

NEWRY, MOURNE & DOWN DISTRICT COUNCIL

NMD/PC/2

**Minutes of the Meeting of Newry, Mourne and Down District Council (Shadow)
Planning Committee held on Tuesday 5 August 2014 at 3.00pm in Mourne
Room, Downshire Civic Centre, Downpatrick**

In attendance:

(Councillors)

Councillor N Bailie	Councillor R Burgess
Councillor C Casey	Councillor P Clarke
Councillor W Clarke	Councillor G Craig
Councillor L Devlin	Councillor S Doran
Councillor G Hanna	Councillor T Hearty
Councillor M Larkin	Councillor K Loughran
Councillor H McKee	Councillor M Murnin
Councillor B Quinn	Councillor G Sharvin (Chair)
Councillor JJ Tinnelly	

Councillor S Burns

(Officials)

Mr L Hannaway, Chief Executive Designate
Ms C Miskelly, Head of Human Resources
Mrs D Starkey, Committee Administrator

Mr J Farrell, Director of Environment, Health & Building Services
Mr J McCorry, Director of Technical and Leisure Services
Mrs M Ward, Group Chief Building Control Officer

Mr P Rooney (DoE Planning)
Mrs A McAlarney (DoE Planning)
Mrs S Wilkin (DoE Planning)
Ms R Heaney (DoE Planning)

PC/12/2014: APOLOGIES

Apologies were received from Councillors D McAteer, McGrath, O’Gribín, Ruane, Mr J McBride, Changer Manager and Mr J Linden (DoE Planning).

PC/13/2014: DECLARATIONS OF INTEREST

There were no declarations of interest.

COMMITTEE BUSINESS

PC/14/2014: ACTION SHEET ARISING FROM (SHADOW) PLANNING COMMITTEE MEETING ON 8 JULY 2014

Read: Action Sheet arising from (Shadow) Planning Committee Meeting held on 8 July 2014. **(Copy circulated)**

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

PC/15/2014: FINAL RECOMMENDATION FOR THE PILOT OPERATING MODEL, NEWRY, MOURNE AND DOWN/DOE PLANNING

NOTED: Presentation from Chief Executive, Mr L Hannaway on Final Recommendations for the Pilot Operating Model, Newry, Mourne and Down/DOE Planning. **(Attached at appendix 1)**

NOTED: The Chief Executive replied to several queries from Members regarding the operations of the Planning Service in Council Offices in this transition period.

AGREED: It was **AGREED** on the **PROPOSAL** of Councillor Casey, **SECONDED** by Councillor Hearty to approve the final recommendations for pilot implementation as presented; and approve the upfront funding of c.£60,000.

PC/16/2014: OPERATION OF AN EFFECTIVE PLANNING COMMITTEE: LESSONS LEARNT FROM WELSH GOVERNMENT

NOTED: Presentation from Chief Executive, Mr L Hannaway on the operation of an effective Planning Committee: Lessons Learnt from Welsh Government. **(Attached at appendix 2)**

Read: Report on operating an effective Planning Committee: Lessons Learnt from Welsh Government. **(Copy circulated)**

AGREED: It was **AGREED** by the Chief Executive to consider the following issues and bring back options and solutions on these at a future meeting:

- **Size, term of membership and representation from DEAs on Planning Committees**

- **Code of Conduct Training for Members on Planning Committees**
- **Timescales for processing Planning Applications**
- **A process for appeals in regard to decisions made by Planning Committee**
- **A process for provision of legal advice**

AGREED: Planning Service to provide a breakdown of applications for the new Council area over the last 12 months.

AGREED: It was **AGREED** to mark the report `noted`.

PC/17/2014: **CAPACITY BUILDING FOR PLANNING COMMITTEE: FIFE COUNCIL**

NOTED: The Chief Executive advised it was envisaged the Chair of the Planning Committee and Chief Planner from Fife Council would be in attendance at the next Shadow Planning Committee Meeting, with visits to be arranged in due course to enable Members to view a Planning Committee in operation.

NOTED: Ms C Miskelly, Head of Human Resources urged all elected members to attend Session one of DOE Capacity Building Training for the Newry, Mourne and Down District Council's Cluster which was scheduled to take place on 10 September 2014 from 5.00pm to 9.00pm in Craigavon Civic and Conference Centre. Invitations to be issued Mid-August.

