



City of Westminster

Planning & City Development Committee

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Classification: General Release

Title: Planning Service Update

Report of: Director of Place Shaping and Town Planning

Financial Summary: The implications will be managed within existing resources.

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1. Executive Summary

1.1 This report provides an update on current work within the Planning Service with a focus on the implementation of the Planning Review programme and recent changes as a result of the COVID-19 pandemic, in particular the introduction of Remote Planning Committees.

2. Recommendation

2.1 Members are asked to note the changes made to the Planning Sub-committee process in response to the Planning Review and as a result of the COVID-19 pandemic, including the successful recent introduction of Remote Committees, associated amendments to the public speaking procedure rules, and the ongoing work to enable earlier and more consistent pre-application engagement with local communities and Ward Members, including a greater focus on digital engagement.

3. Background

3.1 As previously reported to the Planning and City Development Committee meetings on 20 June 2019 and 7 November 2019, the on-going Planning Review programme has been working to deliver improvements to the processes and practices of the Planning Service. These follow the Planning Advisory Service (PAS) Review in 2018 and are in line with a Cabinet resolution of 25 October 2018 designed to enable the service to become more proactive, transparent and focused on the delivery of the Council's City for All vision and other corporate priorities. This resolution comprises ten recommendations:

1. To record, and make available post meeting, coverage of Planning Applications Sub-Committee meetings.
2. To live stream Planning Applications Sub-Committee meetings.
3. Introduce public speaking rights at Planning Applications Sub-Committee meetings.
4. Review digital content on the planning process and planning decisions and improve accessibility to the general public.
5. Improve the way planning policies and decisions are explained to make them easier to understand.
6. Support resident and Ward Councillor participation at an earlier stage in the process, for example at pre-application stage of major applications.

7. Increase delegation and review call in procedures to empower officers to take more delegated decisions.
 8. To restate to officers and Members their responsibilities in terms of the Council's gifts and hospitality policies.
 9. To restate to officers and elected Members involved in the planning process that they must retain a distance from landowners, applicants, agents and community stakeholders other than at formally arranged visits and meetings.
 10. Create a new Place Shaping and Town Planning directorate.
- 3.3 This report provides an overview of the above including introduction of live streaming of Planning Applications Sub-Committees (1 and 2 above), recent amendments to the procedure rules for public speaking at Planning Applications Sub-Committees (3 above), enhancing early community and Ward Member involvement at pre-application stage (6 above) and restructure of the Planning Service (10 above). Achievements in relation to other recommendations have been reported in previous PCD Committee reports.
- 3.4 A number of the changes and processes put in place by the planning review have been impacted by further changes to service delivery made necessary in response to Covid-19 and this report therefore also updates on these changes including the operation of Remote Planning Committee.

4. Considerations

Introduction of Live Streaming

- 4.1 A project was established in early February 2019 to introduce an online platform to deliver live streaming of Planning Application Sub-Committee meetings and the capability to make the archived recordings available to view at a later date.
- 4.2 In February 2020 the Live Streaming capability was fully implemented with the first live streamed Sub-Committee meeting held on 11 February 2020. The meeting considered the high-profile application for the UK Holocaust Memorial and Learning Centre. The recording of that Sub-Committee meeting and subsequent meetings are available on the Council's website at the following link: <https://streaming.westminster.gov.uk/>. Feedback was overwhelmingly positive in terms of the quality of the recordings and the presentation of the meetings.
- 4.3 Data collected up to 24 February in relation to the first two live streamed Sub-Committee meetings indicates that the recording of the Planning Applications Sub-Committee on 11 February was watched (either live or as a recording) 315 times, whilst the following meeting on 18 February was watched 44 times.
- 4.4 However, following the Covid-19 lockdown on the 17th of March, the format of committee meetings was adapted to fully virtual meetings and therefore the existing Civico technology was temporarily suspended with the meeting platform migrating over to Microsoft Teams (see below). Officers are investigating potential to take live streaming facilities introduced further and considering future options to provide choice and transparency for the committee format.

