

**PLANNING PEER CHALLENGE
CROSS PARTY WORKING GROUP**

WORKSHOP

FRIDAY 7 SEPTEMBER 2018 at 10.00AM – 3.00PM

ROOM 140

AGENDA

10.00 – 10.15	Arrival with tea/coffee	
10.15 – 10.20	Apologies for absence	
10.20 – 10.30	To receive and agree the notes of the previous meeting	Page 3
10.30 – 11.15	Call-In refinements a. Review of Automatic Call-In for Members and Officers b. Call-in where Ward Member has pecuniary interest	Page 9 Page 12
11.15-12.30	Pre-Application Process/Member Engagement To consider the Council's approach to the pre-application process and member engagement.	Discussion
12.30 – 13.00	LUNCH	
13.00 – 13.45	Planning Committee Processes To discuss and consider the impact that previous decisions have had on the new planning committee processes. a. What's working? What's not working? b. Public speaking at Planning Committee	Discussion Page 15
13.45 – 14.15	Member Training To confirm the position in relation to current and future member training.	Discussion
14.15 – 14.45	Action Plan To note progress to date on the remaining recommendations set out in the action plan	Page 19
14.45 – 15.00	To note the date and time of the next meeting as being Friday 5 th October 2018 and to consider items for the agenda.	

Invitees

Councillors	Officers
Robert Ashman	James Arnold
John Bridges	Chris Elston
John Geary	Melanie Long
John Legrys	Ian Nelson
Trevor Pendleton	Louis Sebastian
Tony Saffell	
Nigel Smith	PAS
	Jack Hopkins (Chair)
	John Cummins

**PLANNING PEER CHALLENGE
CROSS PARTY WORKING GROUP**

NOTES OF MEETING

FRIDAY 11 MAY 2018

Attendees

Councillors	Officers
Robert Ashman	James Arnold
John Geary (from 1.00pm)	Chris Elston
John Legrys	Melanie Long
Trevor Pendleton	Ian Nelson ((from 1.00pm)
Tony Saffell	Louis Sebastian (from 1.00pm
Nigel Smith	PAS
	Jack Hopkins (Chair)
	John Cummins

1 Apologies for absence

Apologies were received from Councillor John Bridges.

Councillor John Geary, Ian Nelson and Louis Sebastian were present from 1.00pm

2 Notes of the previous meeting

Clarification was sought on the reference to the start time for the Planning Committee. It was confirmed that a 6.30pm start time had been discussed and agreed to be consistent with other committees.

JL asked that if target dates could be set for the introduction of webcasting at meetings and it was agreed that these would be included in the action plan.

The Group agreed the notes of the previous meeting and raised a few additional issues for further discussion. It was acknowledged that these would be picked up under the relevant agenda item.

AGREED:- That the notes of the previous meeting be confirmed as an accurate record of the meeting.

3 Planning Committee Process

The Group considered the implications of the decisions made on the changes to the Planning Committee arrangements. This included the timing of briefings and the criteria for site visits. An issue paper was prepared and circulated by JC to enable a discussion.

Briefings

On discussing the timing of the Planning Committee briefing it was considered that this should be held in the week before the meeting, once the agenda papers were available, to allow sufficient time for members to read the papers and enable any points to be clarified well ahead of the meeting. It was agreed that the agenda papers should be made available in both hard copy and by electronic means and that the Planning Committee meeting itself should remain on a Tuesday for consistency, with the provision that this could be changed in circumstances whereby a Bank Holiday fell in the week of the Committee. It was therefore felt that the briefing should be held on the Wednesday of the week preceding Planning Committee and that this should be at 5.30pm to minimise the likelihood of any meeting clashes. It was considered that this briefing should be of a technical nature to allow officers to update members on any salient points and to clarify any issues they may have. It was also felt that this briefing should be open not only to all members of the Planning Committee, including the substitutes, but to members whose wards may be affected by any of the planning applications. Whilst it was accepted that ward members would not be able to make decisions on matters within their wards, they could represent their constituents and these briefing would help them in doing this. A further briefing would still be required immediately prior to the meeting for Planning Committee members but this would just be to update them on any activities since the technical briefing. It was considered that there needed to be cut-off point after which no more changes would be accepted by officers and subsequently the Planning Committee. It was therefore agreed that any further changes would not be accepted after noon on the day of Planning Committee when the update sheet will be published. Significant changes would therefore require withdrawal by the applicant or a deferral to the next meeting. On considering the length of any such deferrals, it was felt that by making the applicant wait a month until the next Planning Committee meeting, may deter them for making such late changes. It will also ensure that any re-consult requirements can be met.

Site Visits

On consideration of the timing and relevance of site visits, it was agreed that this should be determined at the technical briefings by members of the Planning Committee only. Therefore, there would be sessions at the end of the briefings where other members would be asked to leave to allow this discussion to be had. This discussion would consider which applications warranted a visit, the timing and the meeting place. Members would make the visits under their own steam. It was felt that the bus did not offer value for money and gave a poor perception of the use of tax payers' money. It was also agreed that those applications where it has been determined not to visit the site, could still be visited independently by members. Further, the technical briefings could include some video footage of some of the sites to save a visit.

