

# Public Document Pack

Democratic Services Section  
Chief Executive's Department  
Belfast City Council  
City Hall  
Belfast  
BT1 5GS



Belfast  
City Council

11th August, 2017

**MEETING OF PLANNING COMMITTEE – REPORTS TO FOLLOW (ITEMS 2 AND ITEM 6)**

Dear Alderman/Councillor,

The above-named Committee will meet in the Banqueting Hall - City Hall on Tuesday, 15th August, 2017 at 5.00 pm, for the transaction of the business noted below.

You are requested to attend.

Yours faithfully,

SUZANNE WYLIE

Chief Executive

**AGENDA:**

2. **Quarter 1 - Finance Update** (Pages 1 - 12)
6. **Statutory Consultee Annual Report** (Pages 13 - 20)

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# Agenda Item 2



**Belfast**  
City Council

PLANNING AND LICENSING COMMITTEE

INSERT AGENDA ITEM

<b>Subject:</b>	<i>Financial Reporting – Quarter 1 2017/18</i>
<b>Date:</b>	<i>15<sup>th</sup> August 2017</i>
<b>Reporting Officer:</b>	<i>Ronan Cregan; Director of Finance and Resources Phil Williams ; Director of Planning and Place</i>
<b>Contact Officer:</b>	<i>Sean McCarthy, Business Manager, Chief Executive's Department</i>

<b>Is this report restricted?</b>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
<b>Is the decision eligible for Call-in?</b>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

<b>1.0</b>	<b>Purpose of Report or Summary of main Issues</b>
1.1	This report presents the quarter 1 financial position for the Planning and Licensing Committee including a forecast of the year end outturn. Appendix 1 contains a reporting pack with summary financial indicators, detailed explanations and an executive summary.
<b>2.0</b>	<b>Recommendations</b>
2.1	Members are asked to note the report and the associated financial reporting pack.
<b>3.0</b>	<b>Main report</b>
	<b>Current and Forecast Financial Position 2017/18</b>
3.1	The financial position for Quarter 1 is a net departmental over-spend of £141k. The forecast year-end departmental position is an under-spend of £61k (4.2%).
3.2	The forecast under-spend arises from additional funding from DoF for EPB team and additional income associated with Property Certificates
<b>4.0</b>	<b>Appendices – Documents Attached</b>
	Quarter 1 Performance Report

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Planning and Licensing Committee







Quarterly Finance Report

Report Period: Quarter 1, 2017/18

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# Dashboard

Quarter 1, 2017/18

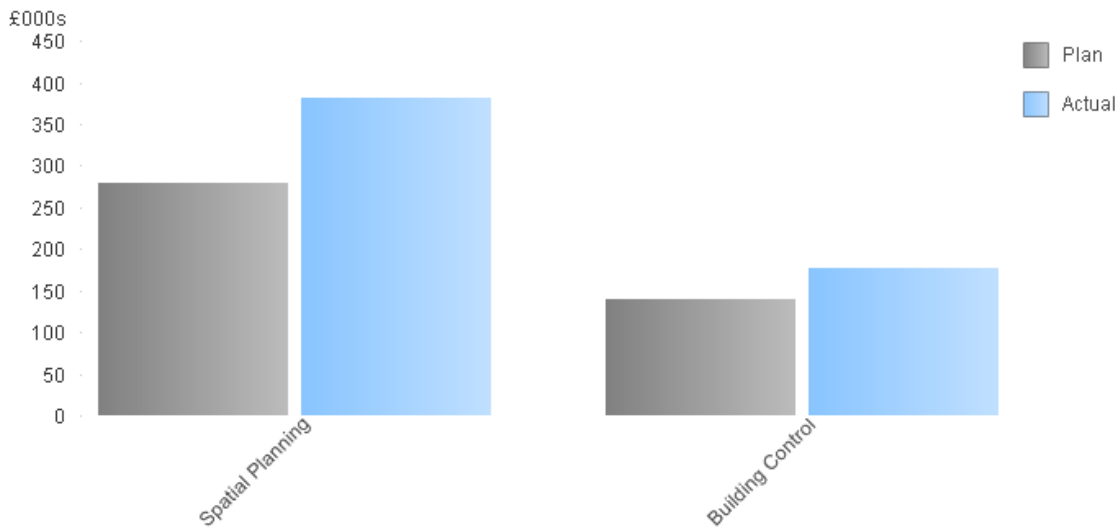
Revenue Section							Page
Committee	YTD	YTD Var £000s	Var %	Forecast	Forecast Var £000s	Var %	3,4
Spatial Planning		103	37.2%		0	0.0%	
Building Control		38	26.9%		(61)	(18.2)%	
<b>Total</b>		<b>141</b>	<b>33.7%</b>		<b>(61)</b>	<b>(4.2)%</b>	



