

PLANNING SERVICE PAPER – PLANNING REFORM UPDATE

Agenda Item: 13

Summary: This paper provides a update on the latest position in relation to the programme of reform for the planning system in Northern Ireland

Action: To note for information

Background

1. The 12 week period of public consultation on the proposals contained in the planning reform consultation paper closed on 2 October.
2. As members will be aware, the far-reaching proposals for reform of the planning system outlined in the paper take account of the RPA decisions that will see responsibility for the majority of planning functions transferring to local government in 2011. A draft Equality Impact Assessment at a strategic level was also produced and issued at the same time as the consultation paper and views sought on its findings.
3. SLB members have shown a keen interest in the planning reform programme given its close links to the transfer of functions. As such, the purpose of the following bullet points is to provide SLB members with an early read-out from the recently closed period of consultation on the planning reform proposals.

Consultation process

- ‘Reform of the Planning System in Northern Ireland: Your chance to influence change’ consultation paper was launched for public consultation on 6 July 2009. The consultation closed on 2 October.
- In addition to accepting formal written responses to the consultation, a series of 11 Planning Reform stakeholder consultation events, were held during September.

- One event was held in each of the new 11 council areas.
- The events were open to all to attend and a mixture of day time and evening events were used.
- The events were independently organised and facilitated and an independent report on the views gathered from the events was subsequently provided to planning officials.
- The purpose of the events was to facilitate structured engagement on the proposals by taking the views of a cross-section of interested parties and stakeholders and subsequently feeding these views into the development of the final proposals.
- Planning officials also engaged with a wide range of key representative organisations on the reform proposals during the consultation period through a series of events, seminars, briefing sessions and meetings, including: NILGA / SOLACE; Royal Town Planning Institute; Royal Institution of Chartered Surveyors; Northern Ireland Environment Link; and Chartered Institute of Housing.
- During the consultation period the Minister, supported by planning officials also discussed planning reform with representatives from the Confederation of British Industry, Community Places and the Council for Nature Conservation and the Countryside.

Early readout from consultation

- Officials are currently logging and processing formal written consultation responses – around 250 responses received in total.
- Responses have been received from the full spectrum of key stakeholders including: NILGA; Institute of Directors; Royal Society of Ulster Architects; the Construction Employers Federation; Planning Appeals Commission; Royal Institution of Chartered Surveyors; and Royal Town Planning Institute. A number of Councils have also submitted formal written responses to the consultation.

- A small number of comments were also been received on the draft Equality Impact Assessment at a strategic level.
- There were a total of 480 attendees over the course of the 11 stakeholder events.
- A wide range of sectors were represented at the events with Councilors / Council representatives being the best represented of all sectors.
- Feedback forms were completed by almost 200 of the attendees at the events. Over 90% of those who completed the feedback forms indicated that they considered the event to be 'informative' or 'useful' and 88% of attendees felt that the event gave them an adequate opportunity to express their views.

Key themes arising from consultation

A number of key themes and issues were raised during the many engagement events and are emerging through the formal written replies. In brief, these issues include:

- Broad welcome for reform of the system
- Various comments supporting and opposing proposals for PPSs to be more strategic
- Support for a new plan system and for the proactive, development management approach
- Need for strong link between development plan and community planning
- Concern that two stage / document plan system may be bureaucratic but also support for earlier strategic direction
- Opposition from many to proposals to give PAC power to determine appeal method, though support from some who are keen to see move away from oral hearings where developers can pay for high profile representation
- Strong lobby for system of third party appeals on basis of equity and fairness as well as opposition on basis of slowing system down and unnecessary in context of front loading
- Support for reducing period for lodging appeals (though maybe to 3 or 4 months not 2)
- Concern about resources in the planning system

- Need to ensure resources to implement the change and build capacity in local government (councillors, officers and planning staff) to ensure success
- Support for central government oversight and view that governance arrangements - legislation, code of conduct and standards - must be in place prior to implementation
- Concern about inconsistency across new 11 councils
- Devil in the detail in terms of many proposals

Next Steps

- Planning officials are now undertaking an intense period of consultation response analysis and policy finalisation.
- Planning officials attended the Environment Committee meeting on 8 October to provide Committee members with an early readout from the planning reform stakeholder consultation events and to provide a preliminary outline of the consultation responses received.
- A more detailed written consultation summary will be provided to the Committee in late October and the Minister and officials will then attend a further Committee meeting in early November to discuss the written summary and to hear the Committee's views. This would then allow the Committee to provide their formal feedback on the consultation later in November.
- It is intended that formal recommendations on the final policy positions will be with the Minister for consideration in early December.
- In order to meet the legislative timetable, the final policy position then needs to be agreed by the Executive by the end of January to allow legislative drafting before Executive agreement is sought to introduce the draft Bill to the Assembly in May/June 2010.
- I am of course committed to continuing to keep SLB members up to date with progress in relation to the planning reform programme throughout the process.

CYNTHIA SMITH
Planning Service Chief Executive

8 October 2009