On looking at the layout of the Planning Committee, a seating plan was agreed together with the location of additional screens. Details are appended. It was noted that this would be a temporary arrangement until the Council Chamber could be refurbished and the fixed seating replaced. On further discussion of this, it was felt that consideration should be given to raised flooring and a ramp for the top table to give some gravitas to the proceedings. It was also asked if every decision should be recorded for clarity and certainty; and whilst it was considered that this was not necessary, it was acknowledged that electronic voting would allay any concerns in this regard.

Turning the discussion to presentations, it was felt that officers should have an informal target of limiting them to 5 minutes to be consistent with Members and the public who have time limits imposed on them. It was agreed that reference to the contents of the report would be minimal given that the assumption has to be made

that all members have read their papers. It was also agreed that there would be some merit in a de-brief meeting comprising the Chair, Deputy and relevant planning officers and that the practice of visiting applications some 2-3 years after development would continue. It was agreed that the de-brief meeting need not require attendance at the Council offices and could be done by email, conference call or skype.

AGREED

1. Planning Committee meetings to be held on Tuesdays, where possible, to commence at 6.30pm
2. Technical planning briefings to be held on the Wednesday in the week preceding the date of the Planning Committee at 5.30pm.
3. Invitees to the technical briefings to include Planning Committee members, substitutes and affected ward members.
4. Members of the Planning Committee and any substitutes will determine which applications require a site visit and agree the date, time and location to meet. They will all attend and make their way under their own steam, seeking assistance from colleagues where a lift is required.
5. No late changes will be accepted after the update sheet has been published at noon on the day of Planning Committee.
6. Officer presentations will be kept to a minimum with an informal time limit of 5 minutes.
7. An informal de-brief meeting will be convened the day after the Committee meeting between the relevant planning officers, the Chairman and the Deputy by electronic, skype or other means deemed suitable to all parties.

ACTIONS

1. Democratic Services to book the technical briefings for Planning Committee for the forthcoming civic year.
2. Democratic Services to liaise with Property Services regarding the potential for raised flooring and electronic voting.
3. Planning Officers to draft a protocol which can be followed by Members on which applications should require a site visit.
4. Planning Officers to review their methodology of presenting the planning reports with a view to keeping them short.

4 Call-in

The Group sought the advice of PAS on call in issues for discussion and agreement. Reference was made to 7.1 of the action plan which refers to the introduction of a single stage call in process, 28 days following the issue of the consultation notice; and 7.2 which refers to the requirement of members giving strong planning reasons for any call-in. It was felt that the wording should make clear that members of any affected neighbouring wards should have the capability of calling in an application; and reference to "*a request for call in must be supported by material planning grounds*" should read "*must only be supported by material planning grounds*", to stop call-ins being requested for any other reason. On discussing who decides whether this criteria has been met, it was agreed that this should be the Chairman in consultation with the Head of Planning Services. Therefore it was agreed that an additional point be added to the Council report to make clear who the arbiter would be. It was also acknowledged that any ward members whose call in request is refused for not meeting this criteria, would need to be written to with an explanation; although it was accepted that this is current practice.

AGREED

That the Council report be amended to reflect the change of wording above and to include an additional point to address the issue of the arbiter of the decision on whether a call in request meets the test for being a material ground.

ACTION

LS to make the necessary changes to the Council report for inclusion in the additional papers for the Council meeting on 15 May 2018.

5 Member Training

The Group considered arrangements for future member training. It was felt that that there were three types of training:

Chairman/Deputy :-

- Process
- Behaviour

Committee Members:-

- Refresher on planning policies
- Role of Committee
- Understanding the application process
- Effectively challenging aspects of an application
- Case studies - good and bad.

Groups:-

- Planning policies
- Application processes
- Making effective representations
- Neighbourhood plans

Members were asked to email John or Jack with any specific training requirements and it was agreed that effective training should be delivered externally in consultation with PAS, perhaps using an existing Chairman to share experiences and best practice. It was agreed that short, sharp training sessions would be held with minimal or no use of Powerpoint. It was noted that a session was being planned for members of the Planning Committee to ensure that they receive their compulsory training ahead of the first meeting of the civic year in June. It was confirmed that any member not having received the relevant training would not be permitted to sit on Planning Committee until they had. One to one sessions could be convened if necessary.

ACTION:

That a training event be convened on 22 May 2018.

Post meeting note - The training event will be held between 11.30 and 3.30 on Tuesday 22 May in the Board Room. Lunch will be provided.

6 Action Plan

The Group noted the progress to date on the other recommendations set out in the action plan which has been updated following this meeting.

7 Date and Time of Next Meeting

It was agreed that the next meeting would be held on a date and time to be determined, given the holiday period and the difficulty in co-ordinating diaries.

ACTION:

This matter will be discussed after the training event on 22nd May.

FUTURE ITEM:

Pre-Application processes - To agree a protocol on the pre-application process.