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## Committee Net Revenue Expenditure: Year to Date Position



**Planning and Licensing Committees** overall position at the end of Quarter 1 is an over under spend of £141k (33.7%).

The main reasons for this under spend are:

The Belfast Planning Service operates on annual estimated expenditure of £3.1m which is offset by estimated annual fee income of £2.0m.

Planning fees are paid in full on application and apportioned as income at various stages of completion, the allocation being calculated by a facility within the portal.

At the end of Quarter 1 expenditure levels were on target although planned income of £109k had not been received as pre application discussions are on going. It is anticipated that the income will be recovered in the next quarter.

The quarter 1 position for Planning Service is an overspend of £103,463

The Building Control Service operates on annual estimated expenditure of £4m which is offset by estimated annual fee income of £3.7m.

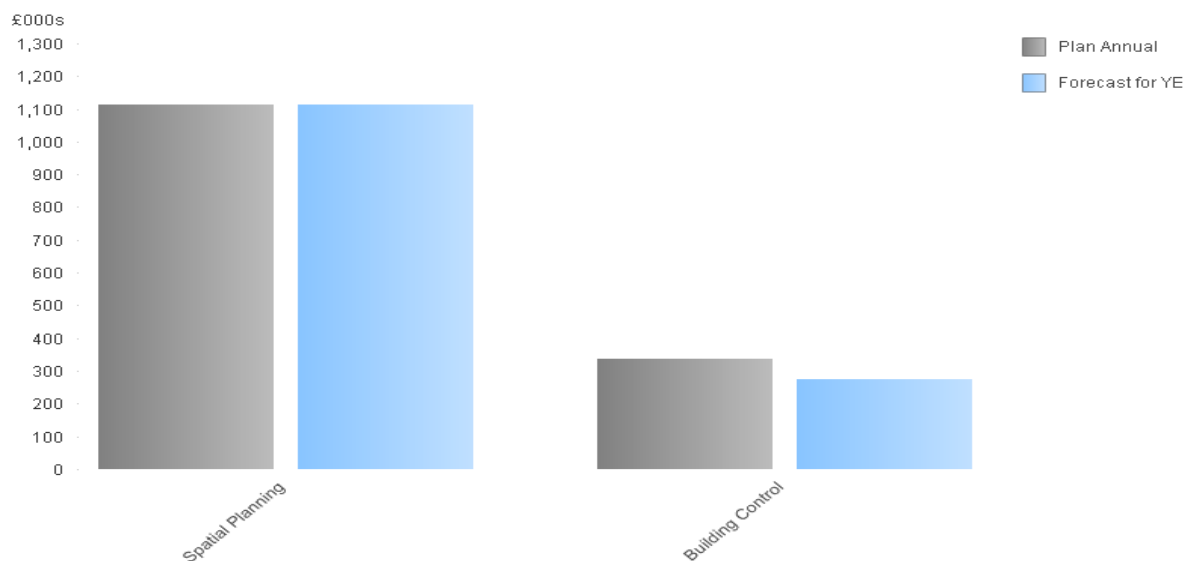
At the end of Quarter 1 the actual expenditure of £952k was £63k underspent across a number of areas.

However, the estimated fee income of £875k for Quarter 1 was overstated by £100K as income especially from plan fees was not received although this will be recovered in the next quarters.

The reduced levels of income in quarter 1 has been offset by reduced expenditure giving a net overspend in Building Control of £37,675 for Quarter 1

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## Committee Net Revenue Expenditure: Forecast for Year End



The **Planning and Licensing Committees** overall forecast position for the year end is an under spend of £61k (4.2%)

The main reasons for this under spend are:

While it is anticipated the Belfast Planning Service will have a balanced budget the Building Control Service expects to receive additional income of £75.5k relating to funding from DoF for EPB team and additional income associated with Property Certificates. This additional income is offset against reductions in income in some areas such as Affordable Warmth grant funding, Building Notices related to Affordable Warmth and Regularisation applications. This additional income of £75.5.k is offset against additional spend in employee costs and transport costs associated with EPB of £14.5k.

