

**PROPOSED AMENDMENTS TO THE SCHEME OF DELEGATION AND CHANGES TO SPEAKERS RIGHTS AT DEVELOPMENT CONTROL COMMITTEE/PANEL**

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**Executive Summary**

It is proposed to revise and update the Scheme of Delegation (SoD) and Speaking Rights for Development Control Committee (DCC) and Development Control Panel (DCP).

The changes to the SoD and Speaking Rights are being driven by a need for greater effectiveness, efficiency and fairness in the determination of planning applications. This is against a context of austerity measures which have resulted in a reduction of resources and a Planning Advisory Service (PAS) Peer Review, undertaken in 2014, that identified a large number of planning applications being placed, unnecessarily, before the Planning Committees.

On the 29 September 2016 two associated reports were presented for consideration by DCC. These reports identified the current issues facing the Council's Development Management Service with the current SoD and Constitution (Speaking Rights), and are attached, for ease of reference, at Annex A and B, respectively.

Both reports presented options for the consideration of DCC Members. The reports also sought to elicit views and expectations regarding the nature and level of consultation that should be undertaken to underpin proposed revisions, cognisant of the understandable sensitivities surrounding proposed amendments to the Scheme of Delegation and Speaking Rights.

Following deliberation, Members of DCC decided that public consultation on proposed changes should be undertaken to inform the options put forward by Officers in a subsequent/future report. Moreover, it was resolved that public consultation should focus solely on the issues raised during the DCC debate and embrace an inclusive approach by inviting comments and views from all parties involved in the planning process.

Noting and responding to concerns expressed about the length of the consultation period, a public consultation exercise was arranged over an extended, 12-week period, running from 26 October 2016 to 4 January 2017. The consultation was conducted, primarily, via an on-line survey that posed a number of issue based questions; the opportunity to comment on some of the questions was also provided. However, it should be noted that written

submissions were also received during the period of consultation, including a key representation from Philip Ayles, Chairman, Milton Keynes Association of Local Councils. Importantly, and working in a spirit of inclusiveness, all views, from whatever source, have been considered to inform the amendments now being proposed.

The changes now being proposed are aligned with the recommendations of the PAS Peer Review and simultaneously seek to improve efficiency and reduce operational costs during a period of significant budgetary reduction. In brief, the approach seeks to ensure that only the most complex, contentious and/or significant cases are placed before the relevant committee/panel, thereby, allowing time for the proper consideration of, and meaningful engagement on, the cases that are presented to DCC and DCP.

### **Recommendation(s)**

Agree the revised Scheme of Delegation, as outlined under sub heading “Proposed changes to the scheme of delegation” of this report.

Agree the changes to Annex A of Part 22 Access to Information Procedure Rules of the Constitution as outlined under sub heading “Proposed changes to speaker rights” of this report and recommend to Full Council that the Changes be adopted.

### **General Background**

#### *Context*

The Development Management Service has a high public profile and is, rightly, subject to close scrutiny. Perceptions of the Council and the Service are dependent on, amongst other things: customer service; stakeholder engagement; productivity and performance of the department; decisions made; and, the provision of an efficient and cost effective service matched against a corporate requirement to make budget savings now and in the next financial years. For the financial year of 2016/17 the Service has made budgetary salary saving of about £259,000. For this financial year (2017/18) the Service has to be make budgetary salary saving of about £210,000. The saving targets for financial years of 2018/19 and 2019/20 have not been set but future savings will be expected to meet the Councils approved financial sustainability plan of saving £59 million by 2020.

Given that context, it is imperative to periodically review and modernise operational procedures and practices with a view, where possible, to achieving increased effectiveness and efficiency to improve the quality of the Service and, indeed, the reputation of the Council. It is acknowledged that such improvements need to be reconciled with the objective of facilitating and safeguarding appropriate and meaningful opportunities for engagement.

The principal 'drivers' and reasons for proposing changes to the SoD and the Speaking Rights were comprehensively set out in the two DCC reports dated 29 September 2016 [refer Annex A & B].