CONSULTATION

PC/18/2014: **DRAFT RESPONSE: CONSULTATION ON PLANNING REFORM AND TRANSFER TO LOCAL GOVERNMENT: PROPOSALS FOR SUBORDINATE LEGISLATION**

Read: Draft response on consultation on Planning Reform and Transfer to Local Government: Proposals for Subordinate Legislation. **(Copy circulated)**

AGREED: It was **AGREED** at the request of Councillor Bailie to amend the response to Question 1 to include that there should be balance between cost of advertising and reaching as many members of the public as possible.

AGREED: It was **AGREED** on the **PROPOSAL** of Councillor Casey, **SECONDED** by Councillor Doran to submit the consultation response with the inclusion of the agreed amendment.

It was AGREED given the work plan for the Planning Committee that the Chief Executive should be given the flexibility to amend the starting time of the Planning Committee if required.

There being no further business the Meeting concluded at **4.45pm.**

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

Signed:

Presiding Councillor

Signed:

Chief Executive Designate

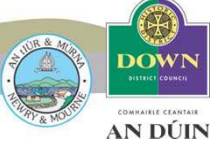
(Shadow) Planning Committee

Newry and Mourne District Council
Down District Council

5 August 2014

Pilot – Final Recommendations

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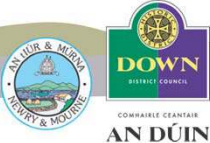
DOWN
DISTRICT COUNCIL

COMHARLE CEANTAIR
AN DÚIN

Outline

- i. Background
- ii. Pilot – how will it operate in practice?
- iii. Benefits
- iv. Decisions Required

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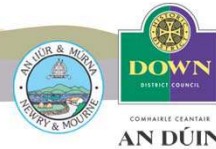
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Background

- Opportunity identified for “early” transfer – mid 2013
- Ministerial / STC approval in Dec 2013 – commence scoping exercise
- Detailed scoping exercise completed – June 2014
- Final recommendations – August 2014

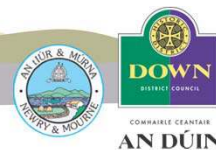
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Scoping exercise – key findings

- Re-location of c.40 Professional Planning & Admin staff to Council offices – Newry & Downpatrick
- Challenge of providing a public service – both centres
- Complex HR, IT, accommodation, financial, governance & communication issues to be resolved
- Joint Council / DoE management group established

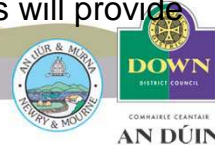
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Pilot – how operate in practice?

- Downshire Civic Centre (Downpatrick) – c. 28 Planning staff
- Greenbank & Monaghan Row (Newry) – c. 10 Planning staff
- Core aim – service provision in both Downpatrick & Newry
- Downpatrick – full service delivery with minimal adjustment
- Newry – more complex but recommendations will provide for a public service

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Newry - Recommendations

- DoE Planners located at Greenbank but:
- Receipt of applications & fees at Building Control reception (Monaghan Row) – meets DoE audit requirements
- DoE Administration member of staff located full-time at Monaghan Row to enable service
- Appointments system for public to meet with Planners & view the public register
- Existing DoE courier contract to be used for file transfer

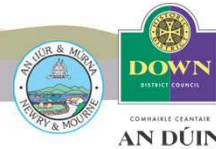
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Wider Pilot Recommendations

- Application & fees processing (bank reconciliation etc) completed at the Downshire – file transfer to Greenbank for casework
- Decision notices executed & stored at the Downshire
- Letter of Understanding required – ensure financial safeguards
- “Go live” – Monday, 29 September 2014

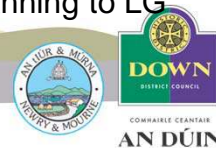
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Benefits

- Early integration of new function & staff
- Retention of public sector jobs in the new District
- Public service in both Downpatrick & Newry
- Planning service for Newry area now available in Newry!
- Opportunities for co-working & capacity building
- “Beacon” Council for the wider transfer of Planning to LG

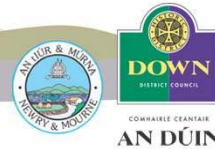
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Summary

