



4 December 2012

Cabinet

Report of the Chair of the E-Planning Facilities Scrutiny Review Task Group

Scrutiny Review of E-Planning Facilities

Summary

1. This report sets out the recommendations arising from the Scrutiny Review into E-Planning Facilities. A copy of the full Final Report is at **Appendix 1** to this report and Councillor Runciman, the Chair of the Task Group who undertook the work around this topic, will be in attendance at the December Cabinet meeting to present the report.
2. Cabinet are asked to endorse the recommendations arising from the review.

Background to Review

3. At a meeting of Economic and City Development Overview and Scrutiny Committee in June 2012 Members considered a suggested scrutiny topic around E-Planning Facilities that had been submitted by Councillor Wiseman.
4. After consideration of the topic registration form and a briefing note prepared by the Head of Development Management the Committee decided to progress this topic to review to *'ensure that the Council had in place a user friendly and up to date E-Planning Portal.'* They agreed to form a Task Group¹ comprising of three Members of the Committee to undertake the work on this review.
5. Over a series of meetings the Task Group gathered the evidence set out in **Appendix 1** and its associated annexes and listened to all the concerns voiced. However, it soon became apparent that there was no 'one size fits all' solution to many of the issues raised. The Task Group therefore settled on a more generic approach when preparing the recommendations arising from the review. As a result the following recommendations arose:

¹ The Task Group were: Councillor Runciman, Councillor Semlyen and Councillor Watt

- i. That City of York Council officers provide a comprehensive training course for Parish Councils and Planning Panels on E-Planning facilities before March 2013; (initially offering 2 sessions at different times and thereafter a minimum of once a year)
- ii. That City of York Council provides a named officer that Parish Councils and Planning Panels can contact if they have any questions about using E-Planning facilities. Similarly that Parish Councils and Planning Panels have a named person for officers to contact by e-mail.
- iii. That the Head of Development Management , in conjunction with this Task Group, one Planning Panel representative and one Parish Council representative, develop a good practice guide which once completed be:
 - Reviewed annually
 - Circulated to all Parish Council and Planning Panel Clerks
 - Made available on City of York Council's website
- iv. That a room within West Offices and/or in local libraries be made available (within advertised opening hours) for use by Parish Councils and Planning Panels if they wish to use it and any room to offer audio visual equipment for their use (and where possible a PC or laptop).
- v. That the option to request a paper copy of plans for larger applications remain (a set of criteria to be produced by the Head of Development Management against which a request will be judged)
- vi. That officers continue to explore with IDOX the possibility of providing the function to download all documents associated with a single planning application as one PDF file. An update on how this is progressing to be provided to Economic and City Development Overview and Scrutiny Committee three months after these recommendations have been approved by Cabinet and thereafter on a six-monthly basis until this has been resolved.
- vii. That the Communities and Equalities Team ask those Parish Councils which are currently successfully using E-Planning to offer demonstrations to other Parish Councils and Planning Panels as to how to 'get the best out of E-Planning' or to invite others to attend their meetings to view how E-Planning facilities can be used effectively.

- viii. That the Communities and Equalities Team liaise with the Yorkshire Local Council's Association to resolve outstanding issues brought to their attention.
- ix. That the Administration and Business Support Manager ensures that all plans uploaded on to the E-Planning system have a good enough line density to enable them to be clearly viewed.
- x. That the Administration and Business Support Manager reviews the processes and timescales for uploading additional documentation received in relation to planning applications to ensure that all information is uploaded onto the Public Access Website within a reasonable timeframe.
- xi. That the Head of Commissioning, Design and Facilities and the Head of Libraries, Information and Archives explore ways of potentially offering rooms for use in both West Offices and local libraries at minimum cost to Parish Councils and Planning Panels.

Planning Panels

6. Whilst gathering evidence for this review several concerns were raised around Planning Panels. The Task Group felt that whilst not 100% within the remit of this review these issues were important and needed to be addressed. As such they wish to make the following additional recommendation regarding Planning Panels:
 - xii. That the Monitoring Officer investigate the Constitutional status of Planning Panels and report back to Economic and City Development Overview and Scrutiny Committee by the end of the 2012/13 municipal year on:
 - What authority, if any, the Council has in relation to Planning Panels
 - What support, if any, City of York Council should give to Planning Panels
 - If Planning Panels do remain, then to look at ways they can work in a more transparent and accountable way (e.g. published membership, transparent and public meetings, public agendas and minutes and declarations of interest)

Consultation

7. As part of the review process consultation took place with Parish Councils, Planning Panels and officers of the Council.

Analysis

8. Analysis of the evidence gathered is contained within the body and the analysis sections of the full final report at **Appendix 1**.

Council Plan 2011-15

9. E-Planning facilities are, amongst others, used by members of the Public, Parish Councils and Planning Panels. The Building Strong Communities priority in the Council Plan has a commitment to Community Engagement stating that *'we will introduce new ways for residents to interact with the Council using new technologies and improving communications'*.