Dated 7 September 2018



Planning Cross Party Working Group

Discussion Note

relating to matters arising from the revised Call-In Process following the Planning Peer Challenge

Private and Confidential

1. Background

- 1.1 The Council's Planning Function underwent a Peer Challenge review in early 2018. Some of the recommendations made by the Planning Peer Challenge team, focused on the process for Members to call-in planning applications to Planning Committee. It also address the automatic process under which members' and officers' (and their relatives') applications are decided by Planning Committee. The text from the Planning Peer Challenge Team's report that relates to call-in is set out in Appendix 1 of this note.
- 1.2 The call-in process was reviewed by this Working Group and the following changes were made to the call-in process by Council on 15 May 2018:
- 1.2.1 The applications of relatives of members/officers are no longer automatically referred to Planning Committee
- 1.2.2 Call-in process simplified so that:
- a) Members are notified of planning each application in their ward;
 - b) Ward member (or neighbouring ward member if application has material impact on their ward) has 28 days from notification to request a call-in (provided they don't have a pecuniary interest in the application);
 - c) Request must be supported by material planning grounds;
 - d) The Chairman of the Committee is the arbiter of whether supporting grounds constitute "material planning grounds"
- 1.3 There have now been three Planning Committee meetings since the revised process was put in place and so now is a good time to discuss matters arising. The Working Group is asked to consider these matters and decide whether further changes to the process should be recommended to Council for implementation.

2. Review of Automatic Call-In for Members and Officers

- 2.1 The Peer Challenge Team said the following in relation to automatic call-in for members and officers:

"The procedures surrounding the call-in of members' officers' and their relatives' applications are understandable, in that the council needs to show that the applications are not subject to bias. However the practical reality is that the opposite can happen. Despite the procedures in place to prevent this, a review of the procedures needs to take place to ensure that the current processes involved do not unwittingly create a degree of advantage."

Recommendation: *Officer/member/relatives' applications should only be referred to committee if officers are minded to approve an application*

- 2.2 Members will note that the existing process in relation to officers and members says that if an application is recommended for approval and there are no major impacts and no objections received, then it does not need to be decided by Planning Committee. The issue which the Peer Challenge Team highlighted therefore is where an application that would be rejected by planning officers gets to go to Planning

Committee with the possibility of being approved, just because the applicant is a member or officer.

- 2.3 Previous discussions at the Working Group, and recommendations to Council, have focused on the question of Relative's applications. The principle applied was that Relatives of officers and members should not get a second opportunity to have their applications approved by Planning Committee that members of the public do not get. This "second bite of the cherry" has in the past contributed to the perception that there is bias in the planning process.
- 2.4 Since the Planning Peer Challenge, there has been a case where an officer was given pre-application advice that their application would not be given permission. However they proceeded with their application on the basis that, as an officer, they would get to stand in front of Planning Committee and try and get approval that way. This route was only available by virtue of the fact that they were an officer of the Council and so officers (and members) have an advantage that members of the public do not. It is for exactly this reason that the Peer Challenge team made the recommendation above.
- 2.5 Further arguments for only referring officers and members applications to Planning Committee if they are recommended for approval (and only where there are objections or major impacts) include:
 - 2.5.1 planning officers are subject to professional codes of practice. Failure to make decisions properly (e.g. influenced by personal issues with the officer/member application) would lead to professional and disciplinary implications;
 - 2.5.2 if officers incorrectly (or inappropriately) reject an application, the applicant has a right of appeal to the Planning Inspectorate but if a rejection is turned into an approval by Planning Committee, there is no recourse for objectors;
 - 2.5.3 it removes the accusation that officers/members can get approvals that the public cannot because they have connections with members on Planning Committee;
 - 2.5.4 only changing the process for Relatives would give rise to accusations that members and officers were aware that they had an unfair procedural advantage (as pointed out by the Peer Challenge) but had not taken any steps to fix the process because they were benefitting from it.
- 2.6 Arguments for keeping the system as it is with officers'/members approvals and rejections going to Planning Committee are:
 - 2.6.1 officers/members run the risk of having their approvals overturned by committee, which is a risk that the public do not face. Does this balance out any perceived advantage of their rejections going to committee? (Note that incorrect rejections can still be appealed);
 - 2.6.2 the broad approach appears transparent and open;
 - 2.6.3 it takes decisions out of the hands of planning officers where there may be a personal history.
- 2.7 The Working Group is invited to discuss this matter in light of the above and consider whether to recommend to Council that officers and members applications should only

go to Planning Committee if recommended for approval and there are objections and/or major impacts.

- 2.8 The advice of officers on this point, echoing the Peer Challenge Team report, is that this change should be made.

3. Call-in where Ward Member has pecuniary interest

- 3.1 The call-in process rightly limits the ability of members to call-in an application to Planning Committee where they have a pecuniary interest in the application. However, this gives rise to the possibility of no ward member being available to call-in an application. This removes an avenue of democratic representation in the planning process for members of the public.

- 3.2 The Working Group is invited to discuss possible ways forward to correct this situation. Possible ways forward include:

3.2.1 in general, allowing any member to call in any application (previously discussed and rejected by this Working Group);

3.2.2 allowing a nominated ward member to make the call-in request if the relevant member has a pecuniary interest;

3.2.3 establishing a process whereby a senior officer steps into the shoes of the member who has a pecuniary interest so it is the officer that makes the request for call-in;

3.2.4 automatically calling in applications where there is a member pecuniary interest;

3.2.5 other suggestion put forward by the Working Group.

- 3.3 Whatever process is agreed, there must still be material planning grounds and the application must relate to a matter of local concern. As with the usual member call-in process, the arbiter of whether these exist will still be the Chairman. This ensures that members of the public are in a no better and no worse situation than they would be in if there was no pecuniary interest.