- Final budget allocation from DoE expected to provide for the future funding of the service(1 April 2015 onwards)
- But will require some local “pump prime” funding for pilot implementation
- Pilot places the new Council in the vanguard concerning the transfer of Planning
- Public service secured for both Newry & Downpatrick

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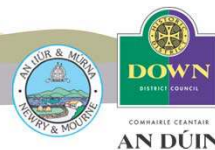


Decisions Required

Members are asked to:

- Approve the final recommendations – pilot implementation
- Approve the upfront funding of c. £60,000

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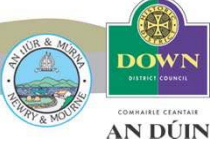
(Shadow) Planning Committee

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Operating an Effective Planning Committee

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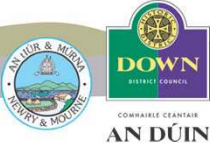


The slide features a purple header with the title '(Shadow) Planning Committee' and the council names. Below the header is a white area with the main title 'Operating an Effective Planning Committee'. At the bottom, there is a decorative landscape graphic with two logos: a circular one for 'AN ULSTER & MERNE NEWRY & MOURNE' and a rectangular one for 'DOWN DISTRICT COUNCIL COMHAIRLE CEANTAIR AN DÚIN'. Two website URLs are listed on the left side of the footer.

Outline of Issues Covered

- i. Lessons-learned from Wales
- ii. DoE recommendations
- iii. Initial view of Members – how do we operate?

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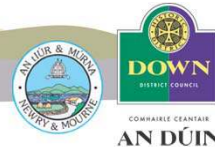


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Welsh Government Review

- Background – comprehensive review of all Planning Committees in Wales
- Identified a range of issues affecting performance – Committee size, culture, the robustness of Planning processes & protocols, training & quality of Members, “fitness” of local development plan etc

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Some Highlights

- Larger Committees tend to have lower attendance rates - difficult to manage & more “unwieldy”
- Real tension between Member roles – Planning responsibilities v local representation
- “Post code lottery” created by lack of consistency
- Importance of training & matters of delegation

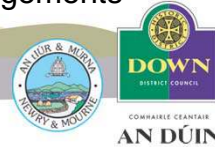
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“Ideal” Planning Committee

- Smaller Committee – exercising impartial & independent decision-making
- Supported by robust training – empowering Members to weigh-up a range of Planning issues
- Robust processes aimed at boosting transparency & public accessibility
- Decision-making should focus on strategic issues – leaving small scale proposals under delegated arrangements

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Welsh Recommendations

- National scheme of delegation – 95% of applications should be delegated to Officers
- National protocol which clarifies the role of Members & arrangements for decision-making
- Mandatory minimum training requirement
- Guidelines for site visits, deferrals & over turning decisions

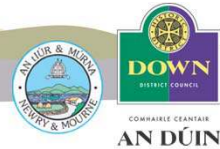
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DoE Report

- Background – considered by RTC & STCs
- Set-out governance issues for Planning decision-making structures
- Considered “best practice” in other jurisdictions – including Wales

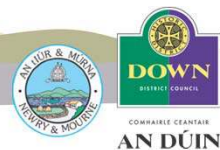
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Issues Considered

- Unsuitability of Executive arrangements for Planning
- Delegation seen as critical factor affecting performance
- Importance of protocols for ensuring consistency
- Emphasis placed on training – requirement to attend
- Access to legal advice

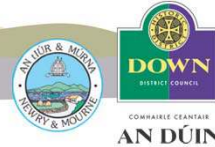
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DoE Recommendations

- Planning should not be the responsibility of an Executive arrangement
- Full Council should approve & adopt the Local Development Plan
- Regional protocol for the operation of Planning Committees (e.g. delegation, meeting procedures etc)
- Size of Planning Committees should be restricted
- Mandatory requirement to undertake training before taking-up office
- Each Council secure access to legal advice

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Questions for Members

- What are Members' views on Committee size?
- To what extent do Members want to delegate to Officers?
- What arrangements do Members need to secure to assist with decision-making?
- What arrangements need to be secured to ensure the smooth running of Committees?
- Should training be mandatory? If so, what included?
- What other arrangements need to be considered?

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