

Reference	IRPC24/02/23
Date	24 th February 2023

Interim Regional Planning Commission

MINUTES

Present: Rosemary Thomas, Chair
Stuart Anderson, NI Chamber of Commerce (SA)
Aidan Campbell, Rural Community Network (AC)
Julie Harrison, Department for Infrastructure (JH)
Michelle Hill, NI Environment Link (MH)
Alison McCullagh, Solace (online) (AMcC)
Louise O’Kane, Community Places (LO’K)
Claire Sullivan, CBI (CS)

Apologies: FoE sent apologies.

In Attendance: Kathryn McFerran, Department for Infrastructure (KMcfF)
Kate Bentley, Heads of Planning (KB)

Secretariat: Dr Roisin Willmott, RTPI (RW)
Julie Sullivan, RTPI (JS)

1. Welcome and Introductions

Rosemary Thomas (Chair) welcomed everyone to this first meeting of the Interim Regional Planning Commission. She said that she was grateful that everyone was here to contribute to the work of the Commission and that it was an honour to be asked to Chair this group that will look at improving the planning system in Northern Ireland. In addition to the traditional tools of primary and secondary legislation, and revised policy guidance and plan making, she believed that culture change was all important.

The Chair welcomed the balanced representation on the Commission, reflecting the three pillars of sustainable development- community, economy and the environment. ***In FoE’s absence Department for Infrastructure will invite another environmental organisation to sit on the Commission.***

The CBI representation will also be confirmed, although they were represented at this meeting by CS.

All attendees introduced themselves including their interaction with the planning system and their hopes for the Commission.

2. Conflicts of Interest

The Chair asked if anyone has any conflicts of interest before discussions commence.

Community Places and NI Environment Link both draw down funding. NI Chamber of Commerce and CBI would have a number of planning authorities as members.

The Chair informed the Commission that it will not discuss current applications or those currently going through the appeals process but may consider information on process from past determined applications.

2a. Declarations of Interest

The Chair has declared that she has a nephew who works for the Rivers Agency and that she is a member of the Council for Nature Conservation and the Countryside.

RSPB would be a Consultee on some applications.

3. Scene Setting

An overview presentation was given to Commission on why this group was set up.

A number of groups had been previously set up to look at planning in Northern Ireland before the two reports were published, NIAO (NI Audit Office) report was published on 1st February 2022 with 16 recommendations and the PAC (Public Accounts Committee) report was published on 24th March 2022 with 12 recommendations. Both reports are being taken very seriously by DfI and local government.

The Planning Forum has actioned 20 out of 31 recommendations with others being absorbed into the Planning Improvement Work Programme.

In the absence of a Minister at present, DfI's Permanent Secretary has decision making powers. The Interim Regional Planning Commission (IRPC) has no direct governance.

Comment made that Councils have been working internally on improvement plans with regards to training etc and Heads of Planning will be working with SOLACE (Society of Local Authority Chief Executives). It was explained that DfI regard SOLACE as the relevant delivery body to sit on the Commission rather than NILGA.

Some discussion took place around the Partnership Panel which was created at the time of reform and enables Ministers to engage with their counterparts and it was confirmed that previous Ministers did meet with Chairs of Planning Committees on a separate forum.

4. Draft Joint Work Programme

The meeting was briefed on common themes coming through from both reports and the actions underway against each theme.

Legislation – some discussions took place around statutory local validation checklists and dispute mechanism and timetabling of this action. Legislation for this it is hoped will be this Autumn. Further discussion included the following points: staff need to be fully trained in preparation for the introduction of the lists; stakeholders need to know that they have to submit improved applications;

the new system needs to be robust and not another burden on applicants; consistent application of checklists across councils would help; if different approaches were taken, the reasons for this needed to be clear so staff and applicants understood why. It was noted that validation checklists are just a tick box, it does not give advice on the quality of the documentation required. The documentation submitted in applications need to be of good quality to enable an effective process.

This was considered to be an important piece of work.