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## Planning Committee

### Section Expenditure Budgetary Analysis & Forecast

	Plan YTD £000s	Actuals YTD £000s	Variance YTD £000s	% Variance	Annual Plan 2016/2017 £000s	Forecast for Y/E at P3 £000s	Forecast Variance £000s	% Variance
Spatial Planning	278	382	103	37.2%	1,113	1,113	0	0.0%
Building Control	140	178	38	26.9%	336	275	(61)	(18.2)%
<b>Planning Committee</b>	<b>418</b>	<b>559</b>	<b>141</b>	<b>33.7%</b>	<b>1,449</b>	<b>1,388</b>	<b>(61)</b>	<b>(4.2)%</b>

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<b>Subject:</b>	<i>Statutory Consultee Annual Report</i>
<b>Date:</b>	<i>15 August 2017</i>
<b>Reporting Officer:</b>	<i>Ed Baker</i>
<b>Contact Officer:</b>	<i>Helen Richmond</i>

Is this report restricted?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Is the decision eligible for Call-in?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

<b>1.0</b>	<p><b>Purpose of Report or Summary of main Issues</b></p> <p>The purpose of this report is to ask members to clear the Statutory Consultee Annual Report and to note that an officer from Planning Service will be participating in a Task and Finish statutory consultation working group.</p>
<b>2.0</b>	<p><b>Recommendations</b></p> <p>It is recommended that Members agree the Annual report for onward transmission to the Department for Infrastructure (the Department) attached at Annex A.</p>
<b>3.0</b>	<p><b>Main report</b></p>
<b>3.1</b>	<p><u>Background and Context</u> Section 229 of the Planning (Northern Ireland) Act 2011 (Duty to respond to consultation) placed the previous administrative consultation arrangements in the development management process for planning applications on a statutory basis.</p>
<b>3.2</b>	<p>Consultee bodies that have been identified in Schedule 3 of the Planning (General Development Procedure) Order (Northern Ireland) 2015 (“the GDPO”) are <b>statutory consultees</b> and therefore subject to the duty to respond to statutory consultation requests from another district council, or the Department, acting as the relevant planning authority.</p>
<b>3.3</b>	<p>The key requirement on such a statutory consultee is to provide a substantive response to a statutory consultation request within a specified timeframe (usually 21 days). In addition, consultees are also required to provide an annual performance report to the Department specifying their performance in meeting their duty to respond to these statutory requests. The attached report sets out Belfast City Council performance for 2016/17. The department has no plans to publish the report.</p>

<b>3.4</b>	The department has acknowledged that there are shortcomings with the consultation process and is establishing a task and finish working group to identify and introduce improvements. An officer from Belfast City Council has been nominated to attend.
<b>3.5</b>	<u>Financial &amp; Resource Implications</u> There are no additional resource implication arising from the reports.
<b>3.6</b>	<u>Equality or Good Relations Implications</u> There are no equality and good relations implications associated with this report.



## ***Belfast City Council***

*Annual Statutory Consultee Report 2016 -17*

Section 229 of the Planning (Northern Ireland) Act 2011 (Duty to respond to consultation) placed the hitherto administrative consultation arrangements in the development management process for planning applications on a statutory basis. Consultee bodies that have been identified in Schedule 3 of the Planning (General Development Procedure) Order (Northern Ireland) 2015 (“the GDPO”) are **statutory consultees** and therefore subject to the duty to respond to statutory consultation requests from a district council, or the Department, acting as the relevant planning authority.

The key requirement on such a statutory consultee is to provide a substantive response to a statutory consultation request within a specified timeframe. In addition, consultees are also required to provide an annual performance report to the Department specifying their performance in meeting their duty to respond to these statutory requests.

**The Reporting year is from 1st April 2016 to 31st March 2017.**

### **1. CONSULTATION REQUESTS RECEIVED**

**Table 1: Total number of consultation requests**

<i>The total number of occasions on which the consultee was consulted (STATUTORY)</i>	21
<i>The total number of occasions on which the consultee was consulted (NON-STATUTORY)</i>	781
<i>Total</i>	802

\*A statutory consultation is ONLY generated from a Full, Reserved Matters or Outline application which is covered by Schedule 3 of the Planning (General Development Procedure) Order (NI) 2015 and which generates a Final Substantive Response.

