

Henry Peterson
Chairman
St Quintin and Woodlands Neighbourhood Forum

Date: 29 January 2019

SENT BY EMAIL ONLY

Dear Henry

I am responding to your letter of 22 December 2018. Apologies this has taken quite so long to issue, however, due to the Christmas break the letter was only passed to officers in early January and the team have now pulled together a helpful response to your questions below.

We also now have a meeting in the diary for you, Will McKee and me to meet on 21 February. The intention of which is to discuss any wider concerns you may have with how OPDC operates and if there are measures we could introduce to address these. I look forward to seeing you then.

Questions and Answers

1. Can you confirm that a large majority of all major planning applications determined to date by OPDC Planning Committee have been the subject of PPAs?

Answer: *Yes. OPDC have determined 9 major planning applications to date. 7 of these applications were subject to a PPA at the pre-application and/or application stage. Paragraph 46 of the NPPF advises that “planning performance agreements are likely to be needed for applications that are particularly large or complex to determine”. The 7 applications subject to a PPA were all of a large and/or complex nature. OPDC consider that it is appropriate to enter into PPA’s at the pre-application stage for large and/or complex proposals as it facilitates an opportunity for officers to bring issues and problem areas to the developers attention so that these can be addressed before a planning application is submitted. As set out in the NPPG, entering into a PPA at the pre-application stage can also “provide an ideal opportunity for identifying the preferred approach to community engagement, including the identification of the communities to involve, the process of engagement and the best approach to incorporating their views.”*

2. Will OPDC agree to publish on the planning applications pages of its website an explanation of how it operates PPAs, so that Londoners can understand how these agreements work in practice?

Answer: *Yes, we acknowledge the website isn’t clear on this and we will update the website to provide some further information on how we operate PPAs.*

3. Is it OPDC practice for the lead officer on a PPA also to prepare the committee report and recommendations on an application?

Answer: *In most cases the officer which leads on pre-application advice (PPA) will also be the case officer for any subsequent planning application, including drafting the committee report and*

recommendation. Committee reports and recommendations are subject to review and sign off by the Head of Development Management/Director of Planning before they are finalised and published.

4. How often (roughly) have the charges for pre-application advice published on the OPDC website been charged to an applicant? What sort of applications as handled by OPDC do these charges relate to?

Answer: OPDC introduced mandatory charges for pre-application advice in August 2018. Since then we have charged for pre-application advice on 8 separate occasions, 3 of which were for the same site. The enquiries relate to a range of major/large scale major and strategic development proposals, as defined in the OPDC pre-application advice fee schedule published on our website.

5. If decisions on applications are delegated to officers (other than decisions to refer onwards to the three Boroughs) how are these reported to the public?

Answer: All planning applications are subject to statutory public consultation requirements and all planning decisions and officer reports are published online on the OPDC's planning register.

6. As referred to in the OPDC Planning Code of Conduct at paragraph 4.1.3, what are the 'application files' and the 'pre-application files' as held by the Corporation? What parts of the latter cannot be made public once an application is submitted?

Answer: The 'application files and 'pre-application files' are electronic files containing all documents relating to either the pre-application request or the planning application. Any part of the pre-application file that would be exempt from FOI or would contravene the GDPR cannot be made public after the submission of a planning application.

7. Where does the OPDC hold its statutory Planning Register, and how are the public able to inspect this? Is a paper Register maintained, and if not how are the public able to see notes of meetings with applicants and other background material to an application?

Answer: OPDC's statutory planning register is held electronically and is available to view on the OPDC website. If members of the public do not have online access they can, by appointment, make arrangements to view the planning register at our offices. This is set out on our statutory planning application letters, site notices and press notices. To date, we have not received any requests to view the planning register at our offices.

8. Is the practice of recording notes of pre-application meetings and any significant phone conversations, as required by paragraph 4.1.3, being adequately maintained?

Answer: Our pre-application notes are maintained and are published online when a planning application is received following pre-application advice. We have not offered pre-application advice by telephone.

9. Are the OPDC Planning Code of Conduct as adopted in May 2015, and the Code of Conduct applying to members at Appendix 1 of the OPDC Standing Orders, the sole codes that apply within the OPDC? Or do the series of other GLA codes referred to above also apply? If the latter, which takes precedence?

Answer: The Terms of Appointment, signed by Members, specifies a requirement to agree to comply with the standards and processes set out in OPDC's Code of Conduct (as also mentioned in the OPDC

Standing Orders) and OPDC's Planning Code of Conduct. Therefore, it is these Codes that apply to Members. In their terms of appointment, Members also agree to adhere to any provisions, where relevant and applicable, of the GLA Group's Corporate Governance Framework Agreement: https://www.london.gov.uk/sites/default/files/corporate_governance_framework_agreement_may18.pdf

This was approved by the Mayor of London, following consultation with its functional bodies, including OPDC.

The three GLA codes you list within your letter do not apply to OPDC members. Nor do they take precedence over the OPDC's own adopted code of Conduct or Planning Code of Conduct.

10. Either way, can the relevant GLA and OPDC web pages be updated so that the public can be clear on the position? (The relevant GLA web page is at <https://www.london.gov.uk/about-us/governance-and-spending/good-governance/high-standards-conduct>)

Answer: Yes, we will look at reviewing the OPDC website to make it clear which codes apply to members

11. Why are links to Register of Interest declarations published on the OPDC website for OPDC Board members, but not for Planning Committee members?

Answer: We are in the process of updating our website to ensure these are published.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Liz Peace', with a long horizontal flourish extending to the right.

Liz Peace, CBE
Chairman
Old Oak and Park Royal Development Corporation