- 3.4 Advice of officers on this point is that a process needs to be in place to cover the scenario where there is a pecuniary interest. The exact nature of that process is for members to decide.

Appendix 1

Excerpts from the Peer Challenge Report relating to Call-In

Page 4 – Key recommendations

Call-in procedures for Planning Committee applications are not clear and need reworking. The current approach is not transparent for the public and its application results in applications clogging up the committee. More thought needs to be given to how and why call-in applies to applications and the best way forward for members to be able to flag up their concerns of applications, irrespective of where the councillor is currently based. A more strategic approach would enable members to call-in any application if they had concerns. However in being able to challenge more widely, members should be careful not to exploit call-in and the Chair, advised by officers, should be able to approve or sanction call-in requests before they reach the Planning Committee stage.

Page 17 – Section 4.8 – Call-in

The call-in arrangements are complicated and are not easy to understand and often the reasons for call-in do not appear to be articulated on planning grounds.

The potential for ward-only call-ins reinforces the ward-only focus for members rather than supporting and encouraging them to have a more strategic, districtwide overview. It is also not appropriate for members to sit on the committee for applications in their ward. The committee member(s) should step back from the committee for the duration of that item, whether or they called it in or not.

The current two-stage call-in process enables call-in once representations and consultation responses have been received, in addition to the initial three week period. This is overly complex and difficult for both councillors and the public to understand and would seem to have no obvious benefit over an approach where the initial period is simply extended by a week or so.

The procedures surrounding the call-in of members' officers' and their relatives' applications are understandable, in that the council needs to show that the applications are not subject to bias. However the practical reality is that the opposite can happen. Despite the procedures in place to prevent this, a review of the procedures needs to take place to ensure that the current processes involved do not unwittingly create a degree of advantage.

Recommendations

- Develop a single stage for call in, possibly over a longer periods, for example 28 days, at the start of the determination process
- Members need to clearly articulate the strong planning reason for call-in
- Officer/member/relatives' applications should only be referred to committee if officers are minded to approve an application
- Consider amending the constitution trigger so only serving members' and officers' applications are sent to committee

Public Speaking at Planning Committee

Background –

It has been noted that it is now becoming common for questioning of speakers to take place at Committee.

Clear guidance is already published on the Councils web site as to the processes to be following at the Planning Committee and while questioning of speakers is an accepted part of the procedures adopted by the Council for the Committee, it is noted that the questioning should only take place on rare occasions.

In addition, and as indicated in the Councils guidance, the debate at the Committee is subject to the Councils own rules of debate which has specific requirements relation to questions.

Below is an outline of the current best practice produced by POS (Planning Officers Society) and PAS together with a summary of the Councils own published information.

1.0 Published guidance

1.1 POS Practice Guidance Note 1

Public Speaking in Planning Committees:

Purpose of speaking

10. Most authorities only allow those who have made written representations or submitted the proposal to speak. Therefore, the views of the parties and the material points arising are already available to the authority and included in the Committee report. It is helpful if the authority's published advice to those contemplating public speaking makes this clear, and states that any previous representations will be available to the Committee. Published advice can helpfully explain that the purpose of the speaking opportunity is not to seek to explain all points expressed (as the authority is already aware of these), but to emphasise important points before a decision is taken. ***It is important to convey that public speaking is not an adversarial opportunity***, and to explain the limited time available and how the public speaking opportunity relates to the Committee procedure and decision making process as a whole. It is also useful for published advice to explain that questions of other parties or the Council are not appropriate and clarifications should be sought of the officers or other parties prior to the meeting. ***Published advice should explain that after each party has spoken the Councillors may want to clarify any points raised, and then the Committee will proceed to determine the application without further public speaking opportunities.***

Note: My italics.

1.2 PAS Guidance Probity in planning for councillors and officers

Public speaking at planning committees

Whether to allow public speaking at a planning committee or not is up to each local authority. Most authorities do allow it.

As a result, public confidence is generally enhanced and direct lobbying may be reduced. The disadvantage is that it can make the meetings longer and sometimes harder to manage.

Where public speaking is allowed, clear protocols should be established about who is allowed to speak, including provisions for applicants, supporters, ward councillors, parish councils and third party objectors.

In the interests of equity, the time allowed for presentations for and against the development should be the same, and those speaking should be asked to direct their presentation to reinforcing or amplifying representations already made to the council in writing.

New documents should not be circulated to the committee; councillors may not be able to give proper consideration to the new information and officers may not be able to check for accuracy or provide considered advice on any material considerations arising. This should be made clear to those who intend to speak.

Messages should never be passed to individual committee members, either from other councillors or from the public. This could be seen as seeking to influence that member improperly and will create a perception of bias that will be difficult to overcome.

Note: Silent about questioning of speakers.

1.3 Guidance on NWL Website - https://www.nwleics.gov.uk/pages/planning_committee

Process

Applications are considered by Planning Committee item by item, normally as listed in the agenda (although the Chairman can amend the order if they think it will help the meeting run smoothly).

The Chairman will invite the planning officer to present their report. They will use the display in the room to show photos of the site, any artists' impressions and other materials.

Once they have spoken, the Chairman will invite any registered speakers to make their representations.

Speaking at Planning Committee

Will I be asked any questions?

Although this is rare, you may be asked to clarify certain points if members request it.

Note: This now seems to have become commonplace.

