

Public Document Pack

**Democratic Services Section
Legal and Civic Services Department
Belfast City Council
City Hall
Belfast
BT1 5GS**



**Belfast
City Council**

13th October, 2023

PLANNING COMMITTEE

Dear Alderman/Councillor,

The above-named Committee will meet in hybrid format, both in the Lavery Room - City Hall and remotely, via Microsoft Teams, on Tuesday, 17th October, 2023 at 5.00 pm, for the transaction of the business noted below.

You are requested to attend.

Yours faithfully,

John Walsh

Chief Executive

AGENDA:

7. Miscellaneous Reports

- (b) Update on application LA04/2023/3787/LBC - Proposed demolition of lean-to external store. 2 Royal Avenue, Belfast, BT1 1DA (Pages 1 - 4)



Subject:	Update on application LA04/2023/3787/LBC Proposed demolition of lean-to external store. 2 Royal Avenue, Belfast
Date:	17 th October 2023
Reporting Officer(s):	Kate Bentley, Director of Planning and Building Control
Contact Officer(s):	Ed Baker, Planning Manager (Development Management)

Restricted Reports	
Is this report restricted?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If Yes, when will the report become unrestricted?	
After Committee Decision	<input type="checkbox"/>
After Council Decision	<input type="checkbox"/>
Some time in the future	<input type="checkbox"/>
Never	<input type="checkbox"/>

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

1.0	Purpose of Report or Summary of Main Issues
1.1	To provide an update on application LA04/2023/3787/LBC Proposed demolition of lean-to external store. 2 Royal Avenue, Belfast. The decision was issued in error prior to the Planning Committee meeting on 19 th September 2023.
2.0	Recommendation
2.1	The Committee is asked to note the report.
3.0	Main Report
	<u>Background</u>
3.1	Application LA04/2023/3787/LBC Proposed demolition of lean-to external store. 2 Royal Avenue, Belfast, was scheduled for consideration by the Committee at its 19 th September 2023 meeting. However, the decision was issued in error on 14 th September, prior to the meeting. Officers reported this to the Committee, advising that the cause appeared to be due to an “administrative technical error”.

3.2	<p>On the advice of the City Solicitor, the Committee went onto consider the application, resolving that it would have granted Listed Building Consent with the conditions recommended in the Committee report and attached to the decision that had issued.</p> <p><u>Public interest</u></p>
3.3	<p>The officer recommendation to approve the application, which was agreed by the Committee, was subject to no new issues being raised by the end of the consultation period, which ended on 29th September. No representations were received.</p>
3.4	<p>In view of the Committee's decision to approve the application, it would not be in the public interest to take any further action in relation to the decision that has been issued.</p>
3.5	<p>An explanatory file note, setting out the background to the decision, has been published on the NI Planning Portal in the interests of transparency of the decision-making process.</p> <p><u>Technical administrative error</u></p>
3.6	<p>Officers have investigated how the decision notice was issued in error.</p>
3.7	<p>The normal process is for applications that are known not to follow the delegated route, such as this application, are identified in the back-office IT system at the registration stage, shortly after receipt of the application. This process was not followed in this case due to human oversight.</p>
3.8	<p>The application was subsequently assessed as a delegated application and passed through to the senior officer to authorise the decision for issuing. However, the senior officer realised that the application could not be issued under delegated powers and so aborted the authorisation process, with the authorisation field in the back-office system that had initially be completed removed. However, the system had generated an electronic auto-task to the planning officer to "Finalise Report". The officer recorded the task as being completed, having completed their assessment. Crucially, this then generated a further auto-task that was sent directly to the administrative team to issue the decision. Whilst the authorisation field had been removed from the back-office system, the draft decision notice had not been removed at the same time. The administrative team naturally assumed that the decision was ready to issue because the draft decision notice was present and they had received the "issue decision" task and went onto issue the decision.</p>
3.9	<p>As can be seen, a number of unique circumstances led to the decision being issued by mistake, some human error and some due to the configuration of the system.</p> <p><u>Future controls</u></p>
3.10	<p>The following controls have or are being put in place to ensure that this error does not occur again.</p> <ul style="list-style-type: none"> a) Clearer process instruction requiring officers to assign applications as either "delegated" or "non-delegated" on registration at the beginning of the process; b) Requirement that the authorisation field in the back-office system is only ever completed by the senior officer authorising the decision; c) Where the authorisation field is removed for any given reason, the draft decision notice will also be deleted from the system;

	<p>d) Planning Service to investigate with the ICF (which manages the contract for the Planning Portal IT system) the scope for local re-configuration to remove auto-generation tasks for issuing decisions to the administration team – only manual tasks will be used which is the current normal process; and</p> <p>e) For manual tasks sent by the senior officer to the administrative team to issue the decision, a cover message will be included in the “task dialogue box” requesting that decision is issued (i.e. it is clearly evident that the task is human created).</p>
4.0	Financial & Resource Implications
4.1	No material impacts.
5.0	Equality or Good Relations Implications / Rural Needs Assessment
5.1	No adverse impacts identified.
6.0	Appendices – Documents Attached
	None

This page is intentionally left blank