



City of Westminster

Planning & City Development Committee

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Classification: General Release

Title: Review of Planning Applications Sub-Committee Formats

Report of: Director of Place Shaping and Town Planning

Financial Summary: None.

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07971026919)**

1. Executive Summary

- 1.1 This report provides a review of planning committee processes over the last 18 months and sets out the proposed future format for planning committee meetings.

2. Recommendation

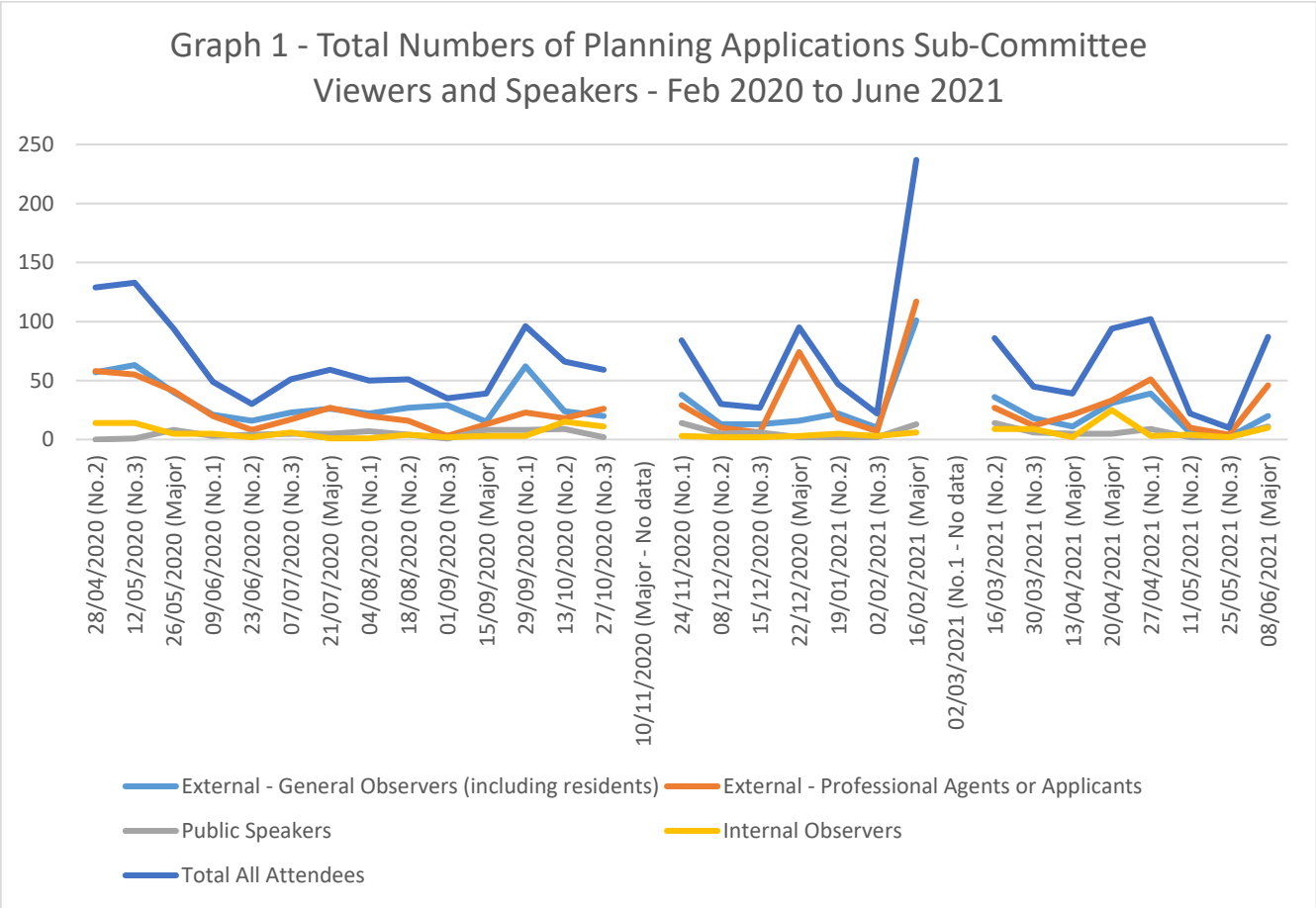
- 2.1 Members are asked to consider the contents of this report and are invited to comment on the proposed future format for planning committee meetings having regard to their recent experiences of in-person, virtual and hybrid committee formats.

