b>	<b>Target / success criteria</b>	<b>Progress</b>
Request budget allocation for dealing with direct action as a result of non-compliance with Section 215 untidy land notices and explore as to whether third party tendering can be used to ensure best value for money for the work to remedy the untidy land.	Tracey Coleman	2022/2023		

<b>Recommendation n)</b>	That councillors be provided with a clear, concise and jargon busting overview of the key legal orders, such as those made under Section 106 and Section 215 of the Town and Country Planning Act, including a glossary of the key terms and powers that are available.			
<b>Executive response</b>	<p>The Herefordshire Local Plan Core Strategy has a Glossary of Terms at pages 168 to 179;</p> <p><a href="https://www.herefordshire.gov.uk/adopted-core-strategy-glossary-of-terms">Adopted Core Strategy Glossary of Terms (herefordshire.gov.uk)</a></p> <p>With regards to Neighbourhood Planning, Guidance Note 18 contains a Glossary of planning terms;</p> <p><a href="https://www.herefordshire.gov.uk/glossary-of-planning-terms">Glossary of planning terms (herefordshire.gov.uk)</a></p>			

<p>With regards to planning enforcement the council has an adopted Planning Enforcement Policy which details the action the council has available (including section 215) to deal with breaches of planning control;</p> <p><a href="https://www.herefordshire.gov.uk/planning-supplementary-enforcement-policy">Planning supplementary enforcement policy (herefordshire.gov.uk)</a></p> <p>The Planning Enforcement Policy is currently being reviewed with the intention of producing an Enforcement Local Plan. This is going through the requisite Governance processed.</p> <p>With regards to section 106 the council has an adopted Planning Obligations Supplementary Planning Document. The SPD aims to provide greater clarity for developers, applicants and the community. It also aims to speed up the processing of applications and provide a clearer framework for assessing requirements and for calculating contributions. It plays an important role in ensuring community and infrastructure needs are fulfilled as part of new development.</p> <p><a href="https://www.herefordshire.gov.uk/planning-obligations-supplementary-planning-document">Planning Obligations Supplementary Planning Document (herefordshire.gov.uk)</a></p>				
Action	Owner	By when	Target / success criteria	Progress
No action required.				

<b>Recommendation o)</b>	The Environment Act 2021 be looked at closely in order to empower the council's services and government be encouraged to progress the enabling regulations.
<b>Executive response</b>	<p>The Environment Bill received Royal Assent on 9 November 2021, meaning it is now an Act of Parliament.</p> <p>Mandatory Biodiversity Net Gain (BNG) as set out in the Environment Act applies in England only by amending the Town &amp; Country Planning Act (TCPA) and is likely to become law in 2023. The Act sets out the following key components to mandatory BNG:</p> <ul style="list-style-type: none"> <li>• Minimum 10% gain required calculated using Biodiversity Metric &amp; approval of net gain plan</li> <li>• Habitat secured for at least 30 years via obligations/ conservation covenant</li> <li>• Habitat can be delivered on-site, off-site or via statutory biodiversity credits</li> <li>• There will be a national register for net gain delivery sites</li> <li>• The mitigation hierarchy still applies of avoidance, mitigation and compensation for biodiversity loss</li> <li>• Does not change existing legal environmental and wildlife protections</li> </ul> <p>The timelines for introduction of mandatory BNG are dependent on a number of factors. The below is our current understanding of the likely timetable towards mandatory BNG.</p>

<p><i>Autumn 2021:</i> 9 Nov - Environment Bill gets Royal Assent - now the Environment Act</p> <p><i>Winter 2021/22:</i> Government consultation on BNG statutory instruments and regulations - closed 5 April 2022</p> <p><i>Spring 2022:</i> Biodiversity Metric 3.1 released and Government response to consultation</p> <p><i>Spring 2023:</i> BNG site register and statutory credits sales platform go live</p> <p><i>Winter 2023:</i> Biodiversity net gain expected to become mandatory for all TCPA developments</p> <p>The council are aware of their mandatory requirements with regards to BNG and will be looking at the resource implications with regards to its introduction.</p>				
Action	Owner	By when	Target / success criteria	Progress
No action required.				