Remote Planning Sub-Committee

- 4.5 The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 came into effect on Saturday 4 April 2020 and give local authorities the power to hold remote committee meetings until May 2021. Remote Planning Sub-committees have been held bi-weekly since 14 April 2020.

- 4.6 Five planning sub- committee meeting have now been successfully held remotely and streamed using Microsoft Teams. Significant initial preparation work was undertaken to ensure the successful operation of these committees, with training and IT support made available for officers and Members. Recordings of all meetings are made available online. The adoption of remote committees and change to Microsoft ‘teams’ platform has allowed residents and stakeholders to listen-in to meetings and/or recordings of any virtual meeting via the Council website, ensuring openness and transparency is maintained during this period. While numbers of participants vary across and between meetings and the most recent committee had significantly less observers, overall the initial figures suggest that virtual committee are generally attracting greater numbers of observers (Table 1). Numbers of public speakers at meetings are set out in the following section in Table 4.

Table 1 Observers of Virtual Committees

Sub-Committee Date	No of Applications	No. of Observers
14 April	9 (plus 2 confidential items)	247
28 April	5	150
12 May	5	142
26 May	5	123
9 June	6	8

Update on Public Speaking at Planning Applications Sub-Committees

- 4.7 In November this Committee resolved to agree minor changes to the procedure protocol for public speaking at the Planning Applications Sub-Committees. These amendments were incorporated into an updated procedure protocol and introduced in January 2020. The changes included:
1. That public speaking be permitted on previously deferred applications with previous speakers who have addressed the Sub-Committee on the same application given priority, prior to speaking slots being offered to new speakers.
 2. That Neighbourhood Forums be included with Amenity Societies as bodies that may receive a separate public speaking ‘slot’ on each item. (Note that the order of speakers is otherwise unchanged with those speaking in favour speaking first, followed by those against, then local amenity societies and neighbourhood forums, with Councillors and other elected representatives last).
 3. That a timer visibly displaying the remaining time for public speakers be provided to assist those addressing the Sub-Committee.
 4. That there be two speaking slots for both Objectors and Supporters on all Planning Applications Sub-Committees.
- 4.8 The introduction of remote committees has necessitated a further update to this protocol to include arrangements and rules for public speaking remotely. This revised protocol will be in place for a temporary period while remote committees continue. A copy of the remote committee procedure rules is attached at Appendix 1 for information and published on the Council’s website.
- 4.9 In November 2019 data was provided indicating that the public speaking arrangements introduced in February 2019 were overwhelmingly supported by those who had spoken at a Planning Applications Sub-Committee. The data in Table 2 provides a further update on this and shows the numbers of public speakers at Planning Applications Sub-Committee for the first full year of public speaking.

Table 2– Numbers of Public Speakers between 25 February 2019 and 25 February 2020.

Period (Average per Sub-Committee)	No. of Sub-Comm Meetings	No. of Apps on Agendas	No. of Apps with Registered Speakers	No. of Speakers Supporting	No. of Speakers Objecting	No. of Amenity Societies/ Neighbourhood Forums	No. of Ward Cllrs	Total No. of Speakers
1 st 6 Month Period (25/02/19 to 25/08/19)	23	114 (5.0)	78 (3.4)	67 (2.9)	36 (1.6)	4 (0.2)	12 (0.5)	101 (4.4)
2 nd 6 Month Period (25/08/19 to 25/02/20)	19	98 (5.2)	71 (3.7)	76 (4.0)	45 (2.4)	18 (0.9)	16 (0.8)	152 (8.0)
Annual Total	42	212 (5.0)	149 (3.5)	143 (3.4)	81 (1.9)	22 (0.5)	28 (0.7)	253 (6.0)