What happens at the meeting?

The Chairman will open the meeting and proceed with the formal items on the agenda before the applications. The applications will normally be considered in the order set out within the report.

Each application will be considered in the following way:

- The Chairman will announce each application in turn
- A Planning Officer will make introductory comments
- The order of speakers will be elected ward members, an authorised representative of the town or parish council, objector and then applicant/supporter
- A planning officer will be given the opportunity to respond to the comments made
- The Planning Committee will then consider the application and ask any questions and the Planning Officer may be asked to make concluding points

- The Planning Committee will then vote on the application once a recommendation is moved and seconded.

Note: No mention of questioning speakers by Members

The debate

The Chairman will open the debate to members.

No speeches can be made until a 'motion' has been moved and seconded;

A member may move a motion to:

- Permit / refuse in line with an officer recommendation
- Permit / refuse approval against an officer recommendation
- Defer an application (if they do not feel that they have enough information to make a decision).

The debate is governed by the Rules of Debate.

Note: My italics

Councils Rules of Debate

4.1: COUNCIL PROCEDURE RULES

11. QUESTIONS BY MEMBERS

11.6 Number of Questions. Questions are limited to one per member per meeting, plus one supplementary question.

11.8 Format of Questions. Members must confine their contributions to questions and answers and not make statements or attempt to debate. The Chairman will decide whether a member is contravening this rule and stop the member concerned. The Chairman's ruling will be final.

2.0 Conclusion

The Council already have established and published procedures for both public speaking and procedures to be adopted in the running of the Committee. As such, rather than producing a new 'protocol' which could complicate the established published guidance, simple changes to existing practices of the Council could be adopted as identified in the recommendations below.

3.0 Recommendation.

3.1 That the Members be reminded that the questioning of speakers at Committee should only take place in exceptional circumstances.

3.2 That the questioning needs to be directly related to material planning considerations relevant to the case being considered.

3.3 That, as with the Councils own Constitution 4.1, Council Procedural Rules, 11.6, only one question and one follow up question should be asked.

3.4 That the web site be amended to be consistent about the process.

John Cummins 07815623235

Recommendations and Action Plan arising from Peer Challenge 13-15 February 2018

Area	Ref	Recommendations	Actions	By Working Group supported by	Change to Constitution	Timescale (from 20 March 2018) A - 1-3 months B - 3-6 months C - 6-12+ months
1. Customer Experience	1.1	Agree a Service Level Agreement with the County Council to improve the consultation process.	To be developed in conjunction with Planning Advisory Service/LGA external support and consider national best practice. This is to be considered at a future meeting of the Development Management Forum and will seek to address issues which currently exist with regard to responses from Highways. Update after WG 13.04.2018 – Officers to scope areas where SLA would be beneficial and technologically possible. Cross-county interest to be gauged as well. WG to be kept informed. Update after WG 11.05.2018 – Noted – future agenda item	CE/JA	No	C
	1.2	Utilise customer services to deal with standard enquiries to free up professional officer time.	To be developed in conjunction with Planning Advisory Service/LGA external support and consider national best practice. The key objective is ensuring the most efficient use of staff resources to best serve the customer either through a planning support team or corporate customer services. This will be linked to the work on the review of the Customer contact centre. Broader implications of this recommendation need to be considered in line with resourcing of customer services team when the Head of Customer Services post has been filled. Update after WG 13.04.2018 – to be progressed with new Head of Customer Services once in post. WG to be kept informed. Update after WG 11.05.2018 – Noted – future agenda item	CE/JA/BS	No	C
	1.3	Evaluate the potential for a more comprehensive approach to pre-application advice	To be developed in conjunction with Planning Advisory Service/LGA external support and consider national best practice. Planning officers to review the current approach to pre-application advice and charging. A report to cabinet will be prepared setting out recommendation in 2018/19. Update after WG 13.04.2018 – PAS to circulate best practice document on pre-application advice to WG. In addition, WG to consider how and when to notify ward members of pre-application inquiries. Update after WG 11.05.2018 – John Cummins has been working on a pre-	CE/JA	Yes	C

Recommendations and Action Plan arising from Peer Challenge 13-15 February 2018

Area	Ref	Recommendations	Actions	By Working Group supported by	Change to Constitution	Timescale (from 20 March 2018) A - 1-3 months B - 3-6 months C - 6-12+ months
			application charging scheme and will forward this upon completion - future agenda item			
	1.4	Consider whether a charge for all pre-application advice would improve effectiveness.	Refer to above. This will be reviewed and scoped in accordance with best practice. Update after WG 13.04.2018 – research to be carried out on what neighbouring authorities charge for and cost/benefit analysis to be carried out. Update after WG 11.05.2018 – John Cummins has been working on a pre-application charging scheme and will forward this upon completion - future agenda item	CE/JA	No	C
2. Local Plan	2.1	Make the Local Plan Advisory Committee a formal decision making body	On 20 March 2018, Council agreed to an increased Committee with more delegated powers. An assessment has been made of the appropriate functions to be delegated to the reformed Committee and this will form the basis of the terms of reference to be considered at the first meeting of the Working Group with a recommendation to Council in May. The Monitoring Officer will make constitutional changes in relation to the Local Plan Advisory Committee with a view to implementation from the new civic year in May 2018. These will form part of the report to Council. An Independent Remuneration Panel meeting is being held on 6 April to determine whether or not an allowance should be paid to the Chairman of the Local Plan Committee. The findings of this meeting will form a recommendation to Council in May. Update after WG 13.04.2018 - Working Group's proposals and constitutional changes to be submitted to Council for implementation on 15 May 2018 (paragraph 3 of Council Report). Operation of LPC to be kept under review and reported back to Council after 12 months. Updated after Council 15.05.18 – Recommendations agreed.	LS/MP/IN	Yes	COMPLETED