Options

10. Having considered the final report at Appendix 1 and its associated annexes, Cabinet may chose to amend and/or approve or reject the recommendations arising from this review as set out in **paragraphs 5 and 6** of this report.

Implications

11. Implications are set out in **paragraphs 80 to 87** of the full final report at **Appendix 1**

Risk Management

12. There are no known risks associated with the recommendations within this report, however it is important that as many issues with the Public Access Website are addressed as soon as practicably possible in order that Parish Councils, Planning Panels and the public can be confident that all documentation has been uploaded in a timely manner and the system is as user friendly as possible.

Recommendations

13. The Economic and City Development Overview and Scrutiny Committee ask the Cabinet to:
 - i. Note the contents of the final report attached
 - ii. Consider the recommendations as shown at **paragraphs 5 and 6** of this cover report.

Reason: To fully inform the Cabinet of the outcome of the review

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Report Approved



Date 22.11.2012

Wards Affected:

All



For further information please contact the author of the report

Background Papers: N/A

Appendix 1 – Final Report

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4th December 2012

Cabinet

Report of the Economic and City Development Overview and Scrutiny Committee

Final Report – E-Planning Facilities Review

Summary

1. This report sets out the findings and recommendations from the E-Planning Facilities Review. It asks the Committee to endorse the recommendations arising from the review prior to them being presented to Cabinet for consideration.

Background

2. At a meeting of Economic and City Development Overview and Scrutiny Committee on 20th June 2012 it was agreed to proceed with a topic that had been put forward by Councillor Wiseman around E-Planning Facilities. A copy of her original topic registration form is at **Annex A** to this report.
3. In order that the Committee could make an informed decision as to whether to progress this topic to review the Head of Development Management prepared a short background briefing note for consideration. This is at **Annex B** to this report.
4. In summary the briefing note set out the fact that the Council, as Local Planning Authority, was obliged to introduce electronic working for dealing with planning proposals. Applicants no longer had to submit paper copies of applications and the Government had a programme of actively encouraging and supporting electronic only submissions. Currently over 40% of applications to City of York Council are received electronically¹.

¹ The Government's Priority Service Outcomes paper states that: 'For the Government to measure progress towards the PSA (Public Service Agreement) target, a set of e-government priority outcomes for each local authority in England has been proposed. It is expected that each local authority, as part of its e-government investment programme will deliver these Priority Service Outcomes by December 2005'

5. It was also announced last year that City of York Council would be looking to cease paper consultation in June 2012; a significant factor in this decision being the Authority's forthcoming move to West Offices, where there would be limited storage facilities available and new working practices would be adopted including 'hot desking'. However, in light of some of the difficulties that have been experienced and this scrutiny review into E-Planning facilities it has been decided to delay the implementation of the first phase of electronic consultation with Parish Councils and Planning Panels for a period of at least 3 months.
6. Currently, the submission of an application electronically has some additional cost as such applications have to be printed off to make them available in paper format for reception at 9 St Leonard's Place and for consultees.
7. The Council has been working to minimise printing costs and reduce the time taken to distribute consultations and Parish Councils and Planning Panels are now the only external consultees to still receive paper copies. Over the last few years various events and consultations have taken place to assess the readiness of this consultee group to receive electronic consultation in relation to new planning applications.
8. The briefing note goes on to explain the E-Planning process and how consultees are notified about new planning applications and how they can access documentation related to specific applications.
9. However, via a consultation undertaken by the Planning Department, in May 2012, a number of concerns had been raised by Parish Councils and Planning Panels². One of the most frequently raised being that not all Parish Councils and Planning Panels have the facilities to either print paper copies of applications themselves for consideration at meetings or have the appropriate equipment to display plans electronically at meetings.
10. Finally the briefing note sets out some further information about the Public Access Website, some of the issues there have been with this and the measures put in place to resolve them as well as some potential alternative arrangements.
11. On consideration of the Topic Registration Form and the Briefing Note from the Head of Development Management, the Committee agreed to

Priority Service Outcome E4 requires agreed baseline and targets for take-up of planning and regulatory services online

² These are summarised in Annex F to this report

progress this topic to review to ensure that the Council had in place a user friendly and up to date E-Planning portal.

Consultation

12. As part of the review process, consultation has taken place with Parish Councils and Planning Panels as well as officers within City of York Council.