In brief, these changes have been proposed as a consequence of the issues and recommendations highlighted by the Planning Improvement Peer Challenge undertaken in December 2014 and the Constitution Commission Report of July 2015

*The Planning Improvement Peer Challenge (17 December 2014)*

Key issues identified by this independent review were as follows:

- A large proportion of planning applications (i.e. 50% at that time) are going to Development Control Panel that are not subject to any discussion by Members of that Panel;
- Many applications are called in to Committee for unsubstantiated, spurious or defensive reasons;
- A large proportion of planning applications followed Officers recommendations and, as a consequence, a genuine concern was expressed that significant additional effort is required to prepare and package such cases for the planning committee which is wasteful and inefficient.

At a meeting of MKC's Cabinet on 12 January 2015 the findings of the peer review were accepted, which instigated the need to address the issues surrounding the current Scheme of Delegation (refer Annex C), which are covered below.

*Speaking Rights: Constitution Commission, July 2015*

On the back of the Constitution Commission report, the Development Control Committee meeting held on 8 September 2015 instructed Officers to undertake a comprehensive review of the current Speaking Rights (refer Annex D). The intention was to bring this forward as part of the review of the Scheme of Delegation. The review of speaking rights sought to identify the opportunities available for improving the arrangements for speaking in connection with planning applications.

*Overall Issues*

Informed by the findings of both the PAS Peer Review and the Constitution Commission Report, the purpose of the amendments now being proposed is to address the number of applications being brought to DCC/DCCP and to improve the level of 'speakers' engagement. It is believed that this will realise the following benefits:

- Reduce the number and length of the meetings;

- Enable a greater focus on a reduced number of more significant/controversial applications;
- Improve the public participation experience;
- Improve customer service;
- Reduce costs; and,
- Improve effectiveness.

Overall, the current Scheme of Delegation allows for a considerable number of smaller applications to go to committee, although this relates primarily to DCP. Concern has been raised at the necessity for so many applications to be triggered to DCC and DCP, which could otherwise be delegated to the Development Management Service for consideration. This has a real cost for the Council in terms of Officer and Member time that, in turn, impacts on the quality of customer service, productivity and opportunities to reduce costs.

In terms of Speaking Rights, there are 3 key issues that have been identified, notably:

- Objectors have greater rights than supporters in being able to express / present views at DCC/DCP;
- The time given to the speakers can consume a large proportion of time; and,
- No opportunity to ask direct questions of Officers.

### *Conclusion*

The Development Management Service is, appropriately, subject to significant public scrutiny and oversight, which is enabled and protected by the Town and Country Planning Act 1990, through the statutory consultation process. Importantly, proposed amendments to the Scheme of Delegation and Speaking Rights would not alter the statutory consultation process.

Issues have been identified with the arrangements set by the current Scheme of Delegation and Speaking Rights that have been verified by an independent review, demonstrated by evidence, and Cabinet have elected for these to be addressed.

It is important, for the reasons outlined above, that any amendments to the SoD and Speaking Rights seek to achieve a reduction in the number of cases going to DCC and DCP. The intention is to increase the level of delegation; reduce the associated operational and financial burden; and, assist in improving the performance of the Service against a background of ongoing austerity.

However, it is openly acknowledged and accepted that any amendments to the SoD and Speaking Rights will need to be reconciled with the objectives of maintaining public confidence, safeguarding and enhancing oversight of the planning process and ensuring that engagement is meaningful and positive.

## **Consultation and Feedback**

### *Introduction*

At the DCC meeting held on 29 September 2016, Cllrs confirmed that public consultation should be undertaken on the issues highlighted and deliberated at that meeting in order to seek the views of the various parties and interests involved in the planning process. Informed by the feedback from this consultation exercise, Officers were asked by Members to propose amendments to the Scheme of Delegation and Speaking Rights.

Officers listened to and noted the concerns expressed at that meeting about the length of the consultation process and in direct response a public consultation exercise was arranged over an, extended, 12-week period, running from 26 October 2016 to 4 January 2017.

