

REVIEW COMMITTEE– SCOPING FORM FOR UNDERSTANDING OF PLANNING APPEAL PROCEDURES AND THE EFFECTIVENESS OF DIFFERENT FORMS OF REPRESENTATION

Project Team: Cllr Mrs H L A Glynn, Cllr P R Robinson and Cllr Mrs C A Weston	Date: June 2007
Review Title: Planning Appeal Procedures	
Terms of Reference:	
To analyse and comment on the arrangements for dealing with Planning Appeals and to propose options for improvement. The review will look in detail at the procedures and consider the effectiveness of different forms of representation.	
Out of Scope:	
The Review will not look at other appeals that are dealt with by the Planning Inspectorate including the following:- <ul style="list-style-type: none"> • Access Appeals • Call-Ins • Environmental Appeals • Hedgerow Appeals • High Hedges • Land Compensation Appeals 	
Brief outline of how review will be conducted:	
A number of meetings will be arranged between the Project Team and the Planning Department where the appeals process will be explained and any questions by the team raised. Areas to be covered will include:- <ul style="list-style-type: none"> • Numbers of appeals • Officer Recommendations and Decisions made on applications • Venues supplied by RDC for Appeal • Council representation at appeals • Outcomes • Costs around appeals (to include the costs of different forms of representation and costs awards) • Looking into the possibilities of benchmarking RDC performance – appeal outcomes against original recommendation and committee decision <p>A questionnaire will be forwarded to other Authorities in the RDC audit family group to obtain their input in relation to the following areas:-</p> <ul style="list-style-type: none"> • What other authorities are doing in respect of their Planning Appeals • Attempting to identify best practices from other authorities that could be introduced at RDC. <p>A final report pulling all the information gathered will be compiled once the Project Team are happy with their understanding of the topic and all relevant areas have been examined.</p>	
Documents/information:	
The Planning Inspectorate's Guidance on the appeal process	

Examples of Planning Departments submissions to Planning Inspectorate
Witnesses:
<p>Head of Planning and Transportation – information about the general procedures followed in Planning.</p> <p>Planning Manager – advice on detailed arrangements, including decisions about the appropriate appeal type to accept in different circumstances e.g. written representations, informal hearing, etc.</p> <p>Head of Legal Services – to provide a legal perspective on the process</p> <p>A Barrister that has represented RDC at an appeal hearing – to provide a QCs perspective on the process</p>
Site visits:
<p>None identified at present although should any Public Enquiries relating to RDC Planning Decisions be scheduled during the time of the Review then the value of a visit to the enquiry will be explored.</p>
Consultation/research:
<p>It is intended to contact the other Authorities in the RDC family group by way of a questionnaire to identify any best practices that could possibly be introduced at RDC.</p>
Venues to be used for meetings/evidence gathering:
<p>No formal meetings proposed at the current time.</p>
Officer support and other resources:
<p>Head of Planning and Transportation, Planning Manager, Head of Legal Services, Overview and Scrutiny Officer.</p>
Timescale/milestones:
<p>18 July 07 Commence initial evidence gathering</p> <p>31 December 07 Completion of Investigation phase</p> <p>11 March 08 Acceptance of report by Review Committee</p>
Reporting line for the Review:
<p>The Review Committee may make recommendations to the Executive Board/ Council arising from the outcome of any Scrutiny Process</p>