

REPORT FROM: CORPORATE DIRECTOR

TO: COUNCIL

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CENTRAL PLANNING COMMITTEE AND AREA COMMITTEES

PURPOSE OF REPORT:

To set out the terms of reference and working arrangements for the new central Planning Committee and the consequential changes for Area Committees; and to propose a change in Area Committee budgets.

RECOMMENDATIONS

- (1) That the terms of reference and working arrangements for the new central Planning Committee be approved.
- (2) That the proposed amendments to the scheme of delegation be approved.
- (3) That the Chairman of the Committee be appointed.
- (4) That the new working arrangements for Area Committees be approved.
- (5) That the proposed change to Area Committee budgets be approved.

REASONS FOR RECOMMENDATIONS

- (1) To implement the decision taken at Annual Council.
- (2) To improve the procedure for use of Area Committee budgets whilst making a revenue saving.

1. At the Annual Council meeting the Council resolved as follows:

That with effect from 1st September 2022 Area Committees no longer be responsible for planning matters and that a Planning Committee be established to take on this function and that the Corporate Director be requested to report to this meeting on this and consequential changes to the terms of reference and operation of Area Committees.

Central Planning Committee

2. The following takes on board advice from the Planning Advisory Service.
3. The terms of reference of Area Committees on Planning matters are set out in the Appendix. These will become the terms of reference of the new Planning Committee subject to the following:
 - a. they will also include the determination of applications for 60 or more housing units which currently lies with the Policy and Resources Committee;
 - b. the current procedure of referral to the Policy and Resources Committee of intended decisions which would represent a significant departure from policy or a significant risk of costs will no longer apply.
4. Also set out in the Appendix are the proposed delegations to the Planning, Economic Development and Regulatory Services Manager on Planning and Building Control matters. In their current form they lead to a significant number of matters going to Committee for which there is little justification. The result is inefficiency and reduced performance.
5. In summary the number of objections from separate neighbour addresses to trigger referral to Committee is increased from three to ten; and a councillor requesting that an application be considered by the Committee must put forward valid planning reasons which in the opinion of the Service Manager justify it being considered by the Committee. A form will be produced together with guidance on this.
6. The following are the proposed working arrangements for the Committee:
 - a. That it be named the Planning Committee.
 - b. That it comprise eleven councillors reflecting the current political balance of 6 Conservatives; 4 Labour; 1 Liberal Democrat.
 - c. That all appointed members undertake mandatory training.
 - d. That each member be permitted to nominate one substitute who has also undertaken the mandatory training.
 - e. That parish and town councils be invited to nominate a representative to attend meetings where the agenda includes a matter in their area; such representatives to have the right to speak on such matters but not vote.
 - f. That meetings be held monthly normally on the second Wednesday of the month starting on 14th September and beginning at 7 pm.
 - g. That meetings be normally held at Nelson Town Hall but other venues in the Borough be considered where it is likely a large number of members of the public will attend the meeting.
 - h. Officers will present each application at the start of its consideration.
7. Planning Committee members will be required to participate in training on the planning system and procedure as decided by the Council from time to time. If a Member fails to do this it will result in them being asked to stand down from the Committee. It is expected that the first session presented by the Planning Advisory Service will be held in the week beginning 5th September on Teams.

Area Committees

8. Apart from the Planning function area committees will retain their existing terms of reference and composition as set out in the Constitution.

9. It is proposed that the frequency of area committee meetings is reduced to bi-monthly starting in October as there will no longer be a need to meet four weekly to hit the target for turn round of determining planning applications. A calendar will be circulated in due course.
10. For the avoidance of doubt requests to include on an agenda discussion of a planning application or enforcement case will not be permitted.
11. Officer attendance at meetings will consist of the Area Coordinator and a Committee Administrator.

Area Committees – Change to Budgets

12. Councillors will know that the Council's policy is that area committee budgets are of a capital nature and that the Chief Finance Officer's approval to proposed bids is required. Strictly speaking the restrictive nature of capital spend means that that the value of a bid must be greater than £10,000 and must be on a Council asset.
13. The result is that some smaller bids go through as revenue against the budget or are refused to the frustration of Councillors who wish to help fund deserving projects. The current arrangement is administratively burdensome and fails to satisfy neither the needs of the Council or the wishes of Councillors.
14. Area committees also struggle to allocate fully the budget and a large amount of slippage has built up with £544,000 being carried forward to 2022/23. The Council agreed to cap this at £170,000 from 31st March 2023.
15. The Chief Finance Officer is therefore proposing that, to simplify the process and give more freedom to Councillors, the budget be moved from capital to revenue. To do this would in effect amount to an increase in the current £500,000 revenue savings target by £170,000 if the current allocation to area committees were used.
16. It is suggested therefore to set the revenue budget equivalent to £3,000 per Councillor at £99,000. Based on this the allocations would be:

Area Committee	No of Councillors	Allocation
Barrowford and Western Parishes	4	12,000
Colne and District	9	27,000
Nelson, Brierfield and Reedley	14	42,000
West Craven	6	18,000
Total	33	99,000

IMPLICATIONS

Policy: The changes outlined above reflect the Council's new policy on the governance arrangements for dealing with planning matters.

Financial: The move to the Development Management Committee and the reduction in the frequency of area committees will be broadly cost neutral.

The change to area committee budgets from capital and revenue together with the proposed overall reduction in the allocation will make a revenue saving.

Legal: None arising directly from the report.

Risk Management: None arising directly from the report.

Health and Safety: None arising directly from the report.

Sustainability: None arising directly from the report.

Community Safety: None arising directly from the report.

Equality and Diversity: None arising directly from the report.

APPENDICES

Terms of reference and officer scheme of delegation

LIST OF BACKGROUND PAPERS

None