

**TO:** PLANNING & REGULATORY COMMITTEE**DATE:** 26 JULY 2022**BY:** PLANNING GROUP MANAGER**DISTRICT(S)** All**ELECTORAL DIVISION(S):** All**PURPOSE:** FOR INFORMATION AND REVIEW**GRID REF:** N/A**TITLE:** PLANNING ADVISORY SERVICE REVIEW OF THE PLANNING AND REGULATORY COMMITTEE**Purpose of the Report:**

To inform the Committee of the outcome of a review of the Planning and Regulatory Committee (P&R) that was undertaken by the Planning Advisory Service (PAS). The review was commissioned by the County Council to consider the effectiveness of the committee processes and conduct and to suggest ways in which the operation of the committee could be improved.

**Recommendation:**

1. The Committee is asked to note the recommendations in the report, in particular those relating to committee processes.

**Introduction:**

2. The Planning Advisory Service was asked to review the operation and effectiveness of the Planning and Regulatory Committee, to compare it against national best practice and to identify possible improvements. The implementation of these improvements is expected to result in improved decision making by the committee.
3. The review was carried out by an experienced PAS consultant with extensive knowledge of County Council planning matters. It included observing webcasts of the committee; interviewing officers, Members, applicants and members of the public who have participated in recent meetings; reviewing the rules and procedures of the committee and analysing performance data.
4. The report concludes that in general terms the committee was well run and functions effectively. Many of the practices undertaken are in line with best practice in other local authorities. The committee is generally doing well and the recommendations in the report are therefore based on sharpening up processes,

improving performance, developing and enhancing awareness of the role of planning and strengthening training.

5. The report of the review is attached to this report as Annex 1.

## Recommendations

6. The recommendations of the report cover a broad range of matters, including reporting performance, an annual committee monitoring visit, rapid publication of committee decisions, Reg 3 training for officers and Members involved in promoting planning applications, clarifying the delegation definition, clarification of the processes for speaking at committee, changing the running order at committee, clarification of protocol on member site visits, officer reports, officer presentations to committee and committee training. These are detailed as follows:
7. **Recommendation 1: Reporting Performance.** It is recommended that consideration be given to reporting the planning activities and performance to the Planning and Regulatory Committee in line with the AMR so that they can be better informed and understand their role in the process and the wider planning functions that officers undertake on behalf of the Council.
8. **Recommendation 2: Annual Planning Committee Monitoring Visit.** It is recommended that councillors visit a sample of implemented planning permissions on an annual basis to assess the quality of their decisions to help improve the quality and consistency of decision making, strengthen public confidence in the planning system, and help with reviews of planning policy.
9. **Recommendation 3: Publish Planning Committee Decisions.** It is recommended that to assist in openness and transparency and to inform those interested in the outcome of Planning and Regulatory Committee decisions, it would be helpful to publish on the Planning and Regulatory Committee web site a list of decisions (ideally the next day) so that people can see what has been decided quickly and clearly.
10. **Recommendation 4: Regulation 3 Planning Applications.** It is recommended that Members and officers of Surrey County Council that are responsible for applying for planning permission be offered planning awareness training to better understand planning performance matters and the role of the Planning and Regulatory Committee and the officers that support it. Any such training should be endorsed by the leadership of the Council.
11. **Recommendation 5: Review Delegation Definition.** It is recommended that the delegation threshold criteria of 5 objections within the Council's Scheme of Delegation should include an explicit definition of the nature of the objections so that there is greater clarity about when the matters need to be considered by the Planning and Regulatory Committee.
12. **Recommendation 6: Speaking at Committee Process.** It is recommended that the following be addressed:
  - 6.1. Reference to the County Council's public speaking process should be made more prominent in the acknowledgement letter sent to those making representations on planning applications;
  - 6.2. The guidance about what speakers can talk about should be clarified and

couched in more advisory terms and should be reflected in Standing Orders.

6.3. The web page on the public speaking process should include a clearer explanation of how the total time is divided between objectors and supporters and whether applicants are included as part of the supporters. This will also need to be better reflected in, and aligned with, the Standing Orders (e.g. 86.5 refers to *“the first five registered being entitled to speak.”* 86.6 implies 5 of each but is not explicit);

6.4. Applicant to be allowed to speak regardless of whether there are objectors/supporters (which will need to be reflected in Standing Orders [86.7]);

6.5. Consider whether 10 speakers for 30 minutes as a maximum is the appropriate number to allow in the light of experience;

6.6. Insert an explanation on the County Council’s web page for public speaking of the role of the Local Member at the Planning and Regulatory Committee (as set out in the County Council’s Constitution and Planning Code of Best Practice).

6.7. Consider how representations made on a planning application being determined by the County Council are made more accessible on their planning application web site.

13. **Recommendation 7: Running Order at Planning Committee.** It is recommended that the running order of the Planning and Regulatory Committee follows the proposed order as follows:

- 7.1. Chairman introduces the item
- 7.2. Introduction of item by officer(s)
- 7.3. Representations by objector(s)
- 7.4. Points of clarification from Members
- 7.5. Representations from supporter(s)
- 7.6. Points of clarification from Members
- 7.7. Representations by applicant or agent
- 7.8. Points of clarification from Members
- 7.9. Representation by local Member(s)
- 7.10. Points of clarification from Members
- 7.11. Consideration of application by committee

14. **Recommendation 8: Site Visit Conduct and Reporting.** It is recommended that:

- 8.1. the County Council’s guidance on site visits should contain a section that emphasises the importance of attending site visits;
- 8.2. a procedure protocol be agreed as how site visits be conducted;
- 8.3. a report of the site visit will be added as an addendum to the Planning and Regulatory Committee papers. Such a report would include who attended, what particular things were pointed out to Members, questions raised and answers given.

15. **Recommendation 9: Officer Reports.** It is recommended that:

- 9.1. The Chair’s agenda briefing should be used to get feedback on Members’ thoughts about officer reports as an ongoing learning process;
- 9.2. Use Member training to review the officer reports so that Members can better understand why reports are the way they are and why information is included and Members can give their feedback;
- 9.3. Encourage Members of the Planning and Regulatory Committee to ask questions of officers in advance of the Planning and Regulatory Committee meeting;
- 9.4. Minor formatting to embolden the recommendation in the summary part of the report.

**16. Recommendation 10: Officer Presentations.** It is recommended that:

10.1. Officers presentation skills by developed and enhanced though appropriate training focusing on consistency and confidence in conveying complex information clearly and succinctly;

10.2. Review the webcast system explanatory guide to make it clearer how to see presentation slides at the same time as the speaker and consider enabling direct slide presentation control to the presenter.

**17. Recommendation 11: Training.** It is recommended that a programme of Planning and Regulatory Committee Member training is delivered between the annual mandatory training. Such training should be agile, short, frequent and focused on relevant issues that develop key themes from the annual mandatory training such as technical issues, important case law, material considerations, conduct and probity.

<b>Next steps:</b>
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18. The County Council's Code of Best Practice Planning has been under review since late 2021. This was paused to await the outcome of the PAS review. The Code of Best Practice was adopted in 2014 and is in need of updating. The review will be re-started and the recommendations of the PAS review will be incorporated as appropriate. This and any other changes to the Constitution necessary as a result of review will be reported to full Council in due course.

19. In conjunction with the Committee Chairman, Planning and Committee Services officers will work to implement the other changes that do not require formal Council approval.

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REVIEW OF THE EFFECTIVENESS OF SURREY COUNTY COUNCIL'S PLANNING AND  
REGULATORY COMMITTEE PROCESSES AND CONDUCT

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