

Corporate Governance and Standards Committee report

Ward(s) affected: All wards

Report of Planning Development Manager

Author: Tim Dawes

Tel: 01483 444650

Email: [tim.dawes@guildford.gov.uk](mailto:tim.dawes@guildford.gov.uk)

Lead Councillors responsible: Councillor Paul Spooner & Councillor Matt Furniss

Email: [paul.spooner@guildford.gov.uk](mailto:paul.spooner@guildford.gov.uk) & [matt.furniss@guildford.gov.uk](mailto:matt.furniss@guildford.gov.uk)

Date: 30 March 2017

## Findings of the Planning Committee Review Group

### Executive summary

A Councillor working group was established in November 2016 to review the size of the current Planning Committee, with the main remit to submit proposals for a smaller Committee. The group had recommended that there would be real benefit in reducing the size of the Planning Committee from 23 councillors to 12 councillors, with effect from the 2017-18 municipal year. It was also recommended that the maximum number of substitute members per political group be reduced from 7 to 5.

The group had considered options in respect of the size of the Planning Committee. Both officers and members on the group were aware that where other councils had considered the size of their respective planning committees, they had tended to come down to a lower number. Ultimately, the group considered that 12 was an appropriate number for Guildford.

The benefits of a smaller Committee would include:

- A skilled and professional Planning Committee with more focused expert debate;
- More focused and efficient execution of business;
- Ability for ward Councillors who are not Planning Committee members to address the Committee with greater freedom to speak openly and freely;

The group had also reviewed a number of processes and procedures associated with the business of the Planning Committee and had made a series of recommendations in that regard. These are summarised, for information, in paragraph 3.6 of this report. At its meeting on 8 March 2017, the Planning Committee considered a report on the group's findings and recommendations, including the proposed reduction in the size of the Committee.

In considering the proposed reduction in the size of the Committee, the Planning Committee felt that a reduction to 15, rather than 12, councillors would be appropriate and, accordingly, has recommended this to full Council when it determines the matter on 11 April 2017.

The Planning Committee also adopted the recommendations in respect of the proposed changes to its processes and procedures and these will be implemented with effect from the beginning of the 2017-18 municipal year.

The only issues for consideration by the Corporate Governance and Standards Committee, in view of its responsibility for considering and advising Council on constitutional matters, are the proposed reduction in size of the Planning Committee, and reduction in the maximum number of substitute members per political group on that Committee. It is also proposed to implement these changes, on a trial basis for 12 months, and thereafter set up a further task group to undertake a comprehensive process review to establish how the changes are working.

### **Recommendation to the Committee**

This Committee is asked to consider:

- (1) the proposed reduction in the size of the Planning Committee, taking into consideration the recommendation of the working group to reduce the number to 12 councillors and the recommendation of the Planning Committee to reduce the number to 15 councillors;
- (2) the proposed reduction in the maximum number of substitute members per political group on the Planning Committee from 7 to 5; and
- (3) the proposal to trial the reduction in the size of the Planning Committee, then after 12 months set up a task group to undertake a comprehensive process review to establish how the changes are working,

and to make recommendations in that regard to full Council on 11 April 2017.

### Reason for Recommendation:

To modernise the Planning Committee and to review and update all associated processes and procedures.

## **1. Introduction**

1.1 The Planning Committee Review Group was set up on 22 November 2016 by the Leader (and portfolio holder for Planning Services) and Deputy Leader of the Council (and Lead Councillor for Infrastructure and Governance) in order to review process, procedures and the size of the Planning Committee. The review group comprised: Councillors Paul Spooner, Matt Furniss, Marsha Moseley (Chairman), Tony Rooth (Vice Chairman), Philip Brooker, Caroline Reeves and Angela Gunning. The officers who regularly attended were Tim Dawes (Planning Development Manager), Dan Ledger (Applications team leader), Sarah White (Principal Solicitor) and Sophie Butcher (Senior Committee Officer).

1.2 The scope of the review group was as follows:

- To consider and to make recommendations to the Council on the size and scope of the Planning Committee.
- To receive reports from officers and to consider these and make recommendations to Council on relevant issues.
- To consider and make recommendations on additional matters, which are relevant to the Planning Committee and its procedures where councillors or officers bring these to its attention.
- To commission evidence (where necessary) to assist its deliberations, either from other local authorities or to make visits to those authorities in order to be aware of best practice.

