

# STROUD DISTRICT COUNCIL

## DEVELOPMENT CONTROL COMMITTEE

**TUESDAY 18<sup>TH</sup> JANUARY 2022**

<b>Report Title</b>	<b>Establishment of Development Management Advisory Panel</b>			
<b>Purpose of Report</b>	To seek the Committee's approval for the establishment of a Development Management Advisory Panel, as an officer/member working group considering matters relating to development management performance, enforcement policy and performance, and appeal performance.			
<b>Decision(s)</b>	<b>Development Control Committee RESOLVES to:</b>  <b>a) Establish the Development Management Advisory Panel;</b> <b>b) Approve the draft Terms of Reference for the proposed new Panel, attached as Appendix A;</b> <b>c) Review the operation of the Panel within the next 12 months.</b>			
<b>Consultation and Feedback</b>	The proposal and draft Terms of Reference have been discussed with the Council's Strategic Director of Place and result from a recommendation from an internal audit report.			
<b>Report Author</b>	Geraldine LeCointe, Head of Development Management Tel: 01453 754233 Email: <a href="mailto:geraldine.lecointe@stroud.gov.uk">geraldine.lecointe@stroud.gov.uk</a>			
<b>Options</b>	The option of not establishing the Panel has been considered. This is not recommended because it would not facilitate the ability of the Council to more readily oversee the performance of the service.			
<b>Background Papers</b>	None			
<b>Appendices</b>	Appendix A – Draft Terms of Reference for Development Management Advisory Panel. Appendix B – Planning Applications Appendix C – Planning Review (Enforcement) Report			
<b>Implications (further details at the end of the report)</b>	Financial	Legal	Equality	Environmental
	No	Yes	No	No

### 1. BACKGROUND

- 1.1 The Development Management service has been the subject of two recent internal audit service reports: 'Planning Applications' and 'Planning Review (Enforcement)', both of which were considered by Audit & Standards at its meeting on 30<sup>th</sup> November 2021. The reports were accepted with some further supplementary information requested for both to be reported to Audit and Standards Committee in 2022.
- 1.2 Both internal audit reports are attached in full to this meeting's agenda for information.
- 1.3 The Constitution sets out that the Development Control Committee has responsibility for discharging the follow functions: "Statutory development and planning control and public rights of way".

- 1.4 The first recommendation in the enforcement service audit report [No.1(M)] stated “Procedures should be reviewed and clarified to ensure that Member oversight of the revised Council Planning Enforcement Policy and Procedure is sufficiently defined”. To address this, this report proposes the establishment of a Development Management Advisory Panel, an officer/member working group responsible to the Development Control Committee.

## **2. THE PROPOSED DEVELOPMENT MANAGEMENT ADVISORY PANEL**

- 2.1 The proposed new Development Management Advisory Panel will act as an officer/member working group reporting, as necessary, to Development Control Committee. It will consider matters of service performance and improvement, including enforcement and appeals.
- 2.2 The proposed working group aligns with the Constitution’s ‘Performance Reporting Arrangements’ which states that “Any two members of each committee will meet on a quarterly basis with senior management teams in non decision-making informal meetings. These members will then report back to committees on an exception basis to report highs and lows.”
- 2.3 The proposed new Panel’s role, membership and reporting arrangements are provided within the draft Terms of Reference attached at Appendix A.

## **3. IMPLICATIONS**

### **3.1 Financial Implications**

There are no financial implications directly arising from this report

Jon Coldridge, Principal Accountant

Tel: 01453 754030 Email: [jon.coldridge@stroud.gov.uk](mailto:jon.coldridge@stroud.gov.uk)

### **3.2 Legal Implications**

The Panel will have no decision-making powers and there are no significant legal implications arising directly in respect of this report. Members of the Panel will however, need to be mindful of any bias/pre-determination issues when for example discussing any appeal decisions and their implications.

Cheryl Lester, One Legal

Email: [Cheryl.Lester@onelegal.org.uk](mailto:Cheryl.Lester@onelegal.org.uk)

### **3.3 Equality Implications**

An EIA is not required because there are no any specific changes to service delivery proposed within this decision. However, equality impact assessments may be carried out in the future, based on activities and recommendations of the proposed Panel.

### **3.4 Environmental Implications**

There are no significant environmental implications at this time, arising from a decision to establish a Panel. However, any future activities of the proposed Panel which may have environmental implications will be assessed at the appropriate time.