3. Background

- 3.1 Prior to the start of the Coronavirus pandemic the Council had already begun to review and take appropriate steps to enhance and digitise its planning committee format to enhance the accessibility of the meetings and improve the transparency of decision making on high profile and contentious applications. In advance of the pandemic the ability for interested parties to address the planning committees directly had been introduced in February 2019 and the live streaming of committee meetings, with additional functionality to 'catch up' on previous committee meeting recordings, was introduced in February 2020.
- 3.2 The live streaming introduced in February 2020 utilised a system provided by Civico, which has been specifically developed for the purpose of hosting live public meetings, particularly in circumstances where the committee is located within a single committee chamber. To deliver a high-quality recording of a public meeting the Civico system has bespoke functionality, including provision of multiple cameras within the committee room which it automatically switches between to record speakers, the ability to automatically identify speakers on screen, the capability to link the recordings to the published agenda, back office controls for the committee clerk specifically designed for public meetings, the ability to display presentation material alongside images of the committee and/ or officers during the committee meeting and a user friendly portal for connecting to live recordings and searching for previous recordings.

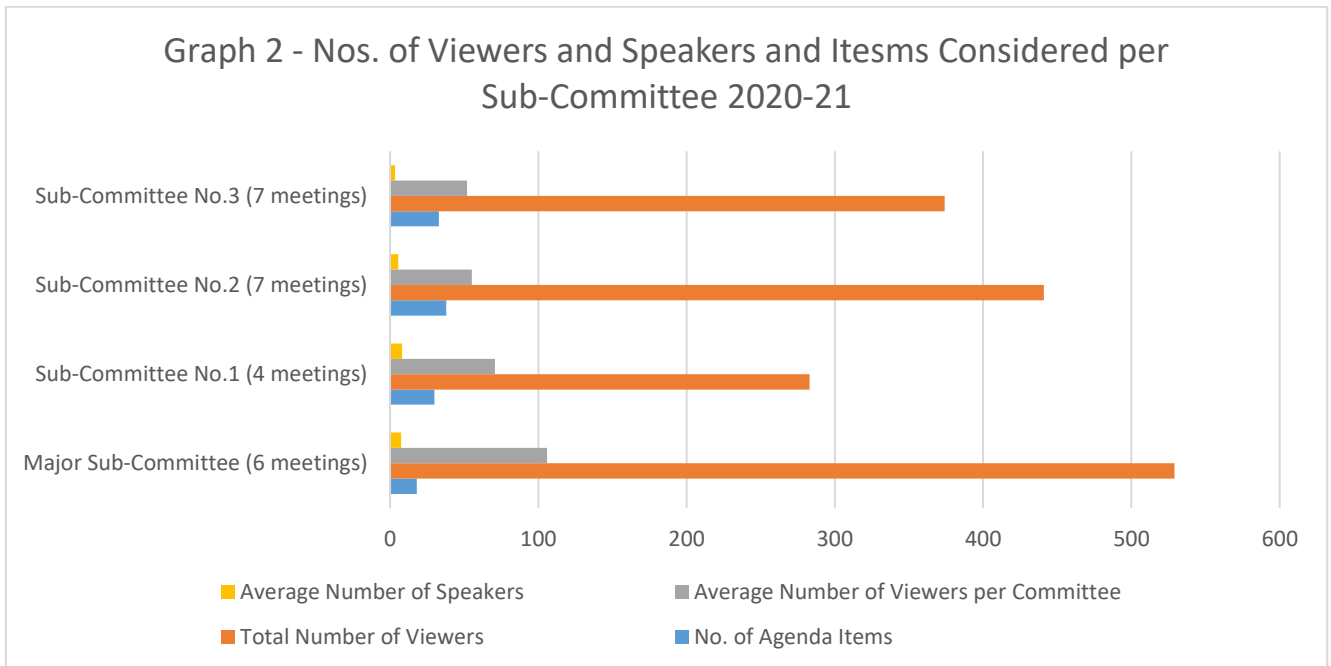
3.3 In light of the initial coronavirus lockdown period it was necessary to incorporate 'Covid Secure' measures when hosting public meetings. Consequently, following the coming into force of temporary enabling legislation to allow virtual public meetings on 2 April 2020, the Council switched from the use of the Civico system to use of Microsoft (MS) Teams from 14 April 2020 onwards. The switch in platform was necessary as the Civico system is designed to capture committee meetings where the committee is located in a single location, rather than all participants being remotely located. Fully virtual meetings using MS Teams commenced on 9 April and public speaking for Ward Councillors was reintroduced at the Sub-Committee meeting on 12 May, with other speakers able to make verbal representations from 26 May onwards.

