

SCRUTINY COMMITTEE	Agenda Item No. 4
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Report of the Executive Director - Operations

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PLANNING PERFORMANCE AGREEMENT CHARTER – ESTABLISHMENT OF WORKING GROUP

1. PURPOSE

- 1.1 To seek the endorsement of the Scrutiny Committee to establish a working group involving elected members, external/internal officers and other relevant stakeholders to consider the development of a Planning Performance Agreement Charter. The consent of Scrutiny Committee is being sought because the constitution precludes regulatory committee establishing working groups.

2. BACKGROUND

- 2.1 A Planning Performance Agreement is a project management tool, which is supported by central government. Planning Performances Agreements are agreed between Planning Authorities and prospective applicants for the purposes of
- Setting out an overarching aim or “vision” for a particular development site. This may include identifying consultation arrangements and highlighting other partners that need to be involved in the process.
 - Agreeing a set of expectations/aims for each party and a timescale for achieving these aims
- 2.2 Planning Performance Agreements are designed and best suited to larger or more complex developments.
- 2.3 The Working Group is proposed under 7.7.1 (b) with the remit of developing a draft Planning Performance Agreement for review by the Scrutiny Committee in the Summer 2009, prior to consideration by the Planning and Environment Protection Committee soon afterwards.
- 2.4 Each recognised political group will be requested to nominate one member to sit on the Working Group, and the Head of Planning Services will be responsible for nominating appropriate internal and external stakeholders to support the process.

Benefits

- 3.1 The benefits to the developer of entering into a Planning Performance Agreement include;
- Certainty as to timescales
 - A named project team from the Council
- 3.2 The benefits to the Council of entering into a Planning Performance Agreement include;
- Ability to take the application out of the NI 157 target (usually 13 weeks) as long as the Planning Performance Agreement is in place prior to an application being submitted. 13 weeks is the time period for determining planning applications.

- Will help to provide a framework for assessing proposals/setting up of steering and topic groups and the potential for improved partnership working.
- Will set out a framework for engaging Members earlier on in the process without affecting the ability of Members of the PEP Committee to determine the planning application.
- The Council will be in a position to charge for the pre-application stage of the Planning Performance Agreement.

3.3 The benefits to the wider community include;

- Better community engagement.
- A more transparent system.
- Where development does gain planning permission, a better quality of development.

3.4 ATLAS recommends that Local Authorities adopt their own PPA Charters following consultation with Members and key consultees across and outside the Local Authority. Successful project management, whether it is at pre-application or application stage requires “buy-in” from other departments and partners whose input will be required. At present, project management is ad hoc and developers often might approach several arms of the Council and other bodies outside the Council with a view to discussing their proposals. Planning Services may only get involved relatively late in the process and it is considered that adopting a Planning Performance Agreement Charter will help to address these issues through a co-ordinated project management approach.

3.5 ATLAS and the Department for Communities and Local Government have published a Guidance Note “Implementing Planning Performance Agreements”, which sets out the following components that should be included in a Planning Performance Agreements Charter. It is these aims that the proposed working group will be seeking to achieve in a Peterborough Planning Performance Agreements Charter:

- State the local planning authorities commitment to a collaborative process, good project management and achieving high quality sustainable development (agreed amongst parties therein).
- State the pre-agreed commitment of local planning authorities departments, statutory agencies and service providers to the Planning Performance Agreements process.
- Set out the key requirements for the statutory application process and expected content of a PPA.
- Set out an approach and actions applicants are expected to commit to.
- Set out how the local planning authorities will engage with Members.
- State the local planning authorities expectations for Community involvement.
- Set out the local planning authorities approach to resources and, if relevant, their expectations of support to deliver the Planning Performance Agreements process from the private sector, and
- Set out any pre-application fee charges.

3.6 It must be stressed that Planning Performance Agreements are voluntary as such the Council and the developer will both need to agree that a Planning Performance Agreements is the best option for project managing a particular proposal.

3. IMPLICATIONS

3.1 The implications of implementing and administering the charter will be considered as part of the work of the group. However, in financial terms, currently the planning application fee does not always cover the costs associated with processing an application. Any additional revenue raised through PPAs will assist in the gap. More detailed financial analysis will be presented at the time that the draft Charter (and associated fees and charges) are considered by Members.

4. CONSULTATION

- 4.1 The Planning and Environmental Protection Committee were advised on 14th April 2009 of the intention to request Scrutiny Committee to establish a working group.

5. EXPECTED OUTCOMES

- 5.1 It is expected that Scrutiny Committee will endorse the proposal to establish a working group involving members, and that it is agreed that each recognised political group will be requested to nominate a member.

6. NEXT STEPS

- 6.1 The Working Group will be established, and will report back to the Scrutiny Committee and the Planning and Environmental Committee in due course prior to a final decision on adopting the strategy.

7. BACKGROUND DOCUMENTS

Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985
ATLAS and CLG Guidance Note "Implementing Planning Performance Agreements".

8. APPENDICES

None.

PLANNING PERFORMANCE AGREEMENT CHARTER SCRUTINY GROUP

TERMS OF REFERENCE

Purpose

On behalf of the Scrutiny Committee and the Planning and Environment Protection committee

1. To liaise with external and internal stakeholders to develop a Planning Performance Agreement Charter..

Membership

Membership of the Group will be up to four members, with one representative from each recognised political group.

Timescale

The Scrutiny Group will complete its work by no later than 31 December 2009 when it will be disbanded.