Evidence Gathered During the Review

13. In the first instance the Task Group³ undertaking this review met informally on 2nd July 2012 to discuss how they would undertake the review. It was agreed that an event would be held, to which all Parish Council and Planning Panel Clerks would be invited to attend (plus one other member/Councillor from each organisation). The purpose of the event was to provide a demonstration of E-Planning facilities from officers (followed by questions from the floor) to aid the understanding of what City of York Council was trying to achieve with the introduction of E-Planning. The second part of the event was a discussion between the Task Group and the Parish Councils and Planning Panels to understand some of the challenges and concerns they had with the introduction of E-Planning.
14. The above mentioned event took place on the morning of 3rd August 2012 and was attended by 38 representatives of Parish Councils and Planning Panels. To begin with officers gave a short presentation on E-Planning facilities and a copy of this is attached at **Annex C** to this report. Questions and comments were invited from attendees and a summary of these and the responses given by officers is at **Annex D** to this report.
15. The Task Group then invited attendees to discuss the concerns they had and challenges they faced with the introduction of E-Planning. A summary of points raised and responses given is at **Annex E** to this report.
16. The Task Group then held a further informal meeting on the afternoon of 3rd August to consider all the evidence they had received from the Parish Councillors and Planning Panel Members at the morning session. In addition to this the Task Group also considered the consultation that had been undertaken in May 2012 by the Planning Department with Parish

³ The Task Group was comprised of three Members of the Economic and City Development Overview and Scrutiny Committee; namely – Councillors Runciman, Semlyen and Watt; with Councillor Runciman acting as Chair of the Task Group

Councils and Planning Panels. Responses were received from 18 Parish Councils and 3 Planning Panels and these are summarised at **Annex F** to this report.

17. On consideration of all information received to date the Task Group highlighted several key emerging themes. These are set out in the paragraphs below alongside further informally gathered evidence to clarify concerns:

Downloading Planning Documents from the Public Access On-Line WebPages as One PDF

18. This was a concern raised by several Parish Councils and Planning Panels, both at the event held on 3rd August and in the results from the consultation held in May 2012. Currently the Public Access Website only permits the downloading of individual documents associated with a planning application; thus if there are a large quantity of documents to look at then each must be downloaded separately which can be very time consuming. It can also be costly if monthly download data allowances are exceeded.
19. Parish Councils and Planning Panels wanted a facility where all documents could be downloaded in one go (as one PDF file). The IDOX⁴ system does not have this facility and enquiries from officers to the suppliers have indicated that this may not be possible to provide in the near future.
20. However the Task Group were informed that there was some software available (currently being used by some of the Parish Councils) which allows one to download all documents as a single PDF. However this software is understood to be unofficial and not formally supported by IDOX.
21. If this technical issue could be overcome easily by using some approved external software then this may go some way towards encouraging Parish Councils and Planning Panels to use E-Planning facilities. The Task Group felt there was a need for more discussions between officers and IDOX to attempt to resolve this.

Viewing More Than One Image At Once

22. Again this was a concern raised by more than one of the attendees at the event on 3rd August 2012. When considering planning applications it

⁴ IDOX are the suppliers of the software used to support the Public Access Website

was sometimes useful to compare documents, especially if revised plans had been submitted. This was not seen as straightforward to do electronically whilst still being able to view plans in detail. Officers have indicated that documents can be seen side by side by first saving the document under another name and then opening both (the original and the newly saved) documents at the same time thus being able to view different pages of the document side by side or alternate between the documents rather than scrolling up and down to find the existing and proposed drawing.

Using the Application Tracking System on the Public Access Website

23. Officers are currently working with suppliers to get this fixed as soon as possible. Once it has been rectified then it will be easier for both Parish Councils and Planning Panels to keep up to date with all of the relevant cases in their geographic areas, as the system will notify each user of any additional documents added. Notification will also be sent in relation to key stages during the processing of an application.

Technical Equipment

24. One of the main concerns raised was around technical equipment to display the information at meetings. This comprised several issues namely:
25. Cost of equipment – this was a concern raised by many present at the event on 3rd August 2012 and by those that had responded to the consultation document sent out in May 2012. Whilst some Parish Councils already had suitable equipment (laptop, projector, screen) there were others, mainly the smaller Parish Councils and the Planning Panels that did not. Purchasing this equipment could be costly for some of the Parish Councils as they had very small budgets, with Planning Panels having no budgets at all. Many Parish Councils did not have surplus funds and would need to find finances to buy this equipment. This may have to be through raising the Parish Precept, but if this was the case this could not be done until April/May 2013. Indicative costs of equipment are set out in **Paragraph 34** of this report.
26. The Task Group felt that if City of York Council offered any financial assistance to purchase equipment then this would need to be offered to both Planning Panels and Parish Councils alike. They also deemed that in the present economic climate it would be highly unlikely that monies could be made available for this purpose and decided against making a recommendation to Cabinet requesting funding.