- 4.10 This demonstrates that the opportunity to address Planning Applications Sub-Committees was widely embraced during its first year of operation by both supporters and objectors alike and that this has been a positive change to previously established practice.
- 4.11 The second 6-month period following the introduction of public speaking saw the average number of speakers per Sub-Committee meeting rise from 4.4 during the first 6 months to 8 speakers. However, the proportion of applications for which there were public speakers rose less significantly from 3.4 to 3.7 items per agenda, suggesting that the increase in public speakers has been focused on the most contentious and large-scale proposals reported to the Planning Applications Sub-Committees.
- 4.12 This period also saw a marked rise in the number of occasions where representatives of amenity societies or neighbourhood forums have addressed the Sub-Committee meetings, suggesting that they have begun to become more accustomed to the process and value being able to express their members views directly to the Sub-Committee.
- 4.13 Survey data has been collected from public speakers since September 2019 to gain their perspective on the success of the public speaking process and the committee meetings themselves. Between September 2019 and March 2020, 74% of respondents agreed or strongly agreed that they had been made to feel welcome by the Sub-Committee. This is a slight fall from 90% in the previous survey for the period between February and September 2019.
- 4.14 67% of respondents during the more recent period agreed or strongly satisfied with the quality of the Sub-Committee chairman. This has fallen from 90% in the February to September 2019 survey data. With regard to how seriously respondents felt their views had been taken, this had also fallen but to a lesser degree, with 63% agreeing or strongly agreeing; down from 74% of respondents between February and September 2019.
- 4.15 The response rate for respondents agreeing or strongly agreeing that they felt part of the decision-making process fell from 63% between February to September 2019 to 50%. Likewise, the proportion of respondents agreeing or strongly agreeing that the Sub-Committee process was clear and transparent fell from 79% to 67%.
- 4.16 Whilst this data suggests a slight fall in service users satisfaction, further analysis of the most recent figures (which was not able to be undertaken in respect of the initial data for February to September 2019), has been carried out by the Council's data

analysts and this indicates a significant negative bias in the responses received where the respondent did not receive the outcome they were hoping for from the committee meeting (i.e. respondents were significantly more likely to have a more adverse response to the quality of the public speaking process where the decision went against the position they were speaking in support of). Therefore, the falls in satisfaction that have been recorded in the most recent 6-month period are not necessarily representative of an overall fall in the standard of the service. Rather, this data needs to continue to be monitored over a longer period to be sure of any statistical trends emerging, having regard to the outcomes of the applications on which the respondents made verbal representations. Figure One provides an overview of customer satisfaction showing data since public speaking began.

Figure 1: Committee Survey Data (includes all data collated since public speaking began)

I felt welcome at the planning committee meeting			Response Percent
1	Strongly agree		32.7%
2	Agree		46.9%
3	Neither agree nor disagree		12.2%
4	Disagree		6.1%
5	Strongly disagree		2.0%

I felt satisfied with the quality of the Chair			Response Percent
1	Strongly agree		40.8%
2	Agree		34.7%
3	Neither agree nor disagree		10.2%
4	Disagree		8.2%
5	Strongly disagree		6.1%

I felt that my views were taken seriously			Response Percent
1	Strongly agree		34.7%
2	Agree		32.7%
3	Neither agree nor disagree		8.2%
4	Disagree		16.3%
5	Strongly disagree		8.2%

I felt part of the <u>decision making</u> process			Response Percent
1	Strongly agree		22.4%
2	Agree		32.7%
3	Neither agree nor disagree		16.3%
4	Disagree		14.3%
5	Strongly disagree		14.3%

The planning committee process was clear and transparent			Response Percent
1	Strongly agree		28.6%
2	Agree		42.9%
3	Neither agree nor disagree		6.1%
4	Disagree		10.2%
5	Strongly disagree		12.2%

4.17 Public speaking was temporarily suspended at the first two remote committee meetings to ensure technology was fully tested and to allow guidelines and protocols to be put in place. However, Ward Councillors were able to address the sub-committee from 12 May with other speakers joining from 26 May. Speakers have participated successfully at the first two meetings and the data for numbers of speakers is set out below. Although it is too early to provide meaningful feedback and data on public speakers' experience of remote committees until more meetings have taken place initial feedback from the speakers was extremely positive, in particular in relation to the support and

training given in advance of the meeting. However, officers will continue to monitor the impact of remote committees on public speaking in respect of the numbers of speakers and the feedback they provide and make any changes to the process to ensure a high quality service continues to be provided in future in accordance with the recently updated procedure rules.