The consultation was conducted, primarily, via an on-line survey that posed a number of issue based questions; the opportunity to comment and expand on some of the issues was also enabled. The survey approach was adopted because it is proven to increase response rates and was, therefore, seen as the most effective and inclusive way in which to inform proposals for change.

Notwithstanding the chosen survey format, a number of written submissions were also received during the consultation period, primarily from Town and Parish Councils. These included a key representation from Philip Ayles, Chairman, Milton Keynes Association of Local Councils, setting out what the key changes should be.

Importantly, and working in a spirit of inclusiveness, all views, from whatever source (i.e. whether via survey or written representation), have been included and considered by Officers to inform the amendments now being proposed in this report.

### *Survey*

Two surveys were undertaken. The original survey issued received adverse feedback from Town & Parish Councils and Ward Councillors. In direct response to that feedback, a new, revised, survey was produced to enable more choice and the option to add comments on some issues. On the basis of the revised survey, public consultation was reinitiated.

As some individuals and groups populated the original survey it is appropriate to cover the findings presented by this survey as well as the second survey.

The full breakdown of the responses to the original survey is provided at Annex E and those responses received for the second survey at Annex F.

In summary, the original survey elicited 66 responses from which the following headline points have been identified:

- The largest group responding were local residents at about 42% with Parish Councils coming 2nd with about 27%.
- The most important development was 'regeneration development' (about 30%), with more affordable housing being 2nd (about 20%) and no more development being 3rd (about 18%).
- About 55% agreed that Councillors should only make decisions on the larger developments with about 45% disagreeing.
- About 86% stated that if a Town or Parish Council initiates a planning application going to planning committee they should attend to represent their view.
- About 65% agreed that speakers should not make duplicate statements.
- About 64% agreed that the Chairman should have powers to stop duplicate statements.
- About 69% agreed that the Council should look to reduce costs of determining planning applications.
- About 92% agreed that there should be equal speaking rights.
- The 3 most controversial issues were: impact on area; departure from local policy; and, lack of appropriate infrastructure.

The second survey elicited 121 responses from which the following headline points have been identified:

- The largest group responding were local residents at about 45% with Parish Councils coming 2nd with about 18%.
- The most important development was 'regeneration development', with more affordable housing being 2nd and more 1 and 2 bedroom development being 3rd.
- About 69% disagreed that Cllrs should only make decisions on the larger developments.
- About 62% stated that if a Town or Parish Council initiates a planning application going to planning committee they should attend to represent their view. About 22% disagree.

- An equal split of about 38% agreed and disagreed that speakers should not make duplicate statements.
- About 42% agreed that the Chairman should have powers to stop duplicate statements whilst 41% disagreed.
- About 35% agreed that the Council should look to reduce costs to the determination of planning applications whilst 33% disagreed.
- About 72% agreed that there should be equal speaking rights.
- Again the 3 most controversial issues were lack of appropriate infrastructure, departure from local policy and impact on area.

The key points, common to both surveys, are as follows:

- A Town or Parish Council which initiates a planning application going to planning committee should attend;
- There should be equal speaking rights;
- The most important development tends to be regeneration development and affordable housing.
- The majority of respondents agreed that Milton Keynes Council should look to reduce the costs and that the Chairman of DCC/DCP should have the power to stop speakers from duplicating statements.

#### *Written responses*

During the course of the public consultation 28 written responses were received. The responses have been summarised according to issues and suggested solutions. It is important to note these are summarised comments and therefore similar comments, if already covered, are not repeated.