<b>Recommendation p)</b>	<b>A review be undertaken of how current regulations and restrictions are being utilised in order to protect the environment and to enable the council to respond to the climate and ecological emergency.</b>
<b>Executive response</b>	<p>The Herefordshire Local Plan Core Strategy 2011 – 2031 contains policies on climate change and ecology which are considered when determining a planning application;</p> <p>SS6 – Environmental quality and local distinctiveness</p> <p>SS7 – Addressing climate change</p> <p>LD2 – Biodiversity and geodiversity</p> <p>SD1 – Sustainable design and energy efficiency</p> <p>SD2 – Renewable and low carbon energy</p> <p>SD3 – Sustainable water management and water resources</p> <p>SD4 – Waste water treatment and river water quality</p> <p>The council has published a Climate Change Compliance Checklist to be submitted with planning applications;</p> <p><a href="https://www.herefordshire.gov.uk/climate-change-compliance-checklist">Climate change compliance checklist (herefordshire.gov.uk)</a></p>

	<p>This checklist has been prepared in order for applicants to demonstrate to decision makers that the policies have been complied with, in that sustainability measures have been incorporated in development proposals where possible. It should be submitted by the applicant as supporting evidence of compliance with the climate change mitigation criteria of policy SD1, supporting the objectives of policy SS7.</p> <p>The council has also published a Biodiversity &amp; Ecology measures compliance checklist to be submitted with planning applications;  <a href="https://www.herefordshire.gov.uk/biodiversity-and-ecology-compliance-checklist">Biodiversity and ecology compliance checklist (herefordshire.gov.uk)</a></p> <p>All new applications for development (including revised applications or those at Reserved Matters stage) which affect nature conservation sites, habitats and important species will need to complete the checklist, to demonstrate that the relevant ecological information has been submitted as supporting evidence of compliance with the biodiversity criteria of policy LD2, supporting the objectives of policy SS6.</p> <p>The council are producing a Supplementary Planning Document to promote higher building standards through setting out best practice guidance for improving building performance, reducing energy use in buildings, enhancing the external environment, improving accessibility, and reducing energy and waste in the construction stage.</p> <p>The document details recommendations to drive up environmental standards of buildings in Herefordshire, consistent with the council's recognition of the climate and ecological emergency and our vision for a zero-carbon, nature-rich Herefordshire.</p> <p>The document does not introduce a new policy but is designed to provide supplementary guidance on the adopted Core Strategy environmental quality policies. It will be a material consideration in the determination of planning applications.</p> <p>Consultation on the Environmental Building Standards Supplementary Planning Document ran from Wednesday 2 March to 13 April 2022. The representations are being considered.</p>			
Action	Owner	By when	Target / success criteria	Progress
No action required.				

Recommendation q)	<b>Local ward members are involved more actively in the preparation of heads of terms for planning obligations.</b>			
Executive response	<p>The new council Constitution was approved by full council on 20 May 2022. The following paragraphs relate to the ward member involvement of the heads of terms;</p> <p><i>4.8.3 All members will be informed by email on the submission of a new planning application in their ward.</i></p> <p><i>4.8.4 All applications will proceed and will be determined under delegated powers unless they fall within the category of applications automatically to be referred to committee or are redirected as provided for under the redirection arrangements in these rules.</i></p> <p><i>4.8.5 In addition:</i></p> <p><i>(a) the case officer will telephone the ward member (and/or where necessary arrange a meeting) to update the ward member on the processing of the application and any comments received.</i></p>			

