

Report of Chief Planning Officer

Report to General Purposes Committee

Date: 9 May 2016

Subject: Plans Panels Terms of Reference

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

Summary of main issues

1. A review of the Plans Panels was conducted in summer 2012 and the formation of three new Panels North and East (N&E), South and West (S&W) and City Panel, was agreed by full Council in August 2012.
2. The terms of reference of the N&E Panel and S&W Panels covers significant and smaller applications within a geographical remit, whilst the terms of reference for the City Panel covers dealing with the largest and strategically important applications for the whole of the City as well as City Centre applications.
3. The Plans Panel arrangements have been in place since September 2012 and therefore it is timely to review the Plans Panel terms of reference in light of the changing planning landscape, the pick-up in the economy leading to more business being dealt with at the Panels, Panel workload imbalances and the priority of delivering housing growth expeditiously.
4. The review was conducted by the Joint Member Officer Working Group, a cross party group, comprising the Plans Panel Chairs, Development Plans Panel Chair and the Executive Member for Regeneration, Transport and Planning and representatives of each of the other political groups in the Council. The group considered the existing terms of reference for the City Panel, reviewing the criteria for whether an item is dealt with at City Panel or an Area Panel, to ensure there is a correct workload balance between the Panels and to ensure that decisions on matters which have local impacts are made by the appropriate Area Panel.

Recommendations

5. Members are recommended to consider the proposed changes to the City Panel terms of reference and recommend to full Council that they be approved.

1 Purpose of this report

- 1.1 The existing arrangements for the Plans Panels have been in place since 2012, when a new City Panel and two Area Panels- North & East and South & West were created.
- 1.2 Since then the workload of the Panels has fluctuated, with often an imbalance of workloads between the three Panels and a heavy agenda for the City Panel, which deals with city centre applications as well as a range of applications of strategic importance.
- 1.3 A review of the terms of reference of the City Panel has recently been carried out in a bid to readdress the workload issues and to refocus the work of the City Panel and the Area Panels, placing applications before the most appropriate Plans Panel for consideration.
- 1.4 The review has been carried out by the Joint Member Officer Working Group, a cross party group, which has made a number of proposed changes to the City Panels terms of reference.
- 1.5 To make changes to the size, scale and type of items going before the City Panel, requires changes to the terms of reference contained within the Council's Constitution. This report describes the changes and makes a recommendation that General Purposes Committee approve the changes to the City Panel terms of reference.

2 Background information

- 2.1 The Plans Panel decision making process has an important role to play in the reputation of the City, generating confidence within the development industry and helping to show that Leeds is an attractive location for investment. Development arising from applications can have a significant impact on the City's economy, on the prosperity and growth of local areas and the creation of new jobs and provision of new housing as the City grows in accordance with the adopted Core Strategy. It is important therefore that the City has a Plans Panel decision making framework which is reliable and transparent and is capable of making high quality, consistent, timely decisions.
- 2.2 The Plans Panel arrangements adopted in 2012 created two Area Panels- North & East and South & West which consider applications of local significance to communities within their geographical remit and a City Panel which deals with the largest and strategically important applications for the whole of the City as well as City Centre applications.
- 2.3 The functions which the Panels are allowed to discharge are set out in their terms of reference. The City Panel's terms of reference are largely based on dealing with applications meeting certain size and scale requirements or those applications of major strategic significance (either individually or cumulatively) in terms of job growth or retention; investment value and regeneration.

2.4 The Area Panel’s Terms of Reference authorise these panels to discharge town and country planning functions with the exception of those which the City Panel is authorised to discharge. The Area Plans Panels Terms of Reference are attached as Appendix 1 to this report for ease of reference

3 Main issues

3.1 The upturn in the economy and the priority of delivering the housing growth agenda has led to a greater workload particularly for the City Panel; there have been more meeting of the City Panel in order to deal with the business, with 14 meetings over the year in comparison with 11 meetings of the South & West Panel and 12 meetings of the North & East Panel. Analysis of the application workload indicates that some of the items currently dealt with at the City Panel, whilst hitting the size/ scale threshold, are not necessarily strategically significant, and have more significant implications locally.

3.2 The recommended changes to the City Panel’s terms of reference have concentrated on raising the thresholds which triggers the determination by City Panel and on concentrating activity on those matters which have a greater than local significance and should be considered within a wider strategic context.

