

**EPPING FOREST DISTRICT COUNCIL
NOTES OF A MEETING OF PLANNING SERVICES SCRUTINY STANDING PANEL
HELD ON THURSDAY, 2 SEPTEMBER 2010
IN COMMITTEE ROOM 1, CIVIC OFFICES, HIGH STREET, EPPING
AT 7.30 - 9.40 PM**

Members Present: J Philip (Chairman), H Ulkun (Vice-Chairman), Mrs P Brooks, Mrs A Grigg, Mrs S Jones, Mrs M McEwen, J Markham, W Pryor, J M Whitehouse and K Chana

Other members present: K Angold-Stephens, Mrs P Smith, Ms S Stavrou and D Wixley

Apologies for Absence: C Finn and A Watts

Officers Present J Preston (Director of Planning and Economic Development), N Richardson (Assistant Director (Development Control)), R Sharp (Principal Accountant) and M Jenkins (Democratic Services Assistant)

14. SUBSTITUTE MEMBERS

It was noted that Councillor K Chana had substituted for Councillor A Watts.

15. DECLARATIONS OF INTEREST

There were no declarations of interest made.

16. NOTES FROM THE LAST MEETING

RESOLVED:

That the notes of the last meeting of the Panel held on 3 June 2010 be agreed.

17. TERMS OF REFERENCE

The Panel was advised that under Item 4 Terms of Reference, the East of England Plan was likely to be abolished by the Coalition Government.

18. WORK PROGRAMME

The following was noted:

Item 1

(b) Local Development Framework (LDF)

As indicated above the regional plan was likely to be abolished in the near future.

(c) Gypsy and Traveller Development Plan Document

Government correspondence had advised that further work on the Gypsy and Traveller Development Plan Document should cease

Item 3 Chairmen and Vice Chairmen of Area Planning Committee's Meeting

The Chairmen and Vice Chairmen of Area Planning Committees had met on 2 August 2010 along with Planning Portfolio Holders. The minutes were in the process of being completed. It was requested that more regular feedback from this Panel should take place.

Item 6 Possible Route a Planning Enforcement Investigation Could Take

The Panel was advised that the software needed to present this information was not available. Officers would therefore resort to a simpler presentation medium. The Chairman requested that the Panel should receive this report regarding enforcement in December 2010.

RESOLVED:

That a report regarding enforcement be submitted to the December 2010 Panel meeting.

Item 11 Planning Conditions Controlling Damage to Highways Infrastructure.

It was agreed that this item would be put before the December 2010 meeting.

19. IMPROVEMENT PLAN

The following was noted:

Item 1 Develop and promote a set of service standards for planning and Economic Development, outlining the minimum levels of service that external and internal customers will receive.

The target date set for the service standards was December 2010. Members requested a draft beforehand.

RESOLVED:

That a draft set of service standards for Planning and Economic Development be forwarded to members at the earliest opportunity.

Item 2 Improving Procedures

Members spoke of specific problems with Iplan. Mr J Preston, Director of Planning and Economic Development said he would provide the Panel with a programme of the works under taken on Iplan.

RESOLVED:

That a programme of works undertaken on Iplan be submitted to the Panel.

Item 3 Create a Business Plan for 2011-12

Members felt that a draft of the Business Plan was needed before the completion date of March 2011.

RESOLVED:

That the draft of the Business Plan 2011-12 be submitted to the Panel in December 2010.

Item 4 Implement Practical measures to Improve the Public Perception and Reputation of the Council's Planning Services

There was Member concern regarding enforcement action decisions being made with no apparent subsequent action taking place. J Preston suggested that the protocol needed reviewing and would be brought to the December 2010 Panel meeting.

RESOLVED:

That the Planning Protocol be submitted to the Panel in December 2010 for review.

Item 5 Green issues

There was concern that green issues within the District Council were not getting the coverage they should. There was an officer working group on this subject with Councillor Mrs P Smith, Portfolio Holder for Safer and Greener as a member.

RESOLVED:

Revise the Terms of Reference with regards to more information on the outcomes.

20. STAFFING WITHIN COUNTRYCARE

The Panel received a report regarding the Proposed Countrycare Re-Structure.