27. Some Parish Councils suggested that any savings made from postage costs could be reinvested into helping Parish Councils and Planning Panels purchase the equipment they would need. Officers advised that there were procedural issues regarding the Council paying for Parish Council equipment. In addition to this the current and continuing severe financial situation would result in any savings made being used to maintain essential Council services. The Head of Development Management said that other external consultees including small voluntary organisations had converted to electronic consultation without financial assistance from the Council.
28. Concerns were also raised by some of the smaller Parish Councils about buying equipment to access E-Planning. There were at least two or three of the smaller Parish Councils who received less than 10 planning applications a year in their area. It was therefore, difficult to see how purchasing equipment could be cost effective for them if it was going to spend most of its time unused.
29. As it was unlikely that City of York Council could purchase equipment for all, the Task Group gave consideration as to whether it would be possible for City of York Council to lend equipment to Parish Councils and Planning Panels for use off site, which could potentially provide a solution to some of the concerns raised. On consideration this was thought to bring its own problems, due to issues around maintenance, setting up equipment and insurance.
30. The Task Group felt that there was a possibility that Parish Councils and Planning Panels could either consider their applications at West Offices or at a local library where equipment may be available for them to use. They did, however, acknowledge that this may mean travelling some distance to meet and understood that some Parish Councils and Planning Panels may be loathe to meet outside of their own geographic area. However, they did believe that it was right to give Parish Councils and Planning Panels the option of using West Offices and local libraries should they wish to do so.
31. Alternatively it might be useful to consider the possibility of sharing equipment. This, however, could still create issues around storage of equipment, insurance and operation of equipment. The Task Group felt that this was a matter for individual Parish Councils and Planning Panels to negotiate amongst themselves as they were in a position to take a more pragmatic view to solutions around some of the issues that sharing equipment might create. The Task Group did not believe that this should be a formal recommendation arising from this review.

32. However, it has since come to light that at the 4th October York Branch meeting of Yorkshire Local Councils Association (YLCA), the Chief Officer had suggested a method of sharing equipment, with YLCA acting as a depository. This may mean that those Parish Councils wishing to be involved in a 'share scheme' could contribute towards the cost of equipment but not have to pay the full cost. This was acknowledged but no firm decision was made.
33. The representative of YLCA also indicated that she had approached Parish Councils as to what equipment they required to use E-Planning facilities effectively. This was with a view to approaching a potential supplier to bulk buy the equipment. However, to date responses had only been received from 3 Parish Councils making it impossible to achieve cost savings through a bulk buy or for her to approach a supplier at this stage.
34. Specification and indicative Costs of Equipment – the Scrutiny Officer has taken advice from the IT department as to indicative costs and minimum specifications for equipment and this is set out below:
- Laptop – minimum specification of 2GHz processor and 2GB RAM – this would cost up to £400
 - Projector – this would cost in the region of £230
 - Screen – this may not be necessary as a white wall will do but would cost would be in the region of £80
 - USB Stick – minimum of 8GB would cost in the region of £5 to £10
 - Internet Connection – An internet connection would not be required at a meeting venue if all documentation was downloaded onto a USB stick prior to any meeting
35. These costs appear to be comparable with some of the major High Street Stores but it is highly probable that equipment could be obtained at a much cheaper cost on-line or locally with a little research or purchased second hand. City of York Council's IT department would be able to recommend some suppliers however it would probably not be practical for them to buy on behalf of a Parish Council or Planning Panel as any licences for the equipment would stay with the City Council, bringing its own implications.
36. Again, whilst this will not be a formal recommendation arising from this review Parish Councils and Planning Panels may like to give

consideration to purchasing equipment jointly, especially those that would be using the equipment frequently or looking at joining the 'share scheme' that had been put forward by YLCA, should it go ahead (**Paragraph 32 refers**).

37. Using IT equipment and the Public Access Website – this was a concern raised by a few who were not confident with using IT equipment. The Specialist Development Management Officer indicated that she could offer training courses to library staff on using the Public Access Website. This would mean that library staff could help library users (including Parish Councils and Planning Panels) with any queries they might have with this. The Chair of at least one of the Parish Councils also offered to assist others in using the Public Access Website and the Communities and Equalities Team were happy to co-ordinate this. Planning Officers would also be very happy to run a training session for Parish Councils and Planning Panels.
38. Reference was also made to the fact that at least one Planning Panel Secretary did not have a computer or access to e-mail. Officers suggested that another member of the Planning Panel could receive the documentation via e-mail instead of the Secretary.
39. Storing the equipment – this was an issue for quite a few of the Parish Councils and Planning Panels as many met in church and village halls and therefore did not have anywhere to store such equipment when it was not in use. This could potentially be solved for some Parish Councils if the share scheme put forward by YLCA were to go ahead.

Venue Availability and Costs

40. It was understood that some Planning Panels met frequently; meetings were scheduled in the evening and lasted for up to three hours; they would therefore need to be confident that premises and equipment would be available at convenient times to them.
41. It was acknowledged that it was already difficult for some of the smaller Parish Councils and for the Planning Panels (who had no budget) to find venues to meet and consider planning applications. To then have to either buy/rent equipment or find a venue that had the appropriate equipment available would be cost prohibitive for some. It was felt that the new West Offices could provide facilities for both Parish Councils and Planning Panels to meet in along with the appropriate equipment needed to view planning applications via the Public Access Website. The Task Group also thought that libraries might be a potential meeting place for

Parish Councils and Planning Panels. On further investigation it was understood that users of rooms at West Offices and Libraries would most likely be expected to use their own laptops but audio visual equipment would be available.