Recommendations and Action Plan arising from Peer Challenge 13-15 February 2018

Area	Ref	Recommendations	Actions	By Working Group supported by	Change to Constitution	Timescale (from 20 March 2018) A - 1-3 months B - 3-6 months C - 6-12+ months
	2.2	Make clearer references to the Local Plan policies in all Planning Committee reports	<p>Planning officers to make clearer references to the Local Plan policies in all Planning Committee reports with immediate effect. Review of existing reports in conjunction with Planning Advisory Service/LGA external support and consider national best practice.</p> <p>Update after WG 13.04.2018 – work being progressed as part of improvements to planning reports (row 6.2 below)</p> <p>Update after WG 11.05.2018 – work being progressed and an update will be provided at the next meeting..</p>	CE	No	B
	2.3	Ensure the content and significance of the Local Plan is addressed in future training for Planning Committee members.	<p>Training programme to be developed in conjunction with Planning Advisory Service/LGA external support and consider national best practice.</p> <p>Update after WG 13.04.2018 – work being progressed as part of training matters (row 5.14)</p> <p>Update after WG 11.05.2018 – training identified and session agreed.</p>	CE/IN	No	COMPLETED
3. Section 106s, Neighbourhood Plans ad CIL	3.1	Consider how a proactive stance on NDPs may help with community engagement and delivering council priorities	<p>Planning officers to consider and evaluate approach to NDPs. To be developed in conjunction with Planning Advisory Service/LGA external support and consider national best practice.</p> <p>Update after WG 13.04.2018 – officers to progress with PAS. WG to be kept up to date</p> <p>Update after WG 11.05.2018 – Guidance is being provided by John Cummins.</p>	IN	No	B/C

Recommendations and Action Plan arising from Peer Challenge 13-15 February 2018

Area	Ref	Recommendations	Actions	By Working Group supported by	Change to Constitution	Timescale (from 20 March 2018) A - 1-3 months B - 3-6 months C - 6-12+ months
	3.2	Understand the need for resources if more NDPs are undertaken	Tbc on completion of above Update after WG 13.04.2018 – officers to progress with PAS. WG to be kept up to date Update after WG 11.05.2018 – Noted	IN	No	B/C
	3.3	Publish comprehensive details on website for greater transparency	Advice/external support to be sought from Planning Advisory Service/LGA and consider national best practice. Update after WG 13.04.2018 – officers to progress with PAS. WG to be kept up to date Update after WG 11.05.2018 – Noted	IN	No	B/C
	3.4	Explore options for further work on S106 processes.	Advice/external support to be sought from Planning Advisory Service/LGA and consider national best practice. Update after WG 13.04.2018 – officers to progress with PAS. WG to be kept up to date Update after WG 11.05.2018 – Work is ongoing.	JA/IN	No	B/C
	3.5	Revisit decisions on CIL to assess whether it is desirable and effective.	Planning Officers to revisit decisions on CIL to assess whether it is desirable and effective and incorporate and consider at part of the Local Plan Review. Update after WG 13.04.2018 – officers to progress with PAS. WG to be kept up to date Update after WG 11.05.2018 – Noted	JA/IN	No	C

Recommendations and Action Plan arising from Peer Challenge 13-15 February 2018

Area	Ref	Recommendations	Actions	By Working Group supported by	Change to Constitution	Timescale (from 20 March 2018) A - 1-3 months B - 3-6 months C - 6-12+ months
4. Roles, Responsibilities and Relationships	4.1	Ensure that all Members receive immediate training on member and officer/member protocols	Training programme to be developed in conjunction with Planning Advisory Service/LGA external support and consider national best practice. This will be considered at a future meeting of the Cross Party Working Group. Update after WG 13.04.2018 – PAS to liaise with Group leaders on a Member development programme Update after WG 11.05.2018 – training identified and sessions held. We need to address how to deal with the non-attendees. Jack Hopkins is sending a list of further topics for training. Agenda item for next meeting.	LS	No	A
	4.2	Enable more structured engagement with group spokespersons	Advice/external support to be sought from Planning Advisory Service/LGA and consider national best practice. This will be considered at a future meeting of the Cross Party Working Group. Update after WG 13.04.2018 – James A and PAS to meet with group spokespeople. Update after WG 11.05.2018 – Noted	JA	No	A
	4.3	Senior Members to create a culture of calling out poor behaviour	Group leaders to address member behaviour within their groups with immediate effect. Advice/external support to be sought from Planning Advisory Service/LGA and consider national best practice.	GL	No	A
	4.4	Improve the Committee procedures and operation to support the Chairman in running the Committee well.	Democratic Services, Legal Services and Planning Services to meet and agree a consistent approach in the operation and procedures relating to Planning Committee. Advice/external support to be sought from Planning Advisory Service/LGA and consider national best practice. A suggestion has been made of introducing a Chairman's briefing note. Update after WG 13.04.2018 - Working Group's proposals and constitutional changes to be submitted to Council for implementation on 15 May 2018	ML/CE	Yes	COMPLETED