3.4 An initial review of the use of MS Teams to host planning committee meetings was reported to the Planning and City Development Committee on 20 October 2020. The initial review identified that initially virtual committee meetings attracted high viewing figures, with the uniqueness of their format attracting interest from planning professionals from across the public and private sector. Following this initial peak viewer numbers were identified as transitioning back towards more typical viewer numbers, as was experienced prior to the switch from Civico to MS Teams, and this trend has continued in the data now available for the full year from April 2020 to March 2021 (see Appendix 1 and Graph 1). Whilst no data is available for viewer numbers prior to the introduction of live streaming of planning committee meetings in February 2020, anecdotally it is evident that viewer numbers are higher than prior to the advent of live streaming, when it was not infrequent for committees to meet in front of little or no audience.



3.5 The underlying trend for virtual committee meetings held using MS Teams was for an average of 30 to 50 viewers/external participants, with occasional spikes caused by

more high profile or contentious applications being reported to committee (e.g., the spike on 16 February 2021 relates to Grosvenor's Cundy Street redevelopment scheme). Consequently, the full year average was for 66 viewers/external participants per committee meeting. The number of viewers per Sub-Committee is shown in Appendix 2 and Graph 2 along with the number of items each committee considered.



(Note: Graph 2 omits 3 Sub-Committee meetings. There were 6 Sub-Committee No.1 meetings and 7 Major Sub-Committee meetings during 2020-21, but data for 14 April 2020, 10 November 2020 and 2 March 2021 is unavailable).

3.6 Data has also been collected on the numbers of public speakers that have made representations to the Planning Applications Sub-Committees (see Appendix 3). This indicates that virtual (and latterly hybrid) committee meetings have led to an increase in persons making verbal representations, most likely due to the increased accessibility of committee meetings. Prior to the move to virtual committees in April 2020 an average of 5.68 people addressed each committee meeting, whereas during the period of virtual and hybrid committee meetings since (up to 8 June 2021) this has risen to an average of 5.97 people. During both periods the average number of items on each agenda remained 4.86. The data also shows that the length of virtual/hybrid committee meetings has been longer (on average they last 2.48 hours) compared to physical meetings held before the pandemic (which were 1.87 hours long on average). However, this is likely to be in part be related to the increased number of public speakers and the complexity of a number of the major applications heard during this period, as well as delays to the fluidity of meetings caused by the use of virtual technology.

3.7 Following the Government's decision not to extend the temporary legislation that enabled fully virtual committee meetings (The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020), and an unsuccessful legal challenge by Hertfordshire County Council and others, which sought to argue that virtual public meetings were in fact permissible under the original legislation (the Local Government Act 1972), fully virtual planning committees could no longer be held after 7 May 2021.