42. West Offices - The standard opening hours of the Customer Centre at West Offices would be 08:30 to 17:00; however access to meeting rooms could be made available outside of these hours to support the delivery of Council services. It was likely that room bookings would be managed by the Facilities Management Team. The detailed mechanism of how this would be achieved was still being discussed and was due to be finalised in the New Year. With regards to cost, a small charge was likely to be payable for external bodies to hire rooms, but again exact details around this were due to be finalised in the New Year.
43. The Council are intending to install audio visual equipment in a large number of meeting rooms, the final specification of which is still to be finalised. It was expected that external bodies would be able to connect their own laptops into this equipment. It is expected that meeting rooms will be made available to the public (such as Parish Councils and Planning Panels), outside of core opening hours, sometime in 2013 once it is understood how City of York Council will operate within a single space to meet its own demands.
44. Libraries - Rooms could be made available within current operating hours at local libraries for Parish Councils and Planning Panels to use and again a charge would apply to hire a room. However, due to current resource levels it would not be possible to look at opening libraries outside of their current opening hours.
45. Finally, in relation to this section of the report, it was noted that not all venues currently used by Parish Councils and Planning Panels had an internet connection. This meant that when using these specific venues documentation would need to be downloaded in advance of any meeting.

Location of Consultation Responses

46. Mention was made that there were currently two places where comments can be found on the Public Access Website which was confusing. Officers have now confirmed that they are looking at removing one of the 'tabs' on the screen so that users will be able to see all comments in one place.

Keeping the Website Up To Date

47. Various concerns and comments were raised around the accuracy of the information on the Public Access Website. Parish Councillors and Planning Panel members believed that not all documents were uploaded to the Public Access Website and felt that it was very important that electronic records were kept accurately. They gave various examples of missing information and instances where documents had not been uploaded, including when revised documents had been submitted. There were also concerns that after a decision had been made in relation to a planning application the Public Access Website was frequently indicating that there had been 'no comment' submitted by the Parish Council prior to the decision having been taken. Officers explained that comments needed to be 'made sensitive' i.e. no longer publically viewable after a decision had been taken. This was in order to comply with Planning and Regulatory Services Online (PARSOL) Guidance and to ensure that the Local Authority did not fall foul of the Data Protection Act. The Guidance explains that it is not considered good practice to display third party names and addresses on line for longer than is necessary for planning purposes. The Local Authority has and does receive complaints from residents about such information being displayed and not removed from view after a decision has been taken.

Paper Plans

48. Parish Councillors and Planning Panel members felt that there were certain instances where paper copies of plans should be made available, in particular for the larger applications. It was very difficult to view large plans on line. It was suggested that there should be a set of criteria put together to assess when paper plans would be provided. However, there was a need to avoid having a dual system in place and paper plans would only be provided should any criteria put together be met.
49. A question was asked about whether paper copies of plans would be available at site visits; for the time being paper copies would remain but in the not too distant future it was hoped that Members of Planning Committees would view these on a tablet device, such as an I-Pad whilst Parish Councillors and Planning Panel members would need to provide their own method of viewing plans.
50. Questions were also asked around how members of the public who were not familiar with IT would be able to view plans. At the moment paper plans were available to view at St. Leonard's Place however with the move to West Offices this would change. Computers would be available

in the reception area of West Offices for members of the public to view plans and staff would be on hand to help if required; however there were no plans to have paper plans available at West Offices due to a lack of storage space.

51. Some of the smaller Parish Councils (those receiving less than 10 applications a year) asked if it would be possible to continue receiving paper plans as buying equipment would not be cost effective for them. This was ruled out as there would be difficulties and costs involved with maintaining a dual system.

Planning Panels

52. Various issues were raised around Planning Panels as the Task Group were not familiar with how they worked, how you became a Planning Panel member or how the introduction of E-Planning facilities would affect them.
53. It was confirmed that Planning Panels were established through Ward Committees to enable a co-ordinated resident response to be given to planning applications for non-parished areas (however not all non-parished areas have a Planning Panel). Resident members of the Planning Panels were appointed through Ward Committees. They were not elected in the same way as Parish Councillors.
54. Support to the Panels was through the Communities and Equalities Team (previously known as Neighbourhood Management Unit) (e.g. access to training, room hire for meetings and out of pocket expenses); however they did not, unlike Parish Councils, have their own budget. The frequency of their meetings was variable dependent on the geographic area they were covering. The amount of support needed by each Panel was different and in some cases they met in a local venue and in others in private houses. Across the board there were very few expense claims as Planning Panel members prided themselves on being volunteers and getting involved. On investigation the Communities and Equalities Team could only identify £137.40 of expense claims over the past three years.
55. A representative of the Communities and Equalities Team informed the Task Group that a Planning Panel was a forum for those (in non-parished areas) interested in the built environment/the way their Ward looked to have an opportunity to come together to discuss and comment on local planning applications. There had been some really good examples of Planning Panels feeding back regularly at Ward Committees such as the Hull Road Planning Panel. However, it is acknowledged that

some Planning Panels are not so proactive in this respect and that more could be done to encourage transparency.