<p><i>(b) as part of this initial conversation the case officer will also identify to the ward member whether an application triggers the need for a section 106 agreement in accordance with the council's adopted Planning Obligations Supplementary Planning Document.</i></p> <p><i>(c) in the case of applications requiring a Section 106 agreement the case officer will have a subsequent conversation/meeting with the ward member to ensure that local mitigation measures are appropriately incorporated. As part of this process officers and members will be guided by the council's adopted Supplementary Planning Guidance and the evolving schedule of local needs co-ordinated by the planning obligations manager.</i></p> <p>Anyone (including Town/parish councils) making an online representation to a planning application are invited to put forward their views on infrastructure needed to mitigate the impact of the development. The form states, 'If the council were minded to approve this application what infrastructure would you like to be considered from the section 106 contribution'.</p> <p>The council write on an annual basis to all Town/parish councils to ask them to submit their S106 infrastructure 'wish lists'. These are used to inform heads of terms. We would encourage ward members to encourage their Town/Parish councils to respond to the request so that local infrastructure requirements can be considered.</p> <p>The Planning Obligations are required when (a) they are necessary to make the development acceptable in planning terms, (b) directly related to the development and (c) fairly and reasonably related in scale and kind to development. The 'wish lists' which town and parish councils provide help inform this process and are used by the Planning Obligations Manager to create the Heads of Term for a development. Local ward members are provided with the Heads of Term and invited to comment</p>				
Action	Owner	By when	Target / success criteria	Progress
No action required.				

<b>Recommendation r)</b>	<b>The Re-thinking Governance Working Group be invited to give further consideration to a stronger role for the local ward member in the redirection procedure.</b>
<b>Executive response</b>	<p>The Re-thinking Governance Working Group have concluded their work with the new council constitution being approved at full council on 20 May 2022. The redirection procedure is set out at paragraphs 4.8.12 – 4.8.31.</p> <p>Paragraph 4.8.15 states;</p> <p>Ward councillors may choose to ask that sensitive or controversial applications be redirected for a decision by the Planning and Regulatory Committee. A ward councillor for the purpose of this redirection procedure is the ward councillor and any councillor whose ward is materially affected by the application.</p> <p>The following paragraphs in the constitution set out the redirection procedure for ward members;</p> <p>4.8.28. A councillor requesting the redirection of an application should always provide sound planning reason(s) for doing so based on the circumstances and material planning considerations of the proposal.</p> <p>4.8.29 Any such request should be made in writing to the case officer and the development control manager.</p>

	<p>4.8.30 All requests for redirections will be discussed by the service director, regulatory (or their delegate) with the chairperson of planning and regulatory committee together with the member who has requested the redirection. A decision whether to accept the redirection will be made by the service director, regulatory (or their delegate) on the basis of guidance set out in these rules and the circumstances and material planning consideration of the case. The decision will be confirmed in writing. In the chairperson's absence, the vice chairperson will be consulted.</p> <p>Planning is a Quasi-judicial process for officers and Planning Committee members to decide and therefore sits separate to the cabinet processes.</p>			
Action	Owner	By when	Target / success criteria	Progress
No action required.				

Recommendation s)	<p><b>Clarification be provided about what customers can expect in terms of communication and liaison from the planning service, including the frequency and timeliness of responses.</b></p>			
Executive response	<p>The planning service will respond to customer contact in accordance with the council standards;</p> <p>Telephone contact: we will normally respond within five working days, even if a holding response is needed whilst further investigation takes place. This could involve leaving a message and three attempts to make contact if a message cannot be left.</p> <p>Written contact: A response, if needed, will take within 10 working days unless there is a separately stated timescale. The council will use electronic messaging including email as the default response to a query. However if a letter is the requested method of contact then the council allows 15 working days response time to allow time for postage.</p> <p>With regards to representations made to a planning application these will be considered by the planning officer in determining a planning application.</p> <p>Lockdown has impacted on officers and managers are aware and working with them together with support from other agencies to support mental health and well-being. Getting the planning teams back into plough lane offices is an important factor in resolving some of these issues together with enhanced visibility of officers as a result. The informal meetings which often took place in the atrium at Plough Lane is an important area that I am keen to re-introduce.</p>			
Action	Owner	By when	Target / success criteria	Progress
No action required.	KB			