Issues identified from the responses	
1	Pre-app fraught with problems and costs.
2	Lack of local power to override national policy.
3	Council seem to rubber stamp applications over fear of appeal, which leads to a lack of imagination.
4	Unsure the Planning Service takes into consideration long and short term issues of the population.
5	Small Parishes need DCP to have an opportunity to make their case.
6	More emphasis needed on Enforcement.
7	Lack of confidence in the process because of Councillors lack of regard for time scales and Officers.
8	Council is showing that the Planning Service is an afterthought that can be cut.
9	This could become a dictatorship.
10	It would be important to recognise Councillors conflicts of interest and

	hidden agendas from the outset.
11	MKC should stop worrying about cost as it is the tax payers money and should follow if the locals are against development.
12	Speed and cost should not be how you judge a Planning Department
13	People find out about development too late
14	Parish Councillors do not get paid so it should not be compulsory to attend Committee
15	Lack of local services when more development is taking place

The issues above tend to highlight the frustrations with planning policy, particularly at a national level, and the statutory requirements placed upon Development Management services to support development and, in particular, housing development. The issues also cover issues relating to confidence and the reputation of the Council.

Suggested changes identified from the responses	
1	Only Comments Raised within the 4-week consultation should be taken in to consideration.
2	Unless 4 people wish to speak at Panel an application should be a delegated decision.
3	Give planning officers the ability to discount irrelevant comments from any representative
4	Look more towards a national test for applying conditions
5	Parish Council objections should be ignored if they disregard planning rules
6	Elected Members should make all the key decisions but local people should always be involved.
7	Give automatic rights for parish councillors and recognised groups such as Xplain and MK Forum to speak
8	Give speakers the ability to ask questions of the officers and applicants
9	More time should be given to the public at Committee
10	Don't allow late comments
11	More time should be given to the public
12	For calling in an executive decision, it takes 2 ward councillors, 20 local residents, or a parish council. I would suggest that the triggers for a planning application to come to panel should be the same.
13	Allow all objectors to combine time in to one 9 minute objection

The suggested changes are wide ranging and diverse with the challenge of ascertaining which points of view hold great weight. There are views that parish councillors and recognised groups such as Xplain and MK Forum should be afford greater 'weight' and others think elected member should make all decisions. There are also diverse views on the criteria that should be applied for planning applications to be considered by DCC or DCP. The suggested changes proposed would appear to reinforce that there is an appetite for change given the current frustrations with the status quo.



*Phillip Ayles – Chairman, Milton Keynes Association of Local Councils*

Phillip Ayles submitted proposals in response to the original report prepared for DCC's consideration on 29 September 2016 (i.e. on behalf of the Parish and Town Councils). Those proposals are attached at Annex G for reference purposes.

The proposals suggest that if the Case Officer agrees with a Parish and Town Council on minor planning applications then it can be delegated decision. Conversely, if the Case Officer disagrees with a Parish or Town Council they must advise as such and discuss the relevant reasons. Moreover, the submission also suggests that a Parish or Town Council should provide a speaker if an application is presented to planning committee. It is also suggested that the grounds for objection and requests for conditions by Parish and Town Councils should be based on planning reasons.

The proposals also seek for Parish and Town Councils to have a 28-day consultation period instead of the statutory 21-days and that no changes to speaker rights should be undertaken.

Lastly, the proposals also cover operational aspects of the service. The Technical Support Unit (TSU) already inform the Clerks and Ward Councillors of new planning applications and this is done on the same day as when the planning application is handed over to the Officer. Also, everything is published online.

Following from above and to offer assistance on the operational aspects Town and Parish Councils and Ward Councillors have the ability to set up on public access for notifications of applications that fall within their parish. Therefore, as soon as they are valid on the system, they would get an automatic email. I would like to note we can offer support to help the Town & Parish Councils and Ward Councillors if they are unsure how to set this up. The Team Leader from TSU will be attending a forthcoming Town and Parish Council Forum to go through this with guidance notes to follow if this is considered to be of assistance.

Also, at a forthcoming Town and Parish Council Forum we will seek further views to ascertain if there is anything else we can do operationally to support Town & Parish Councils. The is on the back that the Development Management Service is currently reviewing its IT software and capability to automate functions. As part of this we will look to ascertain whether more information can be automated to support the Town and Parish Councils.

## **Proposed Changes**

### *Background*

The proposed changes need to address the current issues and the Peer Review findings. The main issue is that too many planning applications are being called in to planning committee for spurious or defensive reasons,

which has cost and time implications. As a consequence, the number of planning applications being called to planning committee needs to be reduced.

