

NEWRY, MOURNE & DOWN DISTRICT COUNCIL

NMD/PC/5

**Minutes of the Meeting of Newry, Mourne and Down District Council (Shadow)
Planning Committee held on Tuesday 4 November 2014 at 3.00pm in Mourne
Room, Downshire Civic Centre, Downpatrick**

In attendance:

(Councillors)

Councillor N Bailie (Chair)	Councillor R Burgess
Councillor C Casey	Councillor P Clarke
Councillor W Clarke	Councillor G Craig
Councillor L Devlin	Councillor G Hanna
Councillor T Hearty	Councillor M Larkin
Councillor K Loughran	Councillor D McAteer
Councillor C McGrath	Councillor H McKee
Councillor M Murnin	Councillor P Ó Gribín
Councillor B Quinn	Councillor M Ruane
Councillor JJ Tinnelly	

Councillor S Burns

(Officials)

Mr L Hannaway, Chief Executive Designate
Ms C Miskelly, Head of Human Resources
Mr J McBride, Change Manager
Mr A McKay, Planning Manager
Mrs E McParland, Democratic Services Manager
Mrs D Starkey, Committee Administrator

In the absence of Councillor Sharvin, Councillor Bailie assumed the Chair.

PC/40/2014: APOLOGIES

An apology was received from Councillor Sharvin.

PC/41/2014: DECLARATIONS OF INTEREST

There were no declarations of interest.

PC/42/2014: ACTION SHEET ARISING FROM (SHADOW) PLANNING COMMITTEE MEETING HELD ON 7 OCTOBER 2014

Read: Action Sheet arising from (Shadow) Planning Committee Meeting held on 7 October 2014. **(Copy circulated)**

AGREED: **It was AGREED to mark the Action Sheet ‘noted’.**

Councillors McGrath and Larkin joined the meeting during the following discussion – 3.20pm and 3.25pm respectively.

PC/43/2014: NEWRY, MOURNE AND DOWN PLANNING COMMITTEE – DRAFT STRUCTURE & OPERATING PROCEDURES

Read: Report dated 4 November 2014 on Structure and Operating Procedures for the Newry, Mourne and Down Planning Committee. **(Copy circulated)**

NOTED: Mr McKay provided an overview of the report which set out examples of schemes of delegation and working arrangements of four planning authorities; Fife Council, Camden Borough Council, Birmingham City Council and Leeds City Council. An overview of the current streamlined consultation process in Northern Ireland was also provided.

Members were advised that in order to reach a final decision planning applications would have to go through the Planning Committee or be dealt with under delegated powers.

A lengthy discussion ensued during which Members were asked to consider a scheme of delegation specific to Newry, Mourne and Down Council and highlight any issues that could be considered during the study visit to Fife Council **(attached at appendix 1)**.

NOTED: The Chief Executive asked Members to give further consideration to a Scheme of Delegation and any additional issues to be forwarded to the Chief Executive and Change Manager as soon as possible.

NOTED: In response to a number of queries, Mr Hannaway referred to NILGA’s response to the Department of the Environment Consultation on Guidance on Planning Element of Councillor’s

Code of Conduct (Item 8, Annex A) which sets out information on the Do's and Don'ts for Planning Committee Members.

AGREED: **The visit to Fife Council will take place 26/27 November 2014, following which a report will be presented to the Shadow Planning Committee in December 2014 seeking agreement for the procedures by which Newry, Mourne and Down Planning Committee will operate.**

It was noted the Scheme of Delegation for the Planning Committee should include a review mechanism (after a period of 12 months).

PC/43/2014: DEFERRAL OF APPLICATIONS – CATEGORISATION OF DEFERRALS

Read: Report dated 4 November on Deferral of Applications – Categorisation of Deferrals. **(Copy circulated)**

NOTED: The Chief Executive pointed out 10% of current live planning applications within Newry, Mourne and Down were deferred applications (breakdown as detailed within the report). Members were advised it was critically important to deal with these applications as soon as possible.

AGREED: **It was agreed to mark the report 'noted'.**

PC/44/2014: NEWRY, MOURNE AND DOWN PLANNING COMMITTEE – OPTIONS FOR LAYOUT OF BOARDROOM, MONAGHAN ROW

Read: Report dated 4 November 2014 on the Options for the layout of the Boardroom (Monaghan Row) for the Planning Committee. **(Copy circulated)**

NOTED: Mr McBride referred to Options 1 and 2 within the report for facilitating Planning Committee meetings in the Boardroom of Monaghan Row, Newry post April 2015 (subject to approval of Governance Committee Minutes of 15 October 2014 by Shadow Council).