- 3.8 From 7 May 2021 the Council moved to a hybrid committee meeting format, which is compliant with the requirements of the Local Government Act 1972 by ensuring that the committee meets in a single location (the City Hall committee rooms) and that the meeting is publicly accessible for those members of the public who wish to attend the meeting in person. However, the retention of remote access via the live stream, and for public speakers and presenting officers, enables the number of non-core participants and observers in the room to be minimised enabling the meeting to remain compliant with the ongoing need to observe social distancing and maintain Covid secure measures within City Hall. The first hybrid Planning Applications Sub-Committee was held on 1 May 2021 and there have been 6 hybrid committee meetings to date.
- 3.9 Initially hybrid meetings have been held using MS Teams, but the longer-term intention is to transition to use of Civico software once the Civico remote app, which enables the use of the in-office Civico equipment to be used in combination with remote attendees, has been fully tested and demonstrated to be fully functional and compatible with the Council's corporate IT systems.

4. Benefits of In-Person, Virtual and Hybrid Committee Meeting Formats

In-Person Sub-Committee Meetings

- 4.1 Whilst use of virtual and hybrid meeting formats over the last 15 months has demonstrated the limitations of traditional in-person committee meetings in terms of reach, transparency of decision making, and flexibility for participants and viewers. The same period has also highlighted a number of benefits to holding planning committees as an in-person meeting, which are summarised below along with the main limitations:

Benefits

- The committee is more easily visible to those attending the meeting in the public gallery.
- Interactions between members of the committee and/or with officers are more intuitive.
- More intuitive interaction typically contributes to quicker committee meetings.

Limitations

- Limited reach to less engaged individuals and groups.
- Limited accessibility for interested parties that have responsibilities that preclude travel to City Hall in the evening.
- Less transparency/ public understanding of the reasons for making planning decisions.
- Greater time and travel commitments for Members, officers and public speakers participating in the meeting.
- Increased costs associated with holding committee meetings.

Virtual Sub-Committee Meetings

- 4.2 Virtual committee meetings were utilised during the first 13 months of the pandemic as a matter of necessity to ensure the continued determination of complex and major planning applications that fall outside of the scope of the schedule of delegation of planning powers to officers. Their use has demonstrated several benefits to further increases in digitisation of the committee meeting process, as well as highlighting areas where a degree of in-person attendance may have a positive impact both for those participating and for remote viewers. These are summarised below:

Benefits

- Greater reach and accessibility of committee meetings, encouraging viewers with a more casual interest in particular applications to view proceedings.
- Increased participation by public speakers.
- Greater transparency of decision making.
- More limited time commitments required from participants (Members, officers and public speakers).
- Reduced costs associated with holding the meeting.

Limitations

- Interactions between members of the committee and/ or with officers are less intuitive and potentially harder for viewers to follow.
- Models and other physical items that may aid decision making cannot be presented to the committee.
- Reliant on participants and viewers having suitable technology to access the meeting.

Hybrid Sub-Committee Meetings

4.3 Initial feedback following the introduction of hybrid meetings is that they have the potential to deliver a range of benefits to participants and viewers that were previously split across either in-person or virtual meetings. The main benefits and limitations are summarised below:

Benefits

- Retain the greater reach and accessibility of virtual committee meetings, encouraging viewers with a more casual interest in particular applications to view proceedings.
- Increased participation by public speakers.
- Retains greater transparency of decision making observed during virtual meetings.
- Provides the option to attend the meeting in person for those without appropriate technology/ who are more comfortable avoiding the use of technology.
- Interactions between members of the committee and/ or with officers are more intuitive.
- More intuitive interaction typically contributes to quicker committee meetings.
- Retains more limited time commitments for some officers and public speakers (where they choose to make their representations remotely).
- Reduced costs associated with holding the meeting.

Limitations

- No significant cost saving relative to the cost of holding a traditional in-person meeting.