However, the consultation responses provide the opportunity to introduce positive changes that can address some of the issues raised by stakeholders, members of the public and Town and Parish Councils.

From the various forms of consultation responses similar themes have emerged that can now be used to inform the proposed changes to SoD and Speaking Rights.

It is evident from the surveys, written responses and Philip Ayles' comments that the notion that Town and Parish Councils should attend Committee to represent their objections is supported. This is the most prominent theme to emerge from our review of the responses.

Philip Ayles and some of the written representations raise issues around the 21-day statutory consultation and the need for Town and Parish Council to have a longer timeframe given the pressures on them and number of items to consider.

The survey and some written responses support equal speaking rights and there is acknowledgements from a majority of survey respondents that costs should be reduced.

Another, useful, suggestion made by the written responses is the opportunity for speakers and supporters to ask Officers direct questions to open up debate and allow speakers and supporters to scrutinise Officers directly.

Lastly, the written responses and Phil Ayles clearly object to reducing the timeframe given to speakers.

#### *Proposed changes to the Scheme of Delegation*

The proposed changes to the SoD, directly informed by consultation responses, are set out in the table below. For the purposes of comparison and transparency, a cross reference is also made to the proposals proposed in the original reports dated 29 September 2016. The table also includes newly proposed changes which have been introduced in direct response to feedback received during the 29 September 2016 DCC meeting as highlighted in bold.

Scheme of Delegation		
No.	29 September 2016 Proposed Changes	6 April 2017 Proposed Changes
1.	<p>Town and Parish Councils can request that a 'Major' application is determined at DCC as long as:</p> <p>(a) The response is received within the required <b>21</b> day consultation period as per statutory requirements of Part 25 (i) of the T&amp;CP (Development Management Procedure)(England) Order 2015; and</p> <p>(b) That reason for the application being determined at DCC is based upon material planning considerations; and</p> <p>(c) The T/PC commit to attending the DCC (failure to attend could result in the application being determined, as per the officer recommendation, under delegated powers).</p>	<p>Town and Parish Councils can request that a 'Major' application is determined at DCC as long as:</p> <p>(a) The response is received within a <b>28 day consultation period; and</b></p> <p>(b) That reason for the application being determined at DCC is based upon material planning considerations; and</p> <p>(c) The T/PC commit to attending the DCC (<b>failure to attend on 2 occasions would result in further planning applications being determined, as per the officer recommendation, under delegated powers for 12 months unless stated otherwise by the Chairman and / or Vice Chairs of DCC).</b></p>
2.	<p>In respect of 'Minor' and 'Other' applications, T/CP <u>do not</u> have the ability to directly trigger an application to DCP. They can, however, request their ward councillors 'call-in' an application to DCP as long as:</p> <p>(a) The response is received from the T/PC within the required <b>21</b> day consultation period as per statutory requirements of Part 25 (i) of the T&amp;CP (Development Management Procedure)(England) Order 2015 requesting the application be referred to DCP; and</p> <p>(b) That the objection/support for the application is based upon material planning considerations; and</p> <p>(c) The response from the Ward Member is received within the</p>	<p><b>Town and Parish Councils can request that a 'Minor' and 'Other' application is determined at DCP as long as:</b></p> <p>(a) The response is received within a <b>28 day consultation period; and</b></p> <p>(b) That reason for the application being determined at DCC is based upon material planning considerations; and</p> <p>(c) The T/PC commit to attending the DCP (<b>failure to attend on 2 occasions would result in further planning applications being determined, as per the officer recommendation, under delegated powers for 12 months unless stated otherwise by the Chairman and / or Vice Chairs of DCP).</b></p>