- To complete its review in time for its recommendations to be considered by full Council by no later than 11 April 2017. It will ensure that it has consulted with, and taken account of the views of the Planning Committee (8 March 2017) and Corporate Governance and Standards Committee (30 March 2017).
- 1.3 The group considered it appropriate and necessary to take a short report with accompanying papers to the Planning Committee on 8 March 2017 so it is afforded the opportunity to consider and comment on the proposed substantive change to the size of the Committee; and to consider the adoption of a number of additional process changes to matters affecting the operation of the Committee.
- 1.4 Councillors will be aware that under the Council's Constitution, only full Council can alter the size of a Committee<sup>1</sup> or make changes to the number of substitute members to be appointed to a committee<sup>2</sup>.
- 1.5 The only issues for consideration by the Corporate Governance and Standards Committee, in view of its responsibility for considering and advising Council on constitutional matters, are the proposed reduction in size of the Planning Committee, and reduction in the maximum number of substitute members per political group on that Committee. These matters ultimately are for determination by full Council.
- 1.6 This is the third time in recent years that the Council has reviewed the size of the Planning Committee, with very few changes resulting from the previous reviews.
- 1.7 The accompanying background papers to this review, which are appended to this report, are as follows:
- Revised Site Visit protocol (**Appendix 1**)
  - Benchmarking table with other Surrey planning authorities (**Appendix 2**)
  - Updated Committee Services guide to speaking at Planning Committee (**Appendix 3**)
  - Updated notes on the procedure for determining planning and related applications (**Appendix 4**)
  - Diary dates for 4 week Planning Committee cycle starting in May 2017 (**Appendix 5**)

## **2. Strategic Framework**

- 2.1 The proposal to update various processes and redefine the size of the Planning Committee accords with the Council's strategic framework. The decision making of the Planning Committee affects all five themes that create the Council's vision.
- 2.2 A reduction in the size of the Planning Committee should allow for an efficient, modern operating Committee. This, in turn, should make for more effective, consistent decision-making and an improved and more innovative Committee.

## **3. Main considerations**

- 3.1 Historically, the Planning Committee has comprised 23 members with up to seven substitute members appointed from each political group. This number has allowed all 22 wards in the borough to be individually represented, with one ward (Onslow) currently being represented by two councillors.

---

<sup>1</sup> Council Procedure Rule 23 (f) (ii)

<sup>2</sup> Council Procedure Rule 23 (i)

- 3.2 Concern has been expressed through previous reviews that the size of Guildford's Planning Committee is too large and that we would be better suited by a much smaller committee. The general feeling is that a reduction in the number of councillors would produce a more professional/expert Committee, allow for more focused debate, and the ability to conduct business with greater efficiency and effectiveness. A smaller Committee would ensure more consistent decisions in accordance with legislation and policies. There would also be added efficiencies in terms of reducing the cost associated with running the Planning Committee.
- 3.3 The Planning Committee Review Group concluded that there would be real benefit in reducing the size of the Planning Committee from 23 Councillors to 12 Councillors, in line with many other councils. It was also recommended that the maximum number of substitute members per political group be reduced from 7 to 5.
- 3.4 At its meeting on 8 March 2017, the Planning Committee considered the proposed changes to the size of the Planning Committee and the number of substitute members to be appointed to that Committee. The Planning Committee also considered the proposed changes to that Committee's processes and procedures.
- 3.5 In considering the Review Group's recommendation to reduce the size of the Committee, the Planning Committee felt that a reduction to 15, rather than 12, councillors would be appropriate and, accordingly, has recommended this to full Council when it determines the matter on 11 April 2017.
- 3.6 In addition, the Planning Committee Review Group carefully reviewed all processes and procedures associated with the current Planning Committee operation. The following 14 points are a summary of the proposals, which were considered and approved by the Planning Committee on 8 March 2017:
- 1) Seven-day notification system to stay the same with one nominated responder per ward, 22 in total. The nominated responders will consist of the 12 members<sup>3</sup> of the Committee and then the current nominated responder for the remainder of the wards. Should more than one ward Councillor from the same ward sit on the new Planning Committee then if the ward councillors are unable to agree, the Chairman will decide which ward councillor is the responder in conjunction with the group leader.
  - 2) For all householders and other applications, the trigger for Planning Committee will remain the same (10 letters contrary to officer recommendation); however, for all major and minor applications, the trigger will increase to 20 letters contrary to the officer recommendation.
  - 3) Councillors who are not on the newly constituted Planning Committee will be able to address the Committee for three minutes in respect of applications within their wards.
  - 4) Pre prepared written scripts/speeches will not be permitted, as this can present an appearance of bias or predetermination to members of the public and may open the Council up to challenge.
  - 5) Minor changes to the layout of officer Committee reports including an Executive Summary, more use of standard text (and at the discretion of officers) greater use of elevation plans.