5. Future Committee Meeting Format

5.1 Whilst the Government chose not to extend the temporary legislation that enabled fully virtual committee meetings, it did not contend during the unsuccessful legal challenge by Hertfordshire County Council and others that the existing legislation precluded hybrid committee meetings. Indeed, prior to the unsuccessful legal challenge, in March 2021 the Government launched a call for evidence seeking views on the use of the temporary arrangements that provided express provision for local authorities to hold meetings remotely or in a hybrid format during the coronavirus pandemic.

5.2 It is clear from the Government's call for evidence that they are considering the potential introduction of more flexible arrangements for the permanent use of digital technology to enable hybrid and fully virtual public meetings. However, as the Council has demonstrated since early May 2021, it is possible to deliver a hybrid format planning

committee meeting within the current legislative framework. Nevertheless, legislation that is up to date and drafted cognisant of the capabilities of modern digital technology in the field of hosting public meetings would be welcome. For example, compliance with the Local Government Act 1972 currently requires all of committee members to be located within the same physical space; whereas it may be preferable in future for members of the committee to have the option on occasion to participate remotely.

- 5.3 Having regard to the experience gained over the last 15 months, as summarised in Section 3, and the benefits and limitations of the three committee meeting formats set out in Section 4, it is clear that hybrid committee meetings offer the greatest benefits with the fewest limitations for Members, officers, public speakers and those in the public gallery alike. Therefore, officers recommend that a hybrid format for planning committee meetings is adopted as the default committee meeting format beyond the end of the pandemic and associated social distancing restrictions.
- 5.4 As noted in paragraph 3.8, currently hybrid committee meetings are operated using MS Teams. Whilst Teams is an assured platform for business meetings and other less formalised meeting types, it lacks the bespoke functionality offered by the Civico system that the Council has already procured (see paragraph 3.2). Therefore, it is recommended that upon successful completion of testing of the remote access app and integration with corporate IT systems, hybrid planning committees are carried out using this software platform.
- 5.5 Use of Civico, rather than MS Teams, will have the following principal benefits in terms of hybrid committee meetings:
- Enhance the appearance of the Committee to remote viewers (currently it is a single fixed long-range image with limited ability to zoom in on the current speaker).
 - Ability for officer presentations to be shown on screen concurrently with an image of the Committee Member of officer who is speaking.
 - Provide enhanced and more intuitive access live streams and previous recordings (which is likely to increase viewer numbers – both live and ‘catch up’).
 - Enhanced ability to link the committee recording with committee reports and minutes for each item.
 - Enhanced meeting control functionality for the Committee Clerk.

6. Financial Implications

- 6.1 None.

7. Legal Implications

- 7.1 None. Subject to ensuring that any future changes to the format of planning committee meetings remain compliant with the Local Government Act 1972 or any future replacement legislation.

8. Conclusion

- 8.1 Having regard to the experience of traditional in-person committee meetings prior to early 2020 and subsequent experience gained from holding virtual and hybrid committee meetings during the pandemic, it is clear that the greatest future benefits in terms of accessibility, transparency and understanding of planning decision making are secured by the operation of a hybrid planning committee format in future, which builds on the early success of the format current in operation using MS Teams.

- 8.2 Maintaining a hybrid format with the ability for viewers and participants to join the meeting remotely also has significant benefits in enhancing the diversity of participants in the planning process by reducing traditional barriers to participation from many groups, such as caring or work commitments, inability to travel to a specific venue, concerns about addressing the committee in person etc.
- 8.3 The ability for remote access to committee meetings as part of a hybrid format also enhances the ability for the Council to ensure that appropriately skilled officers are present at meetings to support decision making and also enhances the Council's role as an employer by ensuring that attendance at committee meetings results in a more limited requirement for officers to work and travel outside of normal office hours.