Table 3 Virtual Committee Data

Date	Ward councillors speaking	No. of Apps with Registered Speakers	No. of Speakers Supporting	No. of Speakers Objecting	No. of Amenity Societies/ Neighbour-hood Forums	Total No. of Speakers
26 May	1	3	4	3	1	7
9 June	0	2	2	1	0	3

4.18 Adjoining boroughs have adopted a similar approach and most have also started undertaking Remote Committees. A snapshot of public speaking arrangements in adjoining boroughs is set out below (Table 4).

Table 4 Public Speaking in Adjoining Boroughs

London Borough	First Virtual Committee	Platform Used	Public Speaking
Camden	30 April 2020	Microsoft Teams	Yes
City of London	14 May 2020	Microsoft Teams	Yes
Hammersmith and Fulham	2 June 2020	Microsoft Teams	Yes
Kensington and Chelsea	9 April 2020	Microsoft Teams	Yes
Lambeth	12 May 2020	Microsoft Teams	Yes (written reps read out by officer)

Current Working Arrangements in Planning.

4.19 The Planning Service has adapted quickly to remote working, ensuring discussions and meetings continue with applicants and stakeholders through video calls with pre-application presentations, internal design reviews and other meetings all held online. While there has been a fall in application numbers, applications are continuing to be received and validated online. Officers have not been undertaking site visits and this remains challenging, but applicants have been encouraged to submit more photographs, visual and video material with their applications and some site visits have been held virtually. The VU:City 3D model can also now be used by all officers to assist in assessing proposals on their own laptops. The Planning Inspectorate has announced that some appeal hearings and Inquires will also now be going ahead virtually. The service has therefore shown considerable resilience and flexibility and many of the new working practices including the wider use of technology and video conferencing will remain a feature of work going forward.

Pre-application Community and Ward Member Engagement

4.20 Previous options presented to members in relation to early engagement have been re-examined and in the light of comments, officers have looked again at the options for introducing early engagement with Ward Members and local communities, seeking an approach that is less reliant on Forum Meetings and better capable of reaching a broader spectrum of the local community in which a development is proposed.

4.21 A new proposed approach takes on board previously expressed concerns and builds upon the aspirations for developer-led early engagement, as set out in our existing [Statement of Community Involvement](#) (2014) (SCI). It introduces a sliding scale of consultation formats commensurate with the scale of development proposed. The

sliding scale includes a range of formats, use of leaflets to neighbouring properties, facilitation of meetings with Ward Councillors, undertaking digital engagement through websites, holding public exhibitions and arrangement of early engagement forums. Only the very largest schemes (circa five schemes per year) would be the subject of forum meetings, with all other early engagement remaining developer-led.