Countrycare was the District Council's Countryside Management Service, and was based within the Policy and Environment Section of the Directorate of Planning and Economic Development. Countrycare was established in 1986, it had developed a credible and proven track record for delivering quality projects. Countrycare had provided the following:

- Key resource for advice, information and practical assistance on countryside and nature conservation issues
- Attracted external grant funding
- Developed strong community support and trust
- Recruited and kept a wide volunteer base, gaining public support for community based project works
- Undertook a wide variety of community based activities and co-ordinated a regular programme of practical conservation work
- Provided a key resource for advice on biodiversity, nature conservation law, protected species, green infrastructure and legislation

Existing Countrycare Structure

Countryside Manager £42,210 Vacant as of August 2010

Assistant Countryside Manager £36,720 Vacant as of June 2010

Assistant Countryside Manager £36,720 Vacant as of September 2010

Countryside Assistant £21,750

Total £137,400

Assistant Countryside Manager (trainee) corporately funded to November 2011 £28,930. Plus two Future Jobs Fund employees until November 2010.

The Countryside Manager post was currently vacant prior to pursuing a process to re-fill the post, it had been acknowledged that the job description and grading required a review.

Recommended Countrycare Re-Structure

Delete one Assistant Countryside Manager post and create an additional Countryside Assistant Post:

Countryside Manager £44,460
 Assistant Countryside Manager £36,720
 Countryside Assistant £21,750
 Countryside Assistant £21,750

Total £124,680

Assistant Countryside Manager (trainee) corporately funded to November 2011 £28,930. Plus two Future Jobs Fund employees until November 2010.

Current Salary Budget £137,400

Proposed Re-Structure £124,680

The proposed re-structure would result in a CSB saving of £12,720 per annum. The total per annum running costs for the service were being reviewed to ensure operational cost savings over the medium and long term.

It was not felt feasible that Countrycare could run as a volunteer service. Because the team's work was specialist, in ecology, conservation management and planning.

Extending the Volunteer Programme.

The team's Volunteer Programme for 2009/10 had:

- Organised 99 practical project days involving 1,044 volunteer days or 6,264 hours
- Equated to £45,750 of volunteer assistance
- Over 500 staff hours and 2000 volunteer hours were given to working, promoting and maintaining District Council land
- Equated to £30,000 worth of labour
- Additionally Countrycare had raised over £200,000 worth of grant funding for the development and delivery of projects over the last 10 years.

RECOMMENDED:

- (1) That one Assistant Countryside Manager post, within Countrycare, be deleted;

(2) That an additional Countryside Assistant post, within Countrycare, be created, to fortify the project implementation tier of the team allowing for the further extension of the volunteer programme; and

(3) That Countrycare's intention of extending its voluntary and public engagement programme be noted.

21. CONTROVERSIAL PLANNING DECISIONS

The Panel received a report regarding Controversial Planning Decisions.

On 3 June 2010 the Panel had requested a review of recent controversial planning decisions which would enable lessons to be learnt from the selected sites. The review would raise the quality of decision making and assist in the monitoring of development.

An item was placed in the Bulletin issue of 6 August 2010, asking members to suggest suitable sites for the review. No members had come forward and therefore officers had suggested one site from each planning committee area. However, on consideration, members felt that the proposed sites would not be suitable for scrutiny. Members also asked for the Monitoring Officer of Essex County Council to be invited to the Panel regarding Green Travel Plans associated with planning applications.

RESOLVED:

That an invitation be extended to the Monitoring Officer of Essex County Council be added to the Panel's Work Programme.

The review should cover:

- The original planning application
- Any further formal amendments to the scheme
- Any enforcement investigations and action
- The final scheme as built

Those present at the site visit would consist of the following:

- Members of the Scrutiny Panel
- The Planning Officer and/or Presenting Officer
- Ward Members
- Parish/Town Council representative
- Site owner/developer

Details of relevant plans and a summary of the planning/enforcement history of the site should be circulated to all parties prior to the site visit. A brief report of the conclusions drawn from the scheme would then be circulated to all parties.

The visit could be carried out either in the evenings prior to the clocks going forward on 31 October 2010 or on a Saturday morning as required.

Officers were tasked again with locating one site for scrutiny from each of the planning sub-committee areas, one of these sites needed to be residential. An

invitation for proposed sites would be put on the area planning sub-committee agendas.

RESOLVED:

That, officers locate one development site from each planning sub-committee area for scrutiny, of which one will be residential, with an invitation for proposed sites put on the area planning sub-committee agendas.