If you have any questions about this report, or wish to inspect one of the background papers, please contact: Oliver Gibson (ogibson@westminster.gov.uk / 07971026919)

Background Papers:

1. Planning Applications Sub-Committee Attendance Data (All Committees) April 2020 to June 2021.
2. Planning Applications Sub-Committee Attendance Data (Individual Committees) 2020-21.
3. Planning Applications Sub-Committee Public Speakers Data (2019-2021).

Appendix 1 - Planning Applications Sub-Committee Attendance Data (All Committees) April 2020 to June 2021

All Viewers (Live & Recording)	14-Apr	28-Apr	12-May	26-May	09-Jun	23-Jun	07-Jul	21-Jul	04-Aug	18-Aug	01-Sep	15-Sep	29-Sep	13-Oct	27-Oct	10-Nov	24-Nov	08-Dec	15-Dec	22-Dec	19-Jan	02-Feb	16-Feb	02-Mar	16-Mar	30-Mar	13-Apr	20-Apr	27-Apr	11-May	25-May	08-Jun				
Sub-Committee	1	2	3	M	1	2	3	M	1	2	3	M	1	2	3	M	1	2	3	M	2	3	M	1	2	3	M	M	1	2	3	M				
No. of Items on Agenda	11	5	5	5	7	6	6	4	6	8	5	4	10	6	6	4	7	4	3	2	3	2	3	5	6	6	1	1	7	3	3	3	Total	Ave.	%	
External - General Observers (including residents)	Data	57	63	40	21	16	23	26	22	27	29	15	62	24	20	Data	38	13	13	16	22	10	101	Data	36	18	11	31	39	6	2	20	712	24.6	38.3%	
External - Public Speakers	Not Avail.	0	0	7	3	4	4	5	5	4	1	8	7	8	2	Not Avail.	13	4	6	2	2	2	9	Not Avail.	10	6	4	4	7	2	2	8	139	4.8	7.5%	
External - Professional Agents or Applicants	Avail.	58	55	41	20	8	17	27	20	16	3	13	23	18	26	Avail.	29	10	6	74	18	7	117	Avail.	27	12	21	33	51	10	4	46	810	27.9	43.6%	
Internal - Officers (excl. Committee Staff)		9	14	5	4	2	6	1	1	2	2	2	3	15	9		2	1	2	1	4	2	4		8	7	2	24	3	4	2	9	150	5.2	8.1%	
Internal - Members as Public Speakers		0	1	1	0	0	1	0	2	0	0	0	1	1	0		1	1	0	0	0	0	4		4	0	1	1	2	0	0	3	24	0.8	1.3%	
Internal - Members (excl. Members of the Committee)		5	0	0	1	0	0	0	0	2	0	1	0	0	2		1	1	0	2	1	1	2		1	2	0	1	0	0	0	1	22	0.8	1.2%	
Total All Viewers		129	133	94	49	30	51	59	50	51	35	39	96	66	59		84	30	27	95	47	22	237		86	45	39	94	102	22	10	87	1857	64.0	100%	
Catch Up' Viewers (i.e. Not Live)	14-Apr	28-Apr	12-May	26-May	09-Jun	23-Jun	07-Jul	21-Jul	04-Aug	18-Aug	01-Sep	15-Sep	29-Sep	13-Oct	27-Oct	10-Nov	24-Nov	08-Dec	15-Dec	22-Dec	19-Jan	02-Feb	16-Feb	02-Mar	16-Mar	30-Mar	13-Apr	20-Apr	27-Apr	11-May	25-May	08-Jun	Total	Ave.	%	
External	Data	14	14	10	4	1	2	7	11	6	7	2	6	1	6	Data	6	4	1	6	6	5	15	Data	21	8	3	5	6	4	2	9	163	2.9	75.8%	
Internal	Not Avail.	1	1	1	1	0	2	0	1	1	0	0	1	0	4	Not Avail.	2	0	1	0	3	1	0	Not Avail.	0	2	0	0	0	0	0	1	22	0.3	10.2%	
Total No. 'Catch Up Viewers'	Avail.	15	15	11	5	1	4	7	12	7	7	2	7	1	10	Avail.	8	4	2	6	9	6	15	Avail.	21	10	3	5	6	4	2	10	215	7.4	86%	
Catch Up' Viewers as % of Total Audience		12%	11%	12%	10%	3%	8%	12%	24%	14%	20%	5%	7%	2%	17%		10%	13%	7%	6%	19%	27%	6%		24%	22%	8%	5%	6%	18%	20%	11%	10.0%	-	-	

All committee meetings were held in virtual format except those with a green header, which were held in a hybrid format.