	<p>required 28 day consultation period asking the application to go to DCP. The Ward Councillors can then decide whether the case should be referred to the DCP or whether it can be determined under delegated powers.</p>	
3	<p>DCC and 'Major' application referral.</p> <p>Any member can trigger any major application to DCC where:</p> <p>(a)The response from the Member is received within the required 28 day consultation period asking the application to go to DCP; and</p> <p>(b)The reason for the referral is based upon a material planning consideration.</p>	<p>DCC and 'Major' application referral.</p> <p>Any member can trigger any major application to DCC where:</p> <p>(a)The response from the Member is received within the required 28 day consultation period asking the application to go to DCP; and</p> <p>(b)The reason for the referral is based upon a material planning consideration.</p>
4	<p>DCP and 'Minor' and 'Other' Application referrals.</p> <p>A Ward Member can trigger any 'Minor' or 'Other' application to DCP where:</p> <p>(a)Where the development is either in or adjacent to their ward; and</p> <p>(b)The response from the Ward Member is received within the required 28 day consultation period asking the application to go to DCP; and</p> <p>(c)The reason for the referral is based upon a material planning consideration.</p>	<p>DCP and 'Minor' and 'Other' Application referrals.</p> <p>A Ward Member can trigger any 'Minor' or 'Other' application to DCP where:</p> <p>(a)Where the development is either in or adjacent to their ward; and</p> <p>(b)The response from the Ward Member is received within the required 28 day consultation period asking the application to go to DCP; and</p> <p>(c)The reason for the referral is based upon a material planning consideration.</p>
5	<p>Applications cannot be triggered to DCC or DCP by responses received by neighbours and members of the public as there is <u>no</u> number threshold. If a member of the public wishes an application to not be dealt with under delegated powers they can either canvas their T/PC or Ward Member through the process detailed</p>	<p>Applications cannot be triggered to DCC or DCP by responses received by neighbours and members of the public as there is <u>no</u> number threshold. If a member of the public wishes an application to not be dealt with under delegated powers they can either canvas their T/PC or Ward Member through the process detailed</p>

	above.	above.
6	All enforcement cases are proposed to be dealt with under delegated powers. This does not preclude members requesting officers to pursue enforcement action following refusal of an application at DCC/DCP.	All enforcement cases are proposed to be dealt with under delegated powers. This does not preclude members requesting officers to pursue enforcement action following refusal of an application at DCC/DCP.
7		<b>The determination of all non-executive decisions and carrying out of all functions relating to public paths and rights of way including those specified in Schedule 1 of The Local Authorities (functions and responsibilities) (England) Regulations 2000 Functions are delegated to the Service Director Public Realm.</b>

For clarity, the key changes now proposed, compared to the previously made recommendations, are as follows:

1. Town and Parish Councils can call-in in any Major, Minor and Other planning applications to DCC / DCP with the expectation of attending to represent / present their call-in. Failure to attend on two or more occasions will result in delegated authority being given to Officers until instructed by the Chairman.
2. The Ward Councillor changes have been made to add clarity about who has the right to call-in planning applications within their wards as the matter has previously been unclear.
3. Town and Parish Councils will now have 28 days to provide comments instead of 21 days to ease the pressure on their timescales and support their decision making processes.
4. Rights of way applications have been given delegated authority.

In terms of 'number of representations' instigating a call-in and enforcement cases this remains unchanged. The 'rights of way' planning applications have also been added.

It is considered that the changes proposed protect Town and Parish Councils ability to call-in planning applications whilst ensuring they present their case to DCC / DCP. They also give Town and Parish Councils more time to provide

their comments, which they have been calling upon and didn't have previously.

*Proposed changes to speaker rights*

The proposed changes are set out under the table below. As above, a cross - reference is again provided to the proposals set out in the original report dated 29 September 2016 [i.e. to enable comparison]. The table presents the newly proposed changes in response to the feedback received during the 29 September 2016 DCC and following consultation exercise. This provides an easy comparison to what has changed in light of the feedback received since the original proposals were presented. Please note the changes are in bold.

