

National Planning Forum-*inspiring planning*

Planning Timetable Agreements

DRAFT Note of a discussion held at ODPM, 10.30 am 22 July 2005

Present:

- **Henry Oliver NPF/CPRE (Chair)**
- **Liz Peace, NPF/BPF**
- **Sue Bridge, Bellway Homes/HBF**
- **Stuart Mockford, Planning Portal**
- **Rachel Walmsley, TCPA**
- **Ian Jeffries, CBI**
- **Graham Jones, POS, Harrow**
- **Les Sturch, POS, Sheffield**
- **Steve Clark, POS, Merton**
- **Michael Coupe, RICS**
- **Steve Barker, PAS**
- **Alun Trott, CSS, Hants**
- **Lee Searles, LGA**
- **Cllr Richard Kemp, NPF/LGA**
- **Mike Hammerson, Civic Trust**
- **Graeme Bell, NPF**
- **John Stambollouian, ODPM**
- **Ross Parker, ODPM**

Apologies:

- **Robin Meakins, Barton Willmore**

- 1 Introductions and welcome from the Chair, who explained that the meeting was called by the National Planning Forum (NPF) to explore the merits of Planning Delivery Contracts and, in particular, to discuss the NPF paper for Planning Timetable Agreements (PTAs).**
- 2 Graeme Bell presented his paper on PTAs. He said he believed the adage ‘if it ain’t broke don’t fix it’ and presented several of many testimonials he had received that the present targets were producing perverse outcomes. He said he would particularly welcome comment on the idea of involving Regional Government Offices (GOs) to ‘umpire’ the PTA for Planning Delivery Grant (PDG) purposes. This would not only offer confidence to Ministers that performance indicators were being retained, but keep the incentive for local planning authorities to process the application within the new agreed timescale.**

- 3 Ross Parker and John Stambollouian outlined the initial response to the ODPM paper on Planning Delivery Contracts. They presented points for further discussion. The focus for Government is to improve the time taken to determine the 40% of major applications currently determined after 13 weeks. Generally, the paper has received a positive response. The following points were made by ODPM:—**
- **A Delivery Contract may apply to only a small number of very large applications that go over the fee scale. They may provide a means of recognising that local planning authorities (LPAs) will have difficulty resourcing the processing of the application within the set fee.**
 - **Delivery Contracts would not undermine or replace targets.**
 - **Fees would be optional and not set by ODPM**
 - **The Delivery Contract would be a guarantee of process not outcome**
 - **The Planning Inspectorate (PINS) may have a role in mediating any contractual problems and the Planning Advisory Service (PAS) in piloting**

In discussion, the following points were made:—

- **Quality of decision is more important than targets. Evidence that present arrangements can compromise quality decisions.**
- **100% target is easily achievable by either approving or refusing applications within 13 weeks.**
- **Trust is critical for NGO's and third parties. Fees and charges might fuel suspicion.**
- **Statutory agencies (particularly the Highways and Environment agencies) must be involved and required to deliver to targets just as LPAs**
- **Why focus on majors? Small doesn't mean simple. Major may not be complex.**
- **Industry would pay/resource LPAs if there's a capacity problem — they already do — simple self interest. Consultants fees, staff costs, legal fees etc swept up in the section 106 agreement.**
- **'Delivery Contracts' give an impression of compulsion and lawyers. This is undesirable. These arrangements would ideally be voluntary protocol and free of bureaucracy. They should also be clearly in the public domain.**
- **One incentive of a PTA to a LPA is not fighting an appeal on a 'forced' refusal at 12 weeks.**
- **Very few mega-applications in England (300-500 total?) Most applications are for much smaller projects and their costs are covered by normal fees. Many LPAs would not receive any 'mega' applications in a year. A few LPAs may receive several.**
- **100-house applications or mixed use which involves transport issues or remediation is a much more common profile and this is where the problems exist and greatest payback lies for all parties. A typical brownfield regeneration site.**
- **When you exclude householder applications, the percentage of complex applications rises considerably.**

- There should be an understanding that no appeal is lodged pending the timetable.
- Just as likely that you'll get ill-considered approvals as refusals to meet the current 13 weeks deadline. Quality decisions should be the objective.
- Any developer that fulfils the pre-app criteria should be eligible for a PTA.
- The best developments emerge from partnerships and collaboration rather than taking sides. PTAs would facilitate collaborative working.
- Agencies e.g. the Environment Agency (EA) and the Highways Agency (HA) etc. must be party to PTAs otherwise they will fail.
- Money is less a problem in London and the SE than recruiting and retaining skilled planners and other professionals.
- In the Core Cities outside the South East, money *is* an issue as staff can be recruited, but 'Delivery Contract payments' would be misconstrued by many as paying for outcomes.
- Major and complex applications in big cities absorb all the best planners and other applications (and PDG/targets) suffer as a result. PTAs would offer ability to better project plan with available resources.
- LPAs can use pre-app charges for front loading and then S106 to catch post registration costs, no new fees are needed. PDG on the new timescale remains the incentive to the LPA to use a PTA and progress the application.
- This discussion exposes the nonsense of targets and the need for a more sophisticated approach to performance issues.
- Project planning is sensible regardless of contracts/PTAs (a training programme for PAS/POS drawn up by NPF?). Such activity highlights resource requirements, costs and who might pay.

ODPM rounded off by repeating that it doesn't wish to force this concept. It would be for all stakeholders to agree on a case by case basis. If additional fees are thought necessary, then Regulations could be changed to facilitate this.

In conclusion, the Chair identified 5 points:-

1. The idea of PTAs is worth pursuing
2. They should be voluntary and informal
3. 'Trust' should be respected. Fee paying contracts would 'taint'
4. Piloting must include statutory agencies
5. NPF/ODPM to produce a note and an ACTION PLAN with dates to implement some early pilots with partners.

Graeme Bell
July 26 2005