3.3 The proposed amendments to the City plans Panel Terms of Reference are set out at Appendix 2 attached. For ease of reference the table below shows the appropriate extract of the current terms of reference together with proposed changes:

City Panel existing terms of reference	City Panel proposed terms of reference
<p>Proposals within the City Centre (defined on a plan)</p> <ul style="list-style-type: none"> • Proposals that in the opinion of Chief Planning Officer in consultation with Executive Member and relevant Chairs are of major strategic significance (either individually or cumulatively) in terms of one or more of the following; job growth or retention; investment value and regeneration. • Residential schemes involving 200 residential units or more or a site area of 4 hectares or more if the number of units is not known 	<p>Proposals within the City Centre (defined on a plan)</p> <p>Proposals that in the opinion of the Chief Planning Officer in consultation with Executive Member and relevant Chairs are;</p> <ul style="list-style-type: none"> • Of major strategic significance (either individually or cumulatively) in terms of one or more of the following; job growth or retention; investment and regeneration; importance to the city economically, culturally or recreationally • Major residential schemes of 300 or more dwellings which have greater than local significance and should be considered within a wider strategic context

City Panel existing terms of reference	City Panel proposed terms of reference
<ul style="list-style-type: none"> • Non- residential schemes involving floor space of 5,000 sq. m (gross) or more, or a site area of 2 hectares or more if the floor space is not known • Proposals that in the opinion of the CPO in consultation with the Executive Member and relevant Chairs are eligible for significant, time limited public funds (including PFI schemes) 	<ul style="list-style-type: none"> • Non-residential schemes involving floor space of 10,000 sq. m (gross) or more which would have greater than local significance and should be considered within a wider strategic context • Proposals that are eligible for significant, time limited public funds (including PFI schemes) • That are contrary to adopted policy which are being brought forward for approval and could have significant strategic implications for other proposals in the city • Proposals for significant infrastructure provision which affects more than one area of the city that should be considered within a wider strategic context.

- 3.4 The main changes are raising the threshold from 200 residential dwellings to 300 dwellings and non-residential schemes from 5,000 sq m to 10,000 sq m for items to be taken to City Plans Panel. Analysis of current workload would place a number of schemes previously within the City Panel terms of reference back with the Area Panels. The Area Panels would have the capacity to deal with the potential increase in numbers of items expeditiously provided some of the smaller matters currently taken are dealt with under delegated powers in consultation with Ward Members.
- 3.5 As the Area Plans Panels Terms of Reference are expressed with the exception of those matters reserved to the City Plans Panel there is no need to make any correlative change to these terms of reference. The Area Plans Panels have authority to discharge functions in relation to those matters no longer reserved to the City Plans Panel.
- 3.6 Outside the City Centre once the principle of a significant scheme has been determined any subsequent detailed applications and modifications can be dealt with by Area Panels unless they have wider strategic implications not previously dealt with at the City Plans Panel.
- 3.7 The raised threshold will facilitate a renewed focus for City Panel in considering schemes (outside of the City centre) which have wider strategic implications and allows the Panel to concentrate its efforts on those applications where Panel can add the most value in driving through the Council's strategic priorities.

- 3.8 Increasingly pre-application presentations have been a feature of the work of City Panel and are a very valuable part of the planning process on large, complex and strategically important applications. The time freed up by receiving fewer items, means potentially more time can be allocated to those applications where greater scrutiny is required.
- 3.9 The changes to the terms of reference also means the Area Panels will be able to consider those larger applications which no longer meet the size and scale thresholds, but which are of great significance and importance locally. This may also refocus the work of the Panels, reducing the amount of smaller items, and concentrating effort on those schemes where the area Panels can add the most value.
- 3.10 The definition of the City Centre area has not changed but has been reviewed in the light of known development pressure around the edges of the centre.

4 Corporate Considerations

4.1 Consultation and Engagement

- 4.1.1 The Joint Member Officer Working Group has been consulted and the proposed changes agreed on 30 March 2016.

4.2 Equality and Diversity / Cohesion and Integration

- 4.2.1 There are no specific implications arising from this report

4.3 Council policies and City Priorities

- 4.3.1 The effective and expedient determination of planning applications contributes to the overall prosperity of the City and plays a key part in the regeneration and growth agenda. The service makes a key contribution to the delivery of housing growth.

4.4 Resources and value for money

- 4.4.1 There are no specific implications arising from this report. However, measures are being taken to ensure that the service is delivered within the financial constraints.

4.5 Legal Implications, Access to Information and Call In

- 4.5.1 There are no direct legal implications arising from the report.

4.6 Risk Management

- 4.6.1 There are a number of risks associated with the decision making process which are both financial and reputational. It is important that the terms of reference are up to date, robust and transparent and adhered to, in order to minimise the risk of any challenge.

5 Conclusions

- 5.1 The changes to the City Panel's terms of reference will redress some of the workload imbalances currently experienced. It will also refocus the purpose and role of the City and Area Panels, with decision making taking place in the most appropriate forum.

6 Recommendations

- 6.1 Members are recommended to consider the proposed changes to the City Panel terms of reference and recommend to full Council that they be approved.

7 Background documents¹

- 7.1 None

¹ The background documents listed in this section are available for inspection on request for a period of four years following the date of the relevant meeting. Accordingly this list does not include documents containing exempt or confidential information, or any published works. Requests to inspect any background documents should be submitted to the report author.