

26th April 2016**Agenda Item:8****REPORT OF CORPORATE DIRECTOR – PLACE****RESPONSE TO DCLG ON THE TECHNICAL CONSULTATION ON THE IMPLEMENTATION
OF PLANNING CHANGES****Purpose of Report**

1. To advise Members of the County Council's response to the Department for Communities and Local Government (DCLG) on the technical consultation on the implementation of planning changes.

Information and Advice

2. In February this year DCLG published a technical consultation on the implementation of planning changes. The closing date for interested parties to make comments was 15th April 2016. Views were sought on how the planning matters set out within the Housing and Planning Bill (currently going through Parliament) should be implemented.
3. The underlying objective behind the consultation document is to allow councils and others to compete to "process" planning applications and be able to offer fast track applications to speed up the planning process. The consultation states that the decision making stage would remain with the local council to "maintain the democratic link between local people and decision makers". An officer response was sent by the closing date and a copy of the full response forms Appendix 1 to this report.
4. The Council's response raised two main areas of concern relating to the proposed changes to the fee regime and secondly, introducing competition in the processing of planning applications. The response to these issues is set out in Chapters 1 and 8 respectively in the appendix. These changes, if implemented, could have a significant impact on the resources available to the County Council and on the democratic process of decision making on planning applications.

The next stage

5. DCLG's consultation period ended on 15th April 2016. DCLG will publish a summary of the responses within three months of the closing date. These

responses will inform the secondary legislation which will be prepared once the Bill gains Royal Assent.

6. County Council Members will be kept informed of any significant changes to the Council's planning processes or any financial implications for the County Council as a consequence of the Bill.

Other Options Considered

7. There are no alternative options to consider as the report is for information only.

Statutory and Policy Implications

8. This report has been compiled after consideration of implications in respect of finance, the public sector equality duty, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment, and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Implications for Service Users

9. Depending on the outcome of the consultation, if the proposals for "alternative providers" are taken forward there may be significant implications for applicants who currently submit applications to the County Council for determination.

Human Rights Implications

10. Relevant issues arising out of consideration of the Human Rights Act have been assessed. Rights under Article 8 (Right to Respect for Private and Family Life), Article 1 of the First Protocol (Protection of Property) and Article 6 (Right to a Fair Trial) are those to be considered. In this case, however, there are no impacts of any substance on individuals and therefore no interference with rights safeguarded under these articles.

RECOMMENDATIONS

11. It is RECOMMENDED that Members note the County Council's response sent to DCLG, as set out in Appendix 1 to this report, on the technical consultation on the implementation of planning changes.

TIM GREGORY

Corporate Director – Place

Constitutional Comments

The subject of the attached report falls within the scope of Planning and Licensing Committee and this is the appropriate body to consider the report

[RHC 4/4/2016]

Comments of the Service Director – Finance

There are no specific financial implications arising directly from this report.

[SES 01/04/16]

Background Papers Available for Inspection

The application file available for public inspection by virtue of the Local Government (Access to Information) Act 1985.

Electoral Division(s) and Member(s) Affected

All

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For any enquiries about this report, please contact the report author.