

Hart District Council

Full Council Meeting, Thursday 28 September 2023

Questions to Council

Agenda Item 6: Council Procedure Rule 14 – Questions by Members

From Councillor Farmer:

In the light of the discussion at a recent meeting of O&S concerning planning issues and also concern about the apparent increase in planning appeals being allowed, can the Portfolio holder confirm that there is sufficient leadership oversight of the service and that the service has sufficient skills, and resources it needs, to deliver an efficient and effective planning service to applicants and residents?

Response From Councillor Oliver:

Thank you, Councillor Butcher, for asking the question on behalf of Councillor Farmer.

Firstly, can I just answer your query on the Appeals data. The level of appeals heard by the Planning Inspectorate this financial year is broadly in line with prior years 21/22 and 22/23 of around 65 per annum. Of those determined, as of 23 September 2023 37% have been allowed. This also compares favourably with previous years of 33% and 36% respectively.

However, I do understand the concerns raised by the Overview and Scrutiny Committee (O&S). Every appeal decision is reviewed by senior staff in the planning team as most are on how the planning balance has been interpreted between the community and applicant by officers and Harts Planning Committee. This helps develop the decision-making process for future planning applications. In a small number of cases, it has been found that the sign-off process of the original planning application did not follow Harts established procedures or quality control. Actions have been taken to ensure this will not happen again. As this is a human resources issue, I will not make any further public statement on this.

Turning to your second point on the resources and skills needed in Development Management to provide an effective and efficient service for Hart. Firstly, I would point to the quarterly minutes of the O&S service panel for this and previous years where the challenges are discussed, KPI's monitored, and the implementation of change captured (particularly the Peer review Action Plan of the DM service in 2019). This describes a service in good health and well supported with the tools and budget it needs but being held back by resourcing issues. This challenge (discussed at every review of the Service Plan risk register) is a nationwide problem. We have this summer been successful in recruiting to our senior team, so I am now confident that we have good oversight of the service. We still have 4 roles to recruit to (heritage, enforcement. trees, applications) and these are being actively progressed. The general issue around recruitment of experienced planning people is causing problems.

One area I believe still needs attention and was a long-term action in our Peer Review, was communications between applicants/agents and officers. I am firmly of the opinion that many issues can be overcome if there is a regular personal connection between parties. This would be more than an email from an assigned planning officer and require formal introduction and regular contact with their clients. Most of our officers are very effective communicators whilst a few still work in relative silence. I am discussing with the Executive Director of Place how to bring all staff up to this level to move our service from good to great.

Supplementary Question

From Councillor Butcher:

Given the importance of this issue will the Portfolio holder commit to working with O&S to revisit the action plan to ensure our planning service is fit for purpose including potentially more detailed effective monitoring? And if yes when could this be achieved?

Response From Councillor Oliver:

During the time of the action plan in 2019 I was Chairman of the Planning Committee for four years, whilst it was being implemented. I regularly received updates and progress reports on the issues raised. It is completed, bar the one issue previously acknowledged.

In discussions with the Executive Director – Place we plan to repeat the process as part of the next service plan to be discussed in the autumn. It will be beneficial after 5 years to look at the service from an outside perspective. Yes, I will work with O&S on this and hope they support putting this as a priority action in our service plan.

From Councillor Crampton:

At September's Cabinet meeting the Portfolio holder for Regulatory updated Cabinet that a public consultation on the Dog Fouling Public Space Protection Order had begun, this being some three months after the previous PSPO had expired at the end of May this year.

Why wasn't this paper brought to Cabinet before the PSPO had expired?

Response From Councillor Collins:

Obviously not renewing this before May was an oversight, however, if we had waited to bring the draft PSPO to Cabinet before starting the consultation this would have delayed it further. The draft PSPO covers the same matters as the previous one and therefore it was considered appropriate to start the consultation.

The role cabinet took was to formally delegate Mr Jaggard, Executive Director-Place, in consultation with myself to adopt the new PSPO after assessing the responses to the public consultation. If any significant issues are raised, then we can decide to bring it back to Cabinet for consideration.

Supplementary Question

From Councillor Crampton:

If the PSPO had been renewed in time, a consultation would not have been necessary, do you have systems in place to make sure it does not happen again?

Response From Councillor Collins:

We are implementing some SharePoint workflow functionality to enable email warnings for policies, which will hopefully prevent this from happening again.