22. SETTING OF 2010-11 PERFORMANCE TARGET FOR LPI45 AND NI157B

The Panel received a report regarding Setting of 2010-11 Performance Target for LPI45 and NI157(b).

Each year the District Council adopted a range of Key Performance Indicators (KPIs), which were regarded as crucial to the council's core business and its corporate priorities. At its meeting on 23 February 2010, the Finance and Performance Management Scrutiny Panel considered a raft of new indicators and agreed to adopt LPI45, (the number of appeals allowed against refusal of planning permission applications, as a percentage of the total number of appeals against refusal of planning permission applications) and NI157(b), (the percentage of "minor" planning applications determined in a timely manner where a timely manner was defined as within 8 weeks for "minor" applications) as indicators with a view to achieving top quartile performance for district authorities.

The Panel had stated that in the case of LP45 (Appeals), the target should be left as it was (25%) and be reviewed again in June 2010 depending on the policies in place at the time. In the case of NI157(b) (minor planning applications) the Panel concluded that the target would be set when it came to scrutiny.

In the case of NI157(b), the performance over the last few years had been 78% (2007/08), 79.64% (2008/09) and 79.67% (2009/10). A small change to delegated powers was agreed in June 2010, but without greater changes to allow more delegated powers for senior officers to decide therefore the previous year's targets of 84% were not going to be achievable.

Officers suggested a more achievable target of 81%. Last year's target of 79.62% was the best yet attained. Members agreed that LPI45 should be 28% and NI157(b) set at 80%.

RESOLVED:

- (1) That the Local Performance Indicator, LPI45, Planning Appeals be set at 28%; and
- (2) That the National Indicator, NI157(b), Processing of "Minor" Planning Applications be set at 80%.

23. CLARIFICATION OF THE PLANNING APPEALS AND THE INSTRUCTING OF COUNSEL REPORT

The Panel received an updated report regarding Clarification of the Planning Appeals and the Instructing of Counsel Report.

At the last meeting of the Panel on 3 June 2010 a report was submitted concerning Planning Appeals and the Instructing of Counsel. Members had queried what was meant by political insensitivity in the report. The reference was not intended to suggest that there was party political sensitivity, or political with a capital P involved. Small p political sensitivity may involve whether a Gypsies and Travellers case was in Roydon or Nazeing, whether an issue was in proximity to an election, and if the case was found to be less strong once the appeal was launched, perhaps because a key consultee had begun to take a different view from that which it held at application stage.

RESOLVED:

That the update regarding Clarification of Planning Appeals and the Instructing of Counsel report be noted.

24. STAFFING WITHIN PLANNING AND ECONOMIC DEVELOPMENT - FAMILY TREES

The Panel received updated versions of the Planning and Economic Development Directorate's Staffing Family Trees.

RESOLVED:

That the Staffing within Planning and Economic Development Family Trees be noted.

25. THE PLANIT

At the last meeting of the Panel members had requested that the Planning Services Directorate Newsletter, The PlanIt, should be circulated more widely. There were issues given the current editorial style of the newsletter. However the Panel requested that The PlanIt circulation and editorial approach should stay as it was.

26. DATE FOR MEETING WITH PLANNING AGENTS/AMENITY GROUP

Mr N Richardson, Assistant Director of Planning, advised that the date scheduled for the meeting with Planning Agents and Amenity Groups, should take place on Tuesday 26 October 2010 at 4.00p.m. and was expected to last until 6.30p.m.

27. ANY OTHER BUSINESS

The following was noted:

- The Chairman announced that an extra ordinary meeting of the Panel would be arranged regarding Core Strategy consultations from two councils in Hertfordshire. It was likely that the meeting would be in early October 2010.
- The Panel was advised that Members had requested in cases where the Parish and Town Council had not wanted to object to a planning application, the application should still come to a planning committee. Mr N Richardson advised that local councils could not ask for an application to go before a planning committee this could only be undertaken by a District Councillor. It was suggested that this issue should be raised at the next Local Council's Liaison Committee.

- Members raised the issue of extending time limits on planning applications. The Panel was told that 3 year permission was attached to all decisions. When applying for an extension to existing planning permission, residents and local councils were notified as per an ordinary application. On objections being received the application went before a Sub-Committee. It was felt that more information was required regarding the circumstances under which an extension was being requested.

28. DATES OF FUTURE MEETINGS

The next scheduled meeting of the Panel was on 2 December 2010. Although there would be an extra Panel meeting in early October 2010.