Speaker Rights		
No	29 September 2016 Proposed Changes	6 April 2017 Proposed Changes
1	<p>Members of the public may request the right to speak at any meeting of the Development Control Committee and the Development Control Panel to object to a planning application. The number of requests to speak will be limited to one per application. A single objector will be allowed to speak for a maximum of 3 minutes. Where there is more than one objector or the objector is representing a group or organisation, they will be limited to 3 minutes in total, but more than one representative may speak. Both the numbers of speakers and the limit maybe extended at the Chair's discretion.'</p> <p>&amp;</p> <p>Members of the public may request the right to speak at any meeting of the Development Control Committee and the Development Control Panel to support a planning application. The number of requests to speak will be limited to one per application. A single supporter will be allowed to speak for a maximum of 3 minutes. Where there is more than one supporter or the supporter is representing a group or</p>	<p>Members of the public may request the right to speak at any meeting of the Development Control Committee and the Development Control Panel to object or support a planning application. The number of requests will be limited to <b>3 per application</b>. A single objector or supporter will be allowed to speak for a maximum of 3 minutes. Where there is more than one objector representing a group or organisation, they will be limited to 3 minutes to present the group or organisation's objection or support, but more than one representative may speak on behalf of the group or organisation. Both the number of speakers and the time limit may be extended at the Chair's discretion.</p>

	organisation, they will be limited to 3 minutes in total, but more than one representative may speak. Both the numbers of speakers and the limit maybe extended at the Chair's discretion.'	
2		<b>Members of the public, Town and Parish Council and Ward Councillor that speak at any meeting of the Development Control Committee and the Development Control Panel to object or support a planning application have the option to ask 2 questions only of the Officers for each planning application.</b>
3	Ward Councillors may comment on any application either within their ward, or which has a significant impact on the residents of their Ward. Any request to speak must be submitted in accordance with paragraph (h) of this Annex.'	Ward Councillors may comment on any application either within their ward, or which has a significant impact on the residents of their Ward. Any request to speak must be submitted in accordance with paragraph (h) of this Annex.'
4	Ward Councillors may comment speak on any application either within their Ward, or which has a significant impact on the residents of their Ward. If a Ward Councillor gives notice of an intention to speak is objecting to a planning application he/she must advise the Assistant Service Director (Legal and Democratic Services), in order that the applicant can be offered a right of reply. Any request to speak must be submitted in accordance with paragraph (h) of this Annex.'	Ward Councillors may comment speak on any application either within their Ward, or which has a significant impact on the residents of their Ward. If a Ward Councillor gives notice of an intention to speak is objecting to a planning application he/she must advise the Assistant Service Director (Legal and Democratic Services), in order that the applicant can be offered a right of reply. Any request to speak must be submitted in accordance with paragraph (h) of this Annex.'

The key changes now proposed include:

1. Objectors and supporters to have the same rights when speaking.
2. Introduction of option to ask Officers questions directly with a maximum limit of two questions.

It should be noted that the, original, proposed change to reduce the number of speakers and the time for speaking has been removed as a direct response to consultation comments and, therefore, this remains completely unchanged from the current arrangements.

## **Conclusion**

The Council is facing ever decreasing resources and Development Management practices need to adapt and improve their working practices to accommodate these significant financial pressures and the implications this has on the Service and staff. This is also against a context in which the demands on Council services continue to increase.

Unquestionably, Town and Parish Councils have a responsibility to act in the interests of their residents and businesses and have the right to question and seek assurance on applications. Having reviewed all the consultation and DCC feedback and revised change proposals in light of that feedback, it is considered that the newly revised proposed changes seek to reduce the number of items being presented to DCC / DCP whilst also protecting the ability to 'call-in' on all cases, with the newly added and enhanced ability to scrutinise recommendations and Officers directly. It is hoped that the right balance has been achieved under the revised proposals.

## **Appendices**

- Annex A. Planning Committee Report on Scheme of Delegation dated 29 September 2016.
- Annex B. Planning Committee Report on Constitution dated 29 September 2016.
- Annex C. Original Scheme of Delegation.
- Annex D. Original Constitution.
- Annex E. Original Survey.
- Annex F. Second Survey.
- Annex G. Philip Ayles Proposals.