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Area	Ref	Recommendations	Actions	By Working Group supported by	Change to Constitution	Timescale (from 20 March 2018) A - 1-3 months B - 3-6 months C - 6-12+ months
			(paragraph 5 of Council Report) Updated after Council 15.05.18 – Recommendations agreed.			
5. Planning Committee	5.1	Change the timing and nature of the Planning Committee briefing (not necessarily on the same day)	Advice/external support to be sought from Planning Advisory Service/LGA and consider national best practice. Update after WG 13.04.2018 – Informal briefing to take place one week before the Planning Committee meeting. The format and processes of the Planning Committee day will continue to be refined by the WG. (paragraph 2 of Council Report) Update after WG 11.05.2018 – Technical briefing arrangements agreed – Wednesday at 5.30pm in week preceding Planning Committee	CE/JA	No	COMPLETED
	5.2	Consider whether site visits are necessary for every application	Advice/external support to be sought from Planning Advisory Service/LGA and consider national best practice. Improved equipment at committee to enable better presentation on sites and proposals to be put in place Eg. Google map photographs. Advice/external support to be sought from Planning Advisory Service/LGA and consider national best practice. Update after WG 13.04.2018 – WG to develop a criteria based protocol for determining when site visits are necessary Update after WG 11.05.2018 – Agreed to determine this at technical briefings – no bus.	CE/JA	No	COMPLETED
	5.3	Encourage group leaders to ensure seating is not on group lines	Group leaders to speak with their members on Planning Committee and Democratic Services to relocate name plates with implementation from the new civic year in May 2018 – Alphabetical seating arrangement will be introduced. Update after WG 13.04.2018 – WG agreed that seating should be done in alphabetical order	GL/ML	No	COMPLETED

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Area	Ref	Recommendations	Actions	By Working Group supported by	Change to Constitution	Timescale (from 20 March 2018) A - 1-3 months B - 3-6 months C - 6-12+ months
	5.4	Change seating layout of the meeting and improve the visual presentations	Democratic Services to review the layout of the Planning Committee meeting and liaise with IT about the purchase and positioning of additional screens. Currently looking at options and costs. Update after WG 13.04.2018 – options and costs are being explored by Democratic Services/Asset Management Update after WG 11.05.2018 – Temporary arrangements will be put in place until the Chamber can be refurbished properly. Screens have been ordered and the seating plan agreed.	ML	No	COMPLETED
	5.5	Review officer roles at committee	Advice to be sought from Planning Advisory Service/LGA and consider national best practice. Changes have already been adopted with case officers taking on a wider role. Update after WG 13.04.2018 – management to work with officers to generate proposals for WG to review Update after WG 11.05.2018 - Agreed to limit presentations to specifics and an informal 5 minute duration	JA	No	A
	5.6	Officers to be given more opportunity to respond to public and members' comments	Planning Officers to agree to introduce an opportunity in the meeting for responding to public and members' comments for implementation from the new civic year in May 2018. Advice/external support to be sought from Planning Advisory Service/LGA and consider national best practice. Update after WG 13.04.2018 - Working Group's proposals and constitutional changes to be submitted to Council for implementation on 15 May 2018 (paragraph 5 of Council Report) Updated after Council 15.05.18 – Recommendations agreed.	CE/JA	No	COMPLETED

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	5.7	Increase size and quality of presentations	Planning Officers increase size and quality of presentations with use of technology such as google maps with immediate effect. Update after WG 13.04.2018 – as per row (5.4)	CE	No	COMPLETED
	5.8	Ensure consistent application of the public speaking rules	Democratic Services, Legal Services and Planning Services to ensure that the public speaking rules are treated with consistency. Advice/external support to be sought from Planning Advisory Service/LGA and consider national best practice. Consider the removal of the Chairman's discretion. Update after WG 13.04.2018 – WG noted the role of the Chair in this aspect. PAS to provide examples of best practice for WG to consider. Update after WG 11.05.2018 - New Chair appointed and the importance of consistency understood.	LS/ML/CE	No	COMPLETED
	5.9	Review the requirement for motions at the start of the debate	It is suggested that the Monitoring Officer will make constitutional changes in relation to motions at Planning Committee with a view to implementation from the new civic year in May 2018. Update after WG 13.04.2018 - Working Group's proposals and constitutional changes to be submitted to Council for implementation on 15 May 2018 (paragraph 5 of Council Report) Updated after Council 15.05.18 – Recommendations agreed.	LS	Yes	COMPLETED
	5.10	Refresh the membership of the Committee	Consideration of leaders and whips ahead of appointments to be made at Council in May. The relevant papers seeking nominations have been sent out to the whips and individuals, as appropriate. Update after WG 13.04.2018 – appointments to be made at Council on 15 May 2018 Updated after Council 15.05.18 – Recommendations agreed.	GL	No	COMPLETED