Appendix 2 - Planning Applications Sub-Committee Attendance Data (Individual Committees) 2020-21

Major Planning Applications Sub-Committee

MAJOR COMMS - All Viewers (Live & Recording)	26-May	21-Jul	15-Sep	10-Nov	22-Dec	16-Feb			
Sub-Committee	M	M	M	M	M	M			
No. of Items on Agenda	5	4	4	4	2	3	Total	Average	%
External - General Observers (including residents)	40	26	15	Not	16	101	198	39.6	37.4%
External - Public Speakers	7	5	8	Avail.	2	10	32	6.4	6.0%
External - Professional Agents or Applicants	41	27	13		74	117	272	54.4	51.4%
Internal - Officers (excl. Committee Staff)	5	1	2		1	4	13	0.5	2.5%
Internal - Members as Speakers	1	0	0		0	4	5	1.0	0.9%
Internal - Members (excl. Members of the Committee)	0	0	1	2	6	9	0.4	1.7%	
Total All Viewers	94	59	39		95	242	529	105.8	100.0%
Catch Up' Viewers (i.e. Not Live)	26-May	21-Jul	15-Sep	10-Nov	22-Dec	16-Feb	Total	Average	%
External	10	7	2	Data	6	15	40	8.0	97.6%
Internal	1	0	0	Not	0	0	1	0.0	2.4%
Total No. 'Catch Up Viewers'	11	7	2	Avail.	6	15	41	2.0	100.0%
Catch Up' Viewers as % of Total Audience	12%	12%	5%		6%	6%	7.8%	-	-

Planning Applications Sub-Committee No.1

COMM NO.1 - All Viewers (Live & Recording)	14-Apr	09-Jun	04-Aug	29-Sep	24-Nov	02-Mar			
Sub-Committee	1	1	1	1	1	1			
No. of Items on Agenda	11	7	6	10	7	5	Total	Average	%
External - General Observers (including residents)	Not	21	22	62	38	Not	143	35.8	50.5%
External - Public Speakers		3	5	7	13		28	7.0	9.9%
External - Professional Agents or Applicants	Avail.	20	20	23	29	Avail.	92	23.0	32.5%
Internal - Officers (excl. Committee Staff)		4	1	3	2		10	2.5	3.5%
Internal - Members as Speakers		0	2	1	1		4	1.0	1.4%
Internal - Members (excl. Members of the Committee)		1	2	1	2		6	1.5	2.1%
Total All Viewers		49	52	97	85		283	70.8	100.0%
Catch Up' Viewers (i.e. Not Live)	14-Apr	09-Jun	04-Aug	29-Sep	24-Nov	02-Mar	Total	Average	%
External	Data	4	11	6	6	Data	27	6.8	84.4%
Internal	Not	1	1	1	2	Not	5	1.3	15.6%
Total No. 'Catch Up Viewers'	Avail.	5	12	7	8	Avail.	32	8.0	100.0%
Catch Up' Viewers as % of Total Audience		10%	23%	7%	9%		11.3%	-	-