56. The representative of the Communities and Equalities Team also said that many Planning Panel members had given a lot of their own time over the years and were motivated by a strong desire to have a resident perspective involved in planning decisions. She also confirmed that there was a digital inclusion bid being prepared for submission to the Delivery and Innovation Fund and she had suggested that Wi-Fi for Council owned community centres be considered as part of this.
57. The Task Group were interested in further understanding Planning Panels, especially as they all seemed to work in different ways, did not appear to have any status within the Council's Constitution and did not hold their own budget. They were encouraged to work to a Terms of Reference and this is attached at **Annex G** to this report, but it appeared that not all Planning Panels were aware of these.
58. To help the Committee understand more about Planning Panels and the impact E-Planning would have on them a representative of Heworth Planning Panel undertook a short survey with the Planning Panel Clerks. A short summary of this is attached at **Annex H** to this report. Eight out of the nine Planning Panel Clerks responded.
59. The Task Group asked for further clarity on where Planning Panels fitted into the planning process and what weight was given to any comments they submitted. The Head of Development Management advised the Task Group that all submissions were treated equally and assessed against national planning considerations and thereafter attributed appropriate weight.
60. The Task Group had concerns about how City of York Council could support Planning Panels with the E-Planning process when they did not appear to have any Constitutional status or have their own budget. The only way forward they could see would be for those Ward Committees with appointed Planning Panels to devolve some of their budgets to enable the Planning Panels to buy appropriate equipment to use E-Planning facilities. However, they acknowledged that this could bring its own problems if some Wards chose to devolve some of their budget and some didn't.
61. Under the new neighbourhood working arrangements the only time that members could be appointed to a Planning Panel was at the Annual Ward Committee meeting. Ward Committees, had in the past, included

an amount to support Planning Panels on the list of potential local improvement schemes which had gone out to residents for consultation as part of the participatory budgeting process for agreeing Ward Committee budget allocations. In recent years this practice had ceased due to the very low cost of maintaining the Planning Panels and the difficulty in reallocating small amounts of budgets late in the financial year. It is not thought that Planning Panels have ever applied for funding from a Ward Committee in their own right and therefore they had not been in a position to be refused any funding.

62. A representative of the Communities and Equalities Team has advised that the effect of the Localism Act and potential development of Neighbourhood Panels is at this point unknown and to date the Communities and Equalities Team are not aware of any expressions of interest from existing or emerging groups in non-parished Wards.
63. Whilst realising that some of the issues in relation to Planning Panels were not directly linked to the remit set for this scrutiny review, the Task Group wanted to raise their concerns about the transparency and accountability of Planning Panels. Parish Council meetings were advertised in advance, were open to the public and the minutes publically available after the meeting. This was not the case with Planning Panels whose meetings weren't advertised in advance, did not appear to be open to the public, were sometimes held in private houses and had no publically available minutes and as far as the Task Group understood without members having to declare any personal, prejudicial or pecuniary interests. The Task Group were keen that the Constitutional standing of Planning Panels be looked at by the Council's Monitoring Officer.
64. They also raised several concerns around what they felt to be an obvious discrimination between Parished and Non-Parished Wards. The Task Group understood that under the new neighbourhood working arrangements Parish Councils were no longer eligible to bid for or receive Ward funding and they felt that this should be the same for Planning Panels.
65. They did however, realise that without a budget Planning Panels may struggle to advertise meetings and publish agendas and suggested that they could make use of Council publications such as Your Ward.

Developing a Good Practice Guide for Parish Councils and Planning Panels

66. Information set out in the above paragraphs indicates how Planning Panels work and this had raised several concerns. At a meeting between the Chair of the Task Group, a representative of Yorkshire Local Councils Association (YLCA), a representative of a Parish Council and a Planning Panel Member it was learnt that Parish Councils had an approved way of dealing with planning applications. A delegated group of Parish Councillors (usually for larger Parishes) formed a sub-group to consider what response to give in relation to a planning application in their area. This meeting was advertised in advance, open to the public and formally minuted with the minutes being publically available after the meeting and formally ratified by the Parish Council as a whole. The decision taken by the sub-group was forwarded to the planning department as part of their consultation process. The smaller Parish Councils used the same process but often considered applications as a whole body rather than splitting into a sub-group. Meetings were run in a transparent and accountable way with Members declaring any personal, prejudicial or pecuniary interests they might have.
67. The Task Group were keen to see a good practice guide produced and consideration would need to be given as to how this would apply to Planning Panels.

Options

68. Having considered this final report and its associated annexes, Cabinet may chose to amend and/or approve or reject the recommendations arising .

