



Planning Committees Consultation
 Planning Development Management
 Ministry of Housing, Communities and
 Local Government
 Planning Directorate
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Chris Henning
 Chair, ADEPT Sustainable Growth Board &
 Executive Director – Place, Derbyshire County Council

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Dear MHCLG Team

Reform of Planning Committees Technical Consultation

About ADEPT

The Association of Directors of Environment, Economy, Planning and Transport (ADEPT) represents directors of place who are responsible for providing day-to-day services including local highways, recycling, waste, and planning as well as the strategic long-term planning and delivery of sustainable places. ADEPT members are at the very heart of delivering clean sustainable growth, tackling climate change at a local level. We manage the projects that are fundamental to creating more resilient, inclusive, and safe communities, economies, and infrastructure. ADEPT represents directors of place from county, unitary and combined authorities, along with sub-national transport boards and corporate partners drawn from key service sectors throughout England.

We are a membership based professional organisation with:

- 100+ county, unitary and combined authority members
- 5 sub-national transport bodies
- 24 Corporate Partner members across England.

The key to unlocking economic recovery and renewal lies with local leadership. Place directors create the strategies, run the services, and lead the projects that shape local places for their communities. The whole country benefits from investment in local place. Tackling inequality and climate change, while promoting health and wellbeing, supporting business, and maintaining critical infrastructure is most successful when national investment is locally led. We represent members' interests by proactively engaging central government on emerging policy and issues, responding to consultations and enquiries, creating national guidance, and promoting initiatives aimed at influencing government policy. We also represent public sector interests across all our key areas in national sectoral organisations. ADEPT members manage some of the most pressing issues facing

the country today, including green recovery and tackling climate change. We are responsible for everyday public services that people need to ensure communities thrive, are well-connected, sustainable, and healthy.

Local planning and services, public transport and high streets, green spaces and active travel, employment and skills all contribute to the wellbeing of our local areas and the people who live, study and work in them. ADEPT members are passionate about making them better, working with colleagues, partners, and government to create the places our communities and businesses need.

Our remit includes:

- delivering clean, sustainable growth through recovery and regeneration
- infrastructure including local roads, highways, and digital connectivity
- planning & housing
- environment including waste, flood & water management, energy, natural capital

RESPONSE TO THE CONSULTATION

ADEPT supports the concept of a national scheme of delegation as a “starting point.” We support the government’s objectives to simplify decision-making in the planning system provided there are suitable safeguards to ensure democratic accountability and oversight. We do however believe that there should be a small number (3-5) nationally agreed criteria, similar to that referenced in paragraph 26 of the consultation, but which explicitly includes the ability of elected councillors with the agreement of the Chief Planner to be able to refer an application to Planning Committee for determination. We are concerned that the proposals could reduce transparency and openness in planning decision-making as currently drafted, inadvertently undermining both investor and public confidence in the planning system. Government should ensure there is flexibility and a mechanism to ensure any application can go to committee if it is determined reasonable to do so. Government should therefore confine its national approach to the issuing of good practice guidance for schemes of delegation and not set it nationally. We suggest that government also satisfies itself that any final proposals that are brought forward under the enabling provisions in the Planning & Infrastructure Bill 2025 are in compliance with the Aarhus Convention to which the UK is a signatory in relation to citizen participation in decision-making and are also compliant with the Nolan Seven Principles of Public Life.

ADEPT supports the proposed Tier A and Tier B approach suggested by government and the types of applications identified for each category. Section 106 matters associated with development should be considered under the relevant tier of application to which it relates.

We have concerns over the role of the Chief Planning Officer in relation to delegated decisions. On balance, ADEPT supports the proposed gateway mechanism provided that the post of Chief Planner

is put on a statutory footing. It is this statutory footing that gives colleagues in other parts of the local authority clear powers and protection under the law. We see this as essential for the proper operation of the mechanism given that it requires mutual agreement with the Chair of the Planning Committee for any application to be referred to members for determination under the government's proposals.

In relation to the size and composition of Planning Committees, ADEPT supports the principle that these should not be overly large but considers that each local authority should determine the size. If the government proceeds with the proposals to limit the size of Planning Committees by regulation, then it should in addition to the establishment of a maximum of 11 members also set a minimum number to define when a committee is quorate.

ADEPT supports a national mandatory training programme provided, and funded, by the Planning Advisory Service. However we are also very strongly of the view that this national training scheme should have a local dimension dealing with local context and the provisions of the local plan. We support the certification of this training but consider it unnecessary for elected members to sit exams to gain this certificate to allow them to make decisions at the Planning Committee meeting. We have concerns regarding the legalities if a member does not have certification, what does that mean for decisions?

ADEPT does not support reducing the "quality of decision-making" threshold from 10% to 5%. Reducing the threshold would mean that an authority with lower numbers of applications only has to have a few decisions overturned at appeal to be caught by this provision. Over the years governments have continually used blunt quantitative measures to assess the operation of the planning system rather than qualitative measures that would help improve efficiency and strategic outcomes. If the measure is to be retained and the threshold reduced it should be changed to only include decisions where a cost award has been made against the local planning authority (which by definition is the identification of unreasonable behaviour and/or an unjustified refusal).

We trust the above observations are of assistance to your deliberations and we are more than happy to discuss any of our comments further with you should that be required.

Yours sincerely,



Chris Henning

Chair, ADEPT Sustainable Growth Board

Executive Director – Place, Derbyshire County Council