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	5.11	Reduce size of the committee and allow a pool of substitutes	On 20 March 2018, Council agreed to the reduction in the size of the Committee from 17 to 11. The Monitoring Officer will review the Substitution Scheme to allow for a pool of substitute members on the Planning Committee with a view to implementation from the start of the new civic year in May 2018. Update after WG 13.04.2018 - Working Group's proposals and constitutional changes to be submitted to Council for implementation on 15 May 2018 (paragraph 5 of Council Report) Updated after Council 15.05.18 – Recommendations agreed.	LS	Yes	COMPLETED
	5.12	Consider not allowing a ward member to sit on Planning Committee when an application in their ward is being considered.	Planning Services and Legal Services to liaise to enable the Monitoring Officer to make constitutional changes in relation to ward members not sitting on the Planning Committee during consideration of an item in their ward, with a view to implementation from the new civic year in May 2018 Update after WG 13.04.2018 - Working Group's proposals and constitutional changes to be submitted to Council for implementation on 15 May 2018 (paragraph 5 of Council Report) Updated after Council 15.05.18 – Recommendations agreed.	JA/CE/LS	Yes	COMPLETED
	5.13	Think about how you could be more transparent e.g. webcasting	The Democratic Services Team Manager visited a webcasting and audio event in Birmingham on 8th March after which she passed her contacts on to the Head of Housing and Asset Management for consideration on the future refurbishment of the Chamber. Currently looking at options and costs. Update after WG 13.04.2018 – work ongoing Update after WG 11.05.2018 – This will be picked up as part of the overall works to the refurbishment of the Council Chamber. Property Services will ensure it is addressed in the specification. Officers are visiting a council Chamber in Oxford to see what can be done.	JA	No	A/B

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	5.14	Ensure all members of Planning Committee receive compulsory up to date training	<p>Planning Officers to ensure that all members of the Planning Committee have received up to date training with the first compulsory training session being held no later than the date of the first Planning Committee (5 June 2018) and following annual council in May 2018. Advice/external support to be sought from Planning Advisory Service/LGA and consider national best practice. Training programme to be prepared. To be formally recognized in Council's constitution with compulsory attendance required and members who fail to attend training not permitted to sit on the Committee and having to be replaced by a substitute.</p> <p>Update after WG 13.04.2018 - Working Group's proposals reported to Council on 15 May 2018 (paragraph 5 of Council Report). WG to develop detail of compulsory requirement and propose constitutional changes to Council</p> <p>Update after WG 11.05.2018 – Training session being held 22 May and 5 June</p> <p>Updated after Council 15.05.18 – Recommendations agreed.</p>	JA/CE/IN	Yes	COMPLETED
6. Reports, Minutes and Updates	6.1	Officers to be more confident in decisions and justifications	<p>Advice/external support to be sought from Planning Advisory Service/LGA and consider national best practice.</p> <p>Update after WG 13.04.2018 – need for officer training to be assessed.</p> <p>Update after WG 11.05.2018 – To be reviewed after first couple of meetings of Planning Committee</p>	CE	No	B
	6.2	Carry out best practice review of structure and layout of reports and include plans	<p>Planning Officers to look at how other LAs set out planning reports and adopt best practice with implementation. Advice/external support to be sought from Planning Advisory Service/LGA and consider national best practice and Plain English guidance.</p> <p>Update after WG 13.04.2018 – officers to carry out review of best practice with PAS support and make proposals to WG</p> <p>Update after WG 11.05.2018 – Noted</p>	CE	No	B

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	6.3	Consider reducing the level of detail in the minutes	Democratic Services to reduce the detail contained in the minutes to capture to decisions and reasons only and to audio record the meetings to capture the detail; with immediate effect. Update after WG 13.04.2018 – WG agreed and Democratic Services to put this into effect.	ML	No	COMPLETED
7. Call-In	7.1	Introduce a single stage process – 28 days following the issue of consultation notices.	Legal Services and Planning Services look at a review of the call in processes for planning applications with a view to any changes, constitutional or otherwise, being implemented from the new civic year in May 2018. Update after WG 13.04.2018 - Working Group's proposals and constitutional changes (for rows 7.1-7.4) to be submitted to Council for implementation on 15 May 2018 (paragraph 4 of Council Report). WG to keep operation of new call-in process under review and propose constitutional amendments to Council if needed. Updated after Council 15.05.18 – Recommendations agreed.	JA/CE	Yes	COMPLETED
	7.2	Members to give strong planning reasons for any call-in	As above. Guidance to be developed with support from Planning Advisory Service/LGA. Updated after Council 15.05.18 – Recommendations agreed.	JA/CE	Yes	COMPLETED
	7.3	Relatives' applications only go to Committee if officers are minded to approve	As above Updated after Council 15.05.18 – Recommendations agreed.	JA/CE	Yes	COMPLETED

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Area	Ref	Recommendations	Actions	By Working Group supported by	Change to Constitution	Timescale (from 20 March 2018) A - 1-3 months B - 3-6 months C - 6-12+ months
	7.4	Consider a constitutional trigger only for serving members and officers	As above Updated after Council 15.05.18 – Recommendations agreed.	JA/CE	Yes	COMPLETED

Abbreviations	
CE	Chris Elston, Planning and Development Team Manager
IN	Ian Nelson, Planning Policy and Business Focus Manager
JA	James Arnold, Strategic Director of Place
ML	Melanie Long, Democratic Services Team Manager
GL	Group Leaders
LS	Louis Sebastian, Legal Services Team Manager