Analysis

69. Most of the analysis of the evidence gathered is contained within the body of this report and its associated annexes however a few further points are drawn out in this section namely;
70. The Good Practice Guide – as Members have recommended that the Monitoring Officer investigate the Constitutional status of Planning Panels Members are advised to wait for the outcomes of this review prior to putting together any good practice guide.
71. Charges for and availability of rooms – Rooms can be made available at West Offices during core operational hours and potentially out of hours as well on some occasions. However, further exploration found that the

library service could only offer room hire within their current operating hours. There would be a charge for external parties to hire a room. Notwithstanding the advice received from both the Head of Commissioning, Design and Facilities and the Head of Libraries, Information and Archives around charges for room hire, when this report was received by Economic and City Development Overview and Scrutiny Committee they requested an additional recommendation be added around working towards offering rooms to Parish Councils and Planning Panels at minimal cost.

72. Timeliness of uploading documents and comments - Councillor Wiseman, who had originally submitted this topic raised further concerns with the Scrutiny Officer around the timeliness of uploading comments, letters and documentation to the Public Access Website. The Administration and Business Support Manager has assured the Scrutiny Officer that staff always endeavour to post an application to the website immediately it is received. At the moment this is being done in less than three days for most applications, but there has to be an understanding that this is dependent on the number of applications received, over which we have no control. To give an example, the Administration and Business Support Manager recently carried out a check of the workload of the two members of staff who process the scanning, and in one week between them they scanned over 4000 items. However it appeared, when further discussed, that the concerns were more around the timeliness of uploading additional information, letters and comments received after the initial application had been uploaded. To this effect the Committee added an additional recommendation around reviewing the processes and timescales for this to happen. At their meeting on 20th November 2012, when the Committee considered the final report arising from this review, they heard from a representative of Dringhouses and Woodthorpe Planning Panel, a representative from Micklegate Planning Panel and a representative from YLCA who spoke under the Council's Public Participation Scheme. They expressed various views on the outcomes arising from this review.
73. Dringhouses and Woodthorpe Planning Panel were happy to move towards using E-Planning facilities and would like to use Dringhouses Library and/or West offices to meet in. They welcomed the recommendation around training provision.
74. Micklegate Planning Panel still felt there were issues around downloading documents individually and storing and purchasing equipment. They also felt that there would still be a need for printed documentation.

75. The representative of YLCA was pleased to see the offer of training and the recommendation around working towards a single PDF file for all documentation. However YLCA still felt that there were issues around equipment and the use of libraries and West Offices to hold meetings in.
76. These comments clearly show that both Parish Councils and Planning Panels still have concerns around the introduction of E-Planning. The Committee hopes that there will continue to be discussions around these at YLCA meetings and that they are able to work towards a solution.
77. The Task Group were aware of the wealth of different concerns arising from the introduction of E-Planning Facilities, some of which were pertinent to only one or two Parish Councils or Planning Panels and some more easily addressed than others. They were also aware that some Parish Councils had welcomed it and were using it successfully.
78. Unfortunately, it was impossible to address all concerns and the Task Group were aware that there was not a one size fits all solution. Nevertheless it is hoped that the recommendations arising from this review will go some way to addressing some of the more generic concerns that have been raised regarding the introduction of E-Planning.

Council Plan 2011 - 2015

79. E-Planning facilities are, amongst others, used by members of the Public, Parish Councils and Planning Panels. The Building Strong Communities priority in the Council Plan has a commitment to Community Engagement stating that *'we will introduce new ways for residents to interact with the Council using new technologies and improving communications'*.

Implications

80. There may of course be implications for both Parish Councils and Planning Panels with the introduction of E-planning and the body of the report covers many of these. However, this section of the report specifically highlights the implications for City of York Council in relation to the recommendations arising from this review.
81. **Financial:** The Head of Commissioning, Design and Facilities Management said that in terms of hire rates for rooms at West Offices had not yet been agreed. The principle of a reduced rate for particular groups could be considered but as it has not yet been fully discussed, the implications are as yet unknown. Outcomes of this are likely to be known in the New Year.

82. The Head of Libraries, Information and Archives indicated that there would be a charge for external bodies to hire rooms at local libraries. Room rates for non-commercial use vary dependent on the room hired and the length of time it is required for. Costs are publically available to view on the Council's website and can be accessed via the following link:
- http://www.york.gov.uk/leisure/Libraries/Fees/room_hire/
83. There will clearly be additional implications for both officers and their budgets arising from the additional recommendation added by the Committee around offering rooms to Planning Panels and Parish Councils at minimal cost. However, at this stage the Committee have only asked the officers to explore the possibility of this.
84. **Human Resources:** In relation to recommendation (iv), if rooms were to be made available to external bodies, such as Planning Panels and Parish Councils at West Offices there may well be staffing implications in relation to managing space, in particular building security (more so if rooms were to eventually be made available outside of core working hours). Any charge for room hire would need to take this issue into consideration.
85. In addition to this Officer time will need to be found to implement the recommendations arising from this review, including time spent by the Monitoring Officer on the review of Planning Panels and officer time spent in relation to putting together a Good Practice Guide.
86. **Legal:** There are no legal implications associated with the recommendations arising from this scrutiny review. However, implications may arise when the Monitoring Officer undertakes his review around Planning Panels and these will be reported back to the Committee as part of this review.
87. **Other Implications:** There are no other known implications arising from the recommendations within this report.