---

<sup>3</sup> Or such other number as may be determined by full Council on 11 April 2017

- 6) The format to move an initial motion will be changed in that the Chairman will automatically move the officer's recommendation following the debate on an item. Only if that motion fails will councillors be invited to table an alternative motion.
  - 7) The Planning Agenda to be updated. Appeal decisions to still be summarised, but any complete appeal decisions that have been lost shall not be included as they have already been circulated at the point of decision (when received from PINS) and circulated to all officers and all Councillors.
  - 8) Once the agenda has been published, any late information received by councillors or officers shall be sent immediately to the Committee Officer. New cut off for late information to be Tuesday at midday, the day before the Committee meeting.
  - 9) No changes to public speaking arrangements. This will remain as 2 speaking for and 2 speaking against with 3 minutes for each speaker.
  - 10) Planning Committee will continue to be held on Wednesdays at 7pm.
  - 11) With effect from the 2017-18 municipal year, the Committee will meet on a 4 week cycle.
  - 12) The quantity of printed agendas to be greatly reduced from the current print run of 125 copies. Officers will continue to explore the long-term potential of moving to electronic agendas.
  - 13) Site visits to be undertaken differently and a revised site visit protocol to be adopted. An up-front process that would require agreement from the Chairman of the Committee and the Planning Development Manager as to which sites are visited.
  - 14) Bite-sized training for Councillors to continue. Q&A sessions on major applications to continue, but the indicative threshold to be 100 dwellings or more. A new protocol for developers to address Councillors to be established.
- 3.7 It is considered that the reduction in the size of the current Planning Committee combined with these process changes (set out above) will improve the overall functioning and running of the Committee.
- 3.8 At the Planning Committee meeting on 8 March, councillors asked for benchmarking data with all other Surrey authorities on appeal success rates, and further guidance on bias and pre-determination issues. Once the benchmarking data has been collated, it will be circulated to all councillors prior to the Council meeting on 11 April. A copy of the guidance notes for councillors on bias and pre-determination is attached as **Appendix 6** to this report.

#### **4. Equality and Diversity Implications**

- 4.1 The proposed changes to the composition of the Planning Committee and its procedures are not considered to impact those with protected characteristics, as defined in the Equality Act 2010, any differently to those without protected characteristics. It is therefore considered that there are no specific equality and diversity implications stemming from this report.

## **5. Financial Implications**

- 5.1 There are no financial implications directly associated with the recommendations in this report. However, it is noted that the current printing of 125 planning agendas will be reduced significantly. This will provide some savings.
- 5.2 Further, there will be less catered food required before Planning Committee due to the reduction in the number of attendees and there will be fewer claims for mileage from Councillors attending committee meetings and site visits, once again due to the reduction in overall numbers.
- 5.3 Fewer committee meetings each year will also reduce the number of claims for evening attendance allowance by officers.

## **6. Legal Implications**

- 6.1 Under Article 4, paragraph 22, page 2-7 of the Council's Constitution, and Council Procedure Rule 23 (f) (ii) and (i), page 4-20, full Council is able to alter the size of a committee and the number of substitute members appointed to a committee.
- 6.2 Under Council Procedure Rule 22 (a), page 4-18 of the Council's Constitution, committees are able to regulate their own procedures.

## **7. Human Resource Implications**

- 7.1 There are no Human Resource implications

## **8. Summary of Options**

- 8.1 The Planning Committee Review Group has recommended that the size of the current Planning Committee be reduced from 23 councillors to 12 councillors and that the maximum number of substitute members from each political group be reduced from 7 to 5.
- 8.2 Other options available to the Council would be to reduce the size of the Planning Committee to a different number, for instance 15 Councillors instead of 12. This number has been rejected by the Review Group in favour of a smaller committee. However, the Planning Committee, at its meeting on 8 March 2017 has recommended that the number of councillors on that Committee should be reduced to 15.
- 8.3 A further option would be to leave the size of the Planning Committee unchanged. This has been rejected by both the Review Group and the Planning Committee, as both feel that the time is right to reduce the size of the Committee.

## **9. Conclusions**

- 9.1 The Corporate Governance and Standards Committee is asked to consider the proposed reduction in the size of the Planning Committee, taking into account the recommendation from the working group to reduce the number of councillors on the Committee to 12, and the Planning Committee's recommendation that the number be reduced to 15.
- 9.2 In the modern day it is considered unusual to have such a large Planning Committee and the Council would be better served by a smaller Committee

- 9.3 The benefits would be significant, including a better and more considered level of debate by virtue of a smaller committee size, much less pressure individually on the ward member, ability for councillors to address the new Planning Committee without being on the Committee and better ability to move business through the Committee.
- 9.4 A smaller Planning Committee would be easier to train in town planning and associated matters and would provide opportunity to increase the overall knowledge base of the Planning Committee to a higher degree than currently exists. There would also be an easier and closer working relationship with officers by virtue of a smaller Committee.
- 9.5 A range of changes to processes and procedures have been proposed and adopted by the Planning Committee that will improve the way the new Committee operates.
- 9.6 It is also recommended that the new Planning Committee is reviewed after 12 months, by the formation of a Councillor led Task Group.

## **10. Background Papers and appendices**

Appendix 1: Revised Site Visit protocol

Appendix 2: Benchmarking table with other Surrey planning authorities

Appendix 3: Updated Committee Services guide to speaking at Planning Committee

Appendix 4: Updated notes on the procedure for determining planning and related applications

Appendix 5: Diary dates for 4-week Planning Committee cycle starting in May 2017

Appendix 6: Guidance notes for councillors on bias and pre-determination