## 2. CONSULTATION RESPONSES

Table 2: Statutory consultation responses returned

<i>The number of times a final substantive response* was sent.</i>	16
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\* A final substantive response is defined in 15(5) of the Planning (General Development Procedure) Order (NI) 2015

## 3. TIMELY CONSULTATION RESPONSES

Table 3: Statutory consultation responses returned within the original 21 day timeframe

<i>Total number of statutory consultation responses returned within the original 21 day timeframe</i>	6
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Table 4: Breakdown of timely consultation responses

<i>No. of days taken to return statutory consultation responses within the 21 day timeframe</i>	<i>Number of consultation consultations</i>	
<i>0-7 days</i>	2	
<i>8-14 days</i>	2	
<i>15-21 days</i>	2	
	<b>Total</b>	6

#### 4. AGREED EXTENDED TIMEFRAMES

Table 5: Agreed extended timeframes

<i>Total number of statutory consultation responses returned within an agreed extension</i>	1
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#### 5. LATE RESPONSES

Table 6: Late responses

<i>Total number of late* consultation responses</i>	9
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\* Late responses are those which are returned outside either the statutory 21 day timeframe or an otherwise agreed extension

Table 8: Breakdown of late responses (optional)

<i>No. of additional days that statutory deadline or agreed extension has been exceeded</i>	<i>Number of consultation consultations</i>	
<i>1- 5 days</i>	6	
<i>6-10 days</i>	2	
<i>11-19 days</i>		
<i>20-49 days</i>		
<i>50-99 days</i>	1	
<i>Over 100 days</i>		
	<b>Total</b>	9

Table 9: Reasons for late responses

<i>Reasons for not meeting the original or agreed extended timeframe</i>	<i>Number of late consultation responses</i>	
Reason 1: Consulted in error	8	
Reason 2: Outside committee timeline	1	
Reason 3:		
Reason 4:		
	<b>Total</b>	9

## **6. OUTSTANDING CONSULTATION RESPONSES**

Table 5: Total number of outstanding consultation responses

<i>Total number of statutory consultation responses outstanding at time of writing report</i>	1
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## **7. REVIEW**

Consultees can use the report to highlight to the Department any initiatives or practices that may improve the consultation process. This may be a consultee committing to providing guidance or standing advice for use by planning officers that will negate the need for a consultation or it may propose an approach to dealing with consultations within its own organisation in a more efficient manner.

*Please highlight below any initiatives or best practices you have developed which have improved your consultation process and could be shared with other consultees to make the consultation process more streamlined for all.*

Belfast City Council is aware that the department is setting up a Task and Finish Working Group to look at how to improve the statutory consultation process and is content to nominate an officer to participate.

***Please highlight any issues that you have had with the consultation process which you feel have hampered your ability to respond to consultation requests***

**Shortcomings with IT systems and processes**

Neither the processes for issuing the consultations by the department nor those by councils for responding are clear or easily understood. There appears to be an issue with the processes for consulting with Belfast City Council (BCC). For example, the majority of late responses to statutory consultations relate to where (BCC) Environment Health has been consulted, however Environmental Health is not a statutory consultee so should not have been consulted.

There seems to be the continuing problem with the system with the inability of it to process requests for an extension to the 21 day target response date.

Additionally the NI Portal is unable to provide an MIS report outlining either the number of statutory consultations issued to council, the date issued or date of responses. Provision of information for this report has involved a manual trawl of council IT systems based on an extract provided by the department setting out the number of consultation requests. It is difficult for Councils to verify the information provided by the department and any manual interrogation of computer systems could increase the risk of errors in reporting.

**21 day statutory response period does not allow sufficient time to comply with Council Committee procedures**

Before a planning consultation response can be issued on behalf of Belfast City Council a report must be presented and agreed by the Planning Committee. The Planning Committee meets on the 3rd Tuesday of every month and planning consultations received too late for the Planning Committee in a particular month, i.e. 7 days before the meeting date, will automatically have to be presented to the next Planning Committee, at least 4 weeks later and therefore immediately the 21 day response period required in the GDPO cannot be met.

Planning consultations received in the week after Planning Committee also have a minimum of 4 weeks delay before being presented for agreement.

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