Planning Applications Sub-Committee No.2

	28-Apr	23-Jun	18-Aug	13-Oct	08-Dec	19-Jan	16-Mar			
COMM NO.2 - All Viewers (Live & Recording)										
Sub-Committee	2	2	2	2	2	2	2			
No. of Items on Agenda	5	6	8	6	4	3	6	Total	Average	%
External - General Observers (including residents)	57	16	27	24	13	22	36	195	27.9	44.2%
External - Public Speakers	0	4	4	8	4	2	10	32	4.6	7.3%
External - Professional Agents or Applicants	58	8	16	18	10	18	27	155	22.1	35.1%
Internal - Officers (excl. Committee Staff)	9	2	2	15	1	4	8	41	5.9	9.3%
Internal - Members as Speakers	0	0	0	1	1	0	4	6	0.9	1.4%
Internal - Members (excl. Members of the Committee)	5	0	2	1	2	1	1	12	1.7	2.7%
Total All Viewers	129	30	51	67	31	47	86	441	63.0	100.0%
Catch Up' Viewers (i.e. Not Live)										
External	14	1	6	1	4	6	21	32	5.3	86.5%
Internal	1	0	1	0	0	3	0	5	0.8	13.5%
Total No. 'Catch Up Viewers'	15	1	7	1	4	9	21	37	6.2	100.0%
Catch Up' Viewers as % of Total Audience	12%	3%	14%	1%	13%	19%	24%	8.4%	-	-

Planning Applications Sub-Committee No.3

	12-May	07-Jul	01-Sep	27-Oct	15-Dec	02-Feb	30-Mar			
COMM NO.3 - All Viewers (Live & Recording)										
Sub-Committee	3	3	3	3	3	3	3			
No. of Items on Agenda	5	6	5	6	3	2	6	Total	Average	%
External - General Observers (including residents)	63	23	29	20	13	10	18	176	25.1	47.1%
External - Public Speakers	0	4	1	2	6	2	6	21	3.0	5.6%
External - Professional Agents or Applicants	55	17	3	26	6	7	12	126	18.0	33.7%
Internal - Officers (excl. Committee Staff)	14	6	2	9	2	2	7	42	6.0	11.2%
Internal - Members as Speakers	1	1	0	0	0	0	0	2	0.3	0.5%
Internal - Members (excl. Members of the Committee)	1	1	0	2	0	1	2	7	1.0	1.9%
Total All Viewers	134	52	35	59	27	22	45	374	53.4	100.0%
Catch Up' Viewers (i.e. Not Live)										
External	14	2	7	6	1	5	8	43	6.1	79.6%
Internal	1	2	0	4	1	1	2	11	1.6	20.4%
Total No. 'Catch Up Viewers'	15	4	7	10	2	6	10	54	7.7	100.0%
Catch Up' Viewers as % of Total Audience	11%	8%	20%	17%	7%	27%	22%	14.4%	-	-

Appendix 3 – Planning Applications Sub-Committee Public Speakers Data - February 2019 to June 2021)

Half Year Period	Committee Format	No. of Comms Meetings	Total Apps on Agenda	Ave. Apps on Agenda	Ave. Length of Meeting (Hrs)	Agents/ Resident Speakers in Support	Ave. Agents/ Resident Speakers in Support	Agent/ Resident Speakers Against	Ave Agents/ Resident Speakers in Against	Am Soc/ Neigh Forum/ BID	Ave. Am Soc/ Neigh Forum/ BID	Members	Ave. Members	Total Speakers in Period	Ave. Speakers per Comms
26 Feb to 30 June 2019	Physical	17	105	6.18	1.64	34	2	14	0.82	2	0.12	12	0.71	62	3.65
1 July to 31 Dec 2019	Physical	17	96	5.65	2.27	69	4.06	30	1.76	8	0.45	11	0.65	92	5.41
1 Jan to 30 June 2020	Physical & Virtual	16	80	5.00	2.06	41	2.56	22	1.38	12	0.75	11	0.69	79	4.94
1 July to 31 Dec 2020	Virtual	14	74	5.29	2.61	47	3.36	25	1.79	4	0.29	8	0.57	84	6.00
1 Jan to 30 June 2021	Virtual & Hybrid	12	44	3.67	2.35	32	2.67	20	1.67	7	0.58	15	1.25	74	6.17