



To: Scrutiny Management Team

Date of meeting: 15th November, 2016

Notes of: Committee Administrator

IMPACT OF UPPER TIER AUTHORITIES ON PLANNING MATTERS

Background

1. When setting the Team's work programme for 2016/17, Members agreed to look at the impact of upper tier authorities on planning matters (in our case, this is Lancashire County Council (LCC)).
2. There was concern regarding the scope, content and timeliness of LCC's consultation responses with regard to planning applications.
3. It was noted that LCC's scrutiny team was in the process of carrying out a similar review and therefore it was agreed to carry out this piece of work in the latter part of the year, to allow for the work of LCC to be taken into account.

Lancashire County Council Scrutiny

4. The initial step of LCC's Scrutiny Committee was to form a Planning Matters Task Group to carry out a review on the County Council's consultation responses to district councils.
5. Their work included investigating the processes surrounding the submission of planning applications; the determination of planning applications; and understanding the responsibilities of various organisations in the planning process.
6. Their aim was to secure a working protocol for the submission of responses by the County Council to planning consultations from district councils.
7. They also looked at how communication could be improved.
8. Specific areas of the County Council investigated by the Task Group were –
 - highways development control

- finance for schools (s106 and education contributions)
 - flood risk management
9. On conclusion of the Task Group's investigation, the recommendations were sent to the following consultees for comment –
- LCC Highways Officers
 - LCC Flood Risk Management Officers
 - LCC Education Officers
 - Lancashire Development Control Officers Group
 - Chairs of District Council Planning Committees
 - District Council Planning portfolio holders
10. Most district councils responded, all of which were supportive of the proposals and offered suggestions to improve the system.
11. The comments of Pendle Council were submitted through the Lancashire Planning Officers Group and it is noted that these are not formally recorded in the appendix to their final report.
12. Members are therefore advised that the Planning, Building Control and Licensing Services Manager has no issues with any of the recommendations of their scrutiny panel.
13. However, it has been stated that the lack of resources to address specific questions that we ask of LCC is causing delays on nearly every application that we have to consult them on.
14. This is having an impact on delivering development and cannot be addressed by simply asking us to request comments on less applications and self-serving on others.
15. Lack of local knowledge and expertise has also been highlighted as an issue.
16. The Task Group's final report, with recommendations (attached at Appendix 1), was agreed at the meeting of LCC's Scrutiny Committee held on 8th April, 2016.
17. A copy of the minute from the meeting is attached at Appendix 2.
18. The Cabinet Member for Environment, Planning and Cultural Services also supported the recommendations of the Task Group and agreed that adjustments would be made to operational practices to implement them.

The way forward

19. It is noted that the recommendations seek changes to county council and district council practices.
20. The Team may wish to consider carrying out a light touch reviewing focussing on these recommendations.

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References: www.lancashire.gov.uk

Date: 8th November, 2016