Mr McBride advised the estimated cost for audio/visual facilities was between £30,000 and £40,000.

AGREED: It was **AGREED** on the **PROPOSAL** of Councillor Ruane, **SECONDED** by Councillor Casey to approve Option 1 to provide for:

- A smaller boardroom layout reflecting Members' desire to operate a smaller Planning Committee;
- The use of temporary dispatch boxes to provide for deputations;
- The storing of existing desks along one side of the Chamber to provide for the display of paper copies of applications, drawings etc; and
- The use of a temporary rope-type barrier to provide for a public access area (double row of seats). Additional seating would be available outside the Chamber as is currently the case.

PC/45/2014: **VISIT TO FIFE COUNCIL – OUTLINE PROGRAMME & TRAVEL ARRANGEMENTS**

Read: Correspondence regarding the Visit to Fife Council – Outline Programme & Travel Arrangements. **(Copy circulated)**

NOTED: Mrs Miskelly advised the programme for the study visit was still work in progress with further details to follow. Members were encouraged to log as much learning from the visit as possible to bring back the next Planning Committee Meeting.

AGREED: It was agreed to mark the correspondence 'noted'.

PC/46/2014: **NILGA RESPONSE TO DoE CONSULTATION ON GUIDANCE ON PLANNING ELEMENT OF COUNCILLORS CODE OF CONDUCT**

Read: Correspondence regarding NILGA's response to the Department of the Environment Consultation on Guidance on Planning Element of Councillor's Code of Conduct. **(Copy circulated)**

NOTED: The Chairperson pointed out the importance of the information contained within Annex A regarding Councillors Code of Conduct.

NOTED: The Chief Executive confirmed Mr Derek McCallan, NILGA Chief Executive was delivering a presentation to Council on 4 November 2014 and urged Members to use this an opportunity to have a discussion in relation to the Councillor's Code of Conduct.

AGREED: It was agreed to mark the correspondence 'noted'.

PC/47/2014: **PLANNING APPEALS COMMISSION CONSULTATION:
DRAFT GUIDANCE ON THE AWARDING OF COSTS ON
PLANNING AND RELATED APPEALS**

Read: Correspondence from Planning Appeals Commission regarding Consultation on Draft Guidance on Costs Awards in Planning and Related Appeals. **(Copy circulated)**

AGREED: **It was AGREED on the PROPOSAL of Councillor Casey, SECONDED by Councillor Burgess to support a NILGA response in relation to Draft Guidance on Costs Awards in Planning and Related Appeals.**

There being no further business the Meeting concluded at **4.40pm.**

For consideration at the Shadow Council Meeting to be held on Tuesday 2 December 2014.

Signed: **Councillor Bailie
Chairperson**

**Mr L Hannaway
Chief Executive Designate**

Key Points highlighted for consideration included:

- Streamlined System - The current streamlined process used was a good way of getting minor planning applications through the system and could be increased to deal with the volume of applications received.
- Pre-application consultation was essential.
- What system for pre-application consultation should be put in place? Implications of charging for pre-application consultation to be examined. Ascertain how Fife Council deals with pre-application consultation.
- A formal pre-application process would involve a Planning Officer providing advice and guidance on an application (Council to decide on fee to be charged, if any). However this could not be a guarantee of outcome. A record of advice provided would be held on file.
- If free planning advice was provided it may reduce the number of applications submitted to Council.
- The use of Members Briefing Panel e.g. Camden Council. The Panel would consider objections and decide if satisfied with the decision taken by Planning Officers under delegated powers and, if not, recommend the decision be referred to the Planning Committee.
- A list of all delegated decisions would be circulated on a monthly basis with details of decisions taken on all applications.
- Council does want ownership and control over planning.
- Call in Procedure – There was disparity in the number of representations required for ‘call in’ across the four examples provided. Preference was given to a substantial number of objections being required for ‘call in’, as opposed to a few.
- Mechanism for meetings to be facilitated between Members and Planning.
- Examine the roles of agents and architects – Establish what process Fife Council uses to consult with agents and architects.
- A large rural area is being covered and this needs to be taken into account.
- Extent to which Councillors can involve themselves in planning matters – What is Fife Council’s experience?
- Is it possible to stipulate a time limit on how long applications can remain within the system? Once Council assume control targets can be set.

APPENDIX 1

- What system is in place to deal with 'speaking rights' at Planning Committee Meetings.
- If Fife Council was starting its processes again, what changes would it make based on how effective policies/procedures had now proved to be.
- What systems/rules are in place for site visits.
- Planning Committee to devise a Scheme of Delegation and pre application consultation to be examined further.