- 4.22 The revised proposal would reduce reliance on the Council's own resources and encourage and incentivise developers to work in an open and collaborative manner with the Council during pre-application community engagement. To achieve this, the range of consultation formats would be promoted in a Pre-Application Community Engagement Protocol for developers, which would supplement the existing pre-application advice service and update the SCI. This would strengthen the aspirations for developer engagement set out in the SCI, as it would require developers seeking pre-application advice from officers to submit a schedule of proposed methods of community and Ward Member pre-application engagement of an appropriate scale that accords with the requirements of the protocol and the SCI.
- 4.23 Additionally, the Pre-Application Community Engagement Protocol would set out a minimum level of key information that must be included in the community engagement material (for example details of the function and form of building, the S106 public benefits to be offered and the value of any CIL contribution). On larger major schemes the protocol could also require developers to work with officers when setting the questions to be used in the consultation exercise, to ensure they are balanced and impartial. It will also be a requirement for the developer to provide the feedback received from the public engagement to officers. This would ensure officers can have regard to the results of local community engagement in their written pre-application advice, which is currently drafted without knowledge of the prevailing local opinions.
- 4.24 The form of early community engagement required by the proposed protocol will be in line with best practice. Grosvenor have been working towards developing a 'Gold Standard' for their pre-application engagement, which is similar in its aspirations to the proposed protocol and have used both traditional face-to-face engagement and online consultation platforms to maximise engagement on their emerging schemes. The council's Infill Programme has also sought to undertake best practice pre-application engagement, ensuring extensive liaison with Ward Councillors at the earliest opportunity and undertaking at least two phases of community consultation so that the evolution of the scheme and amendments made to address the concerns and desires of the local community can be effectively communicated to stakeholders prior to the submission of a formal application. The protocol could also provide significantly greater focus on the use of a wider range of innovative digital engagement solutions, whilst also ensuring a balanced approach, recognising reliance purely on digital approaches may exclude some people and ensuring other forms of engagement are still included within the process.
- 4.25 The Cabinet Member indicated his in-principle support for the new proposed approach to early local community and Ward Member engagement. Work is now being undertaken to develop a Pre-Application Community Engagement Protocol, which will set out the requirements for developers and link these consultation expectations to the requirements of the SCI and the pre-application advice service. This can then inform the update of the SCI itself, which will be undertaken following the examination and adoption of the City Plan.
- 4.26 The experience of the Planning Service in using digital technology during the Covid-19 emergency, including digital presentations on pre-application proposals and virtual committees has demonstrated possibilities for new and innovative ways of working

which will continue to be a feature of working going forward and this also has the potential to successfully engage different audiences. Initial Member views on the potential for greater use of digital community engagement would be welcome.

Place Shaping and Town Planning Restructure

4.27 Formal consultation on the proposed restructure of the Place Shaping and Town Planning Department commenced on 29 January 2020 and lasted for 38 calendar days. Officers and Trade Unions were briefed on the proposals and all officers, directly affected or not, were invited to feedback on the proposals. The consultation report was also supported by an Equality Impact Assessment which was updated during the consultation period.

4.28 Due to the Covid-19 Pandemic and the subsequent Government shut down of services, staff were informed on the 23 March 2020 that the Chief Executive had agreed to put the service review on hold.

5. Financial Implications

5.1 The implications will be managed within existing resources. There have been some initial costs involved in set up and training to facilitate Remote Committees. The costs of running virtual committees compared with physical committees will be analysed to inform decisions on future working arrangements going forward.

6. Legal Implications

6.1 None.

7. Conclusion

7.1 The introduction of live streaming and subsequent introduction of remote committees has been successful and has significantly enhanced the transparency and accessibility of the planning decision making process. The process will continue to be reviewed and enhanced where opportunities arise.

7.2 Feedback on public speaking at the Planning Applications Sub-Committees demonstrates that this enhancement of the Sub-Committee process has been successful and that the opportunity to directly address the Sub-Committees is much valued by stakeholders. Remote public speaking has been introduced quickly and successfully allowed stakeholders to continue to participate fully and effectively in the planning process, supported by updated procedure rules. This will be subject to review to ensure we continue to make improvements to the process.

7.3 A preferred approach to delivery of early local community and Ward Member engagement has been identified and agreed in-principle with the Cabinet Member. This is an enhancement upon that referred to in the November 2019 Committee report, as it will ensure that early engagement is enhanced across all scales of major development at pre-application stage, will be less reliant on Council resources, and will be consistent with the existing SCI, enabling earlier implementation and providing enhanced focus on digital engagement .

If you have any questions about this report, or wish to inspect one of the background papers, please contact: Jane Hamilton (jhamilton@westminster.gov.uk).

Background Papers:

1. [Updated Planning Applications Sub-Committee Procedure Rules](#) dated May 2020
2. Updated Planning Applications Sub-Committee Procedure Rules dated January 2020 (https://www.westminster.gov.uk/sites/default/files/planning_applications_sub_committee_procedure_rules.pdf),
3. Report to the Planning and City Development Committee dated 7 November 2019 (<https://committees.westminster.gov.uk/ieListDocuments.aspx?CId=368&MId=5100&Ver=4>).
4. Minutes of Planning and City Development Committee dated 7 November 2019.