

**Report to the Governance Committee**

Monday 1<sup>st</sup> February 2021

By the Monitoring Officer



**Horsham  
District  
Council**

**DECISION**

Not Exempt

**Changes to the Constitution for Implementing the Fast Track Planning Application Process**

**Executive Summary**

A report to the Governance Committee following a request from the Head of Development asking for a change to the Constitution to allow for the delivery of Fast Track Planning Application for Householders. This would require a change to the Constitution in Part 3.2.2 Functions of Planning Committee, to reduce the call-in period where a Local Ward Member requests it from 35 days to 21 days.

**RECOMMENDATION:**

That the Governance Committee recommends the Monitoring Officer to make the changes to the Council's Constitution in Part 3.2.2 Functions of Planning Committee, to reduce the call-in period where a Local Ward Member requests it from 35 days to 21 days.

**REASON FOR RECOMMENDATION:**

To allow for the delivery of Fast Track Planning Applications for Householders and to comply with Article 13, the Review and Revision of the Constitution.

**Background Papers (not included)**

Horsham District Council Constitution (amended August 2020)

**Wards affected:**

ALL

**Contact:** Sharon Evans, Monitoring Officer

## **Background Information**

### **1 Introduction and Background**

- 1.1 A request has been received from the Head of Development asking the Monitoring Officer for a change to the Constitution to allow for the delivery of Fast Track Planning Applications for Householders. This would require a change to the Constitution in Part 3.2.2 Functions of Planning Committee, to reduce the call-in period, where a Local Ward Member requests, it from 35 days to 21 days. The proposed amendment is shown at paragraph 5 of the Appendix A.
- 1.2 For information purposes, the Householder application relates to any development within the residential curtilage of a dwelling. Major application relates to any development which is more than 10 dwellings, more than 1000sqm in floor area or more than 1 hectare in area and Minor and other applications are all remaining types of planning application.

### **2 Relevant Council policy**

- 2.1 Functions of the Planning Committees setting out the call-in period as set out in Part 3.2.2 of the Constitution.

### **3 Details**

- 3.1 Horsham District Council is committed to supporting economic growth and ensuring the district is a place where communities can work, live and prosper. The planning process plays a major role in supporting appropriate development and it is essential that the council has a dynamic and proactive approach to planning which serves our residents and businesses.
- 3.2 As a planning authority with a high volume of applications the Development Management Service are working hard to make continuous improvements to the quality and efficiency of their service. With this in mind, a new initiative has been developed to fast-track certain small scale planning applications from initial submission to planning decision by providing a seamless service and cutting through unnecessary delays.

- 3.3 This fast-track service seeks to raise additional income and will also assist the construction industry in being able to deliver projects quicker and with more certainty by delivering an efficient and fast-tracked process for the determination of certain planning applications.
- 3.4 It is clear councils are working hard to raise additional income through the provision of enhanced discretionary services and details of the fast track service can be found in Appendix B.
- 3.5 The fast-track proposed will maintain the statutory consultation periods for stakeholders including neighbours and Parish and Neighbourhood councils. The new fast-track scheme will affect the timescales for applications to be referred to the Planning Committee. In order to provide a fast track service for householder schemes this would need to be reduced from 35 days to 21 days. However, the proposal would still enable a longer timescale of 35 for major and minor/other planning applications.

#### **4 Next Steps**

- 4.1 Any proposed change to the Functions at Planning Committee, in particular, the call-in period by Members, found within the Constitution are not considered to fall within the delegations of the Monitoring Officer that allows the making of minor changes to the Constitution. If the Governance Committee were minded to change the Constitution, as proposed, they would have to make a Recommendation to Full Council to make the changes that would reflect that. Following approval by Full Council the Monitoring Officer will publish the amendments on the Council's website.

#### **5 Outcome of Consultations**

- 5.1 The proposal to provide fast-track planning decisions was discussed at the Planning and Development Policy Development Advisory Group, Monday, 11th January, 2021.

## **6 Other Courses of Action Considered but Rejected**

- 6.1 An alternative option is to offer a fast track service decision within 35 - 40 days to enable the 35 day member call-in to remain but this would only provide a 2 week reduction on the existing 8 week timeframe and would not be so favourable for those seeking a fast-track option.
- 6.2 There is the 'do nothing' option but this would not provide a service that is forward thinking, nor would it provide an additional stream of income. Therefore, this is not considered a suitable alternative to creating an innovative and responsive planning service.
- 6.3 The Constitution requires to be updated for effective governance, it needs to be treated as a 'living' document with the need for frequent amendments to ensure it remains up to date and reflects the operation of the Council if needed.

## **7 Resource Consequences**

- 7.1 It is not anticipated that any other additional resources will be required to set the service up other than the set up of a form, change to the existing system to flag fast tracked applications and customer guidance. The tracking and monitoring of fast-track applications will be a key component to the project's success and will rely on Team Leaders and the Head of Development to manage this effectively.
- 7.2 In the long term if demand increases significantly together with income there may be additional staff required to meet the demand, however this can be considered at a later date.

## **8 Legal Considerations and Implications**

- 8.1 It is a legal requirement for the Council to comply with the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 and have a Constitution. It is the responsibility of the Monitoring Officer to monitor and review the operation of the Council's Constitution to ensure that the aims and principles of it are given full effect and to make recommendations

for ways in which the Constitution could be amended in order to enable decision to be taken efficiently and effectively.

## **9 Risk Assessment**

- 9.1 The recommendation within this report is part of mitigating corporate risk by ensuring that the Constitution remains consistent, fit for purpose and user friendly and not amended unnecessarily.

## **10 Other Considerations**

- 10.1 The Constitution and its Procedures, Rules and Codes act as an enabling tool in helping the Council meet its obligations under the Human Rights Act 1998 and the Equality Act 2010.
- 10.2 Consideration of how projects and proposals can secure environmental, social and economic benefits and reduce negative consequences should be an integral part of decision-making and the Constitution will facilitate such considerations.