Risk Management

88. There are no known risks associated with the recommendations within this report, however it is important that as many issues with the Public Access Website are addressed as soon as practicably possible in order that Parish Councils, Planning Panels and the public can be confident that all documentation has been uploaded in a timely manner and the system is as user friendly as possible.

Recommendations

89. Cabinet are asked to consider the final report and the associated recommendations (below) arising from this scrutiny review.
- i. That City of York Council officers provide a comprehensive training course for Parish Councils and Planning Panels on E-Planning facilities before March 2013; (initially offering 2 sessions at different times and thereafter a minimum of once a year)
 - ii. That City of York Council provides a named officer that Parish Councils and Planning Panels can contact if they have any questions about using E-Planning facilities. Similarly that Parish Councils and Planning Panels have a named person for officers to contact by e-mail.
 - iii. That the Head of Development Management , in conjunction with this Task Group, one Planning Panel representative and one Parish Council representative, develop a good practice guide which once completed be:
 - Reviewed annually
 - Circulated to all Parish Council and Planning Panel Clerks
 - Made available on City of York Council's website
 - iv. That a room within West Offices and/or in local libraries be made available (within advertised opening hours) for use by Parish Councils and Planning Panels if they wish to use it and any room to offer audio visual equipment for their use (and where possible a PC or laptop).
 - v. That the option to request a paper copy of plans for larger applications remain (a set of criteria to be produced by the Head of Development Management against which a request will be judged)
 - vi. That officers continue to explore with IDOX the possibility of providing the function to download all documents associated with a single planning application as one PDF file. An update on how this is progressing to be provided to Economic and City Development Overview and Scrutiny Committee three months after these recommendations have been approved by Cabinet and thereafter on a six-monthly basis until this has been resolved.

- vii. That the Communities and Equalities Team ask those Parish Councils which are currently successfully using E-Planning to offer demonstrations to other Parish Councils and Planning Panels as to how to 'get the best out of E-Planning' or to invite others to attend their meetings to view how E-Planning facilities can be used effectively.
- viii. That the Communities and Equalities Team liaise with the Yorkshire Local Council's Association to resolve outstanding issues brought to their attention.
- ix. That the Administration and Business Support Manager ensures that all plans uploaded on to the E-Planning system have a good enough line density to enable them to be clearly viewed.
- x. That the Administration and Business Support Manager reviews the processes and timescales for uploading additional documentation received in relation to planning applications to ensure that all information is uploaded onto the Public Access Website within a reasonable timeframe.
- xi. That the Head of Commissioning, Design and Facilities and the Head of Libraries, Information and Archives explore ways of potentially offering rooms for use in both West Offices and local libraries at minimum cost to Parish Councils and Planning Panels.

Planning Panels

90. Whilst gathering evidence for this review several concerns were raised around Planning Panels. The Task Group felt that whilst not 100% within the remit of this review these issues were important and needed to be addressed. As such they wish to make the following additional recommendation regarding Planning Panels:
 - xii. That the Monitoring Officer investigate the Constitutional status of Planning Panels and report back to Economic and City Development Overview and Scrutiny Committee by the end of the 2012/13 municipal year on:
 - What authority, if any, the Council has in relation to Planning Panels
 - What support, if any, City of York Council should give to Planning Panels
 - If Planning Panels do remain, then to look at ways they can work in a more transparent and accountable way (e.g. published

membership, transparent and public meetings, public agendas and minutes and declarations of interest)

Reason: To complete this scrutiny review

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Report **Date**
Approved 22.11.2012

Specialist Implications Officer(s) None

Wards Affected:

All

For further information please contact the author of the report

Background Papers:

Report to Economic and City Development Overview and Scrutiny Committee dates 20th June 2012 – Proposed Scrutiny Topic - E-Planning Facilities. This can be accessed via the link below and item 5 refers:

<http://democracy.york.gov.uk/ieListDocuments.aspx?CIId=668&MIId=7187&Ver=4>

Annexes (online only)

- Annex A** Topic Registration Form
- Annex B** Briefing Note – E-Planning Facilities
- Annex C** Presentation – E-Planning Facilities
- Annex D** Summary of Questions and Comments on Officer Presentation
- Annex E** Summary of Discussions - 3rd August 2012
- Annex F** Summary of Consultation Responses
- Annex G** Terms of Reference: Planning Panels
- Annex H** Survey of Planning Panels