Pre-determination hearings were raised. The meeting was briefed on what they are and the issue that they can delay applications. There was no assessment for the level of use of pre-determination hearings. ***It was suggested there needs to be a conversation with stakeholders and this process is about taking things out of the system as well as adding more.*** It was suggested that the pre-determination hearings would be confusing and this was the experience reported.

SOLACE were keen to identify key priorities, there is concern on published recommendations- there may be some shortcomings. Culture behaviour needs to be addressed. It was emphasised the Commission needs to take the recommendations given and work on those.

Planning Fees Uplift – The meeting was briefed on the planning fees uplift, scheduled for the coming financial year. Some discussion took place around fee increases. The need for the financial sustainability of Councils' planning services was raised.

The issue was raised of late responses and re-consultations with statutory consultees as additional information was received. Improving the quality of applications and ensuring the right people are consulted in the first place, should help. Resource limitations within statutory consultees was recognised; they are a fundamental building block for securing major change. It was explained that accessing advice from Statutory Consultees is initially an issue for applicants or their agents when considering the need for planning permission. The Chair asked if research has been done on the costs of submitting an application and cost recovery. The transfer functions grant was raised and the intention that it was to be cost neutral, which is not the experience of Councils.

Development Plans – The Development Plans review and streamlining timelines were underway. Development Plan guidance was published yesterday (23rd February). It was suggested that a review is required for RDS and SPPS, because since they were published, the Climate Change Act has come in. The Chair said that in her view the Commission should focus on the Development Management process rather than LDPs at this stage. There was a recognition that getting LDPs adopted was important, so that Development Management decisions could be informed by updated adopted local policies. The Chair commented that LDPs need to be more focused; LDPs which are wide in scope, usually take longer to adopt.

Planning Committees and Councillors - Reflecting the recommendations of the 2 reports, (NIAO and PAC), training of new committee members should be paramount and members should not sit on a planning committee if they have not been trained. SOLACE reported that the annual meetings of Councils take place 3 weeks after the May elections and so Councils will then know who are their planning committee members. ***It was suggested that the Best Practice Protocol for Planning Committees prepared by the former Dept for Environment, is out of date and needs to be replaced.*** The Reports noted the lack of accountability, and there was a question as to whether there was continuous training for Councillors; there appears to be a different approach across Councils. Reflecting her experience in Wales, the Chair thought that DfI has an important leadership role in the guidance and training of those on planning committees.

It was agreed that with the local elections scheduled for May, this presented an opportunity for ensuring that the incoming elected members get updated and consistent training on what is expected of them. This should be framed in terms of delivering the PAC and NIAO recommendations.

Time constraints curtailed further discussion on this item.

5. Role of IRPC

The Chair confirmed that the Terms of Reference had been sent out to everyone. All members agreed with the Terms of Reference.

A suggested timescale of 6 months to review the Commission to see if it is working as proposed.

There was a request for developers, such as the housebuilders, to be directly represented on the Commission. Dfl explained that CBI and IOD are here to represent developers and trade bodies, as too many developer organisations are conflicted and this was an issue. It was suggested that meetings be structured so as to invite others to attend and present views and issues. The Chair confirmed the Commission is not a forum to discuss policy issues, but NI Chamber of Commerce considered it to be more about the experience of the customer rather than policy. It was acknowledged that there was a broad representation on a number of work programmes and that Dfl are not trying to exclude anyone. The Chair said it was important that stakeholders are brought in at the appropriate time.

It was raised that there needed to be consideration of communicating the work of the Commission more widely.

6. IRPC Future Work Programme

It was suggested that we look at the agenda for the next meeting and discuss with colleagues. The Chair invited anyone with topics for future meetings to let RW or JS (RTPI) know.

Commission discussed meeting again in around 6 weeks (after Easter). ***The RTPI will circulate possible dates for the next meeting.***

7. Any Other Business

The Permanent Secretary thanked everyone for agreeing to sit on Commission.

T&S claims – ***KMcF will to look into how members can claim.***

The Chair thanked everyone for attending.