



Title of Report:	Update of Outstanding NIAO and PAC recommendations		
Committee Report Submitted To:	Planning Committee		
Date of Meeting:	26 February 2025		
For Decision or For Information	For Decision		
To be discussed In Committee YES/NO	No		
Linkage to Council Strategy (2021-25)			
Strategic Theme	Improvement and Innovation		
Outcome	Council maintains its performance as the most efficient of NI's local authorities		
Lead Officer	Head of Planning		
Estimated Timescale for Completion			
Date to be Completed	N/A		
Budgetary Considerations			
Cost of Proposal	N/A		
Included in Current Year Estimates	N/A		
Capital/Revenue	revenue		
Code	5301		
Staffing Costs	included		
Legal Considerations			
Input of Legal Services Required	NO		
Legal Opinion Obtained	NO		
Screening Requirements	Required for new or revised Policies, Plans, Strategies or Service Delivery Proposals.		
Section 75 Screening	Screening Completed:	N/A	Date:
	EQIA Required and Completed:	N/A	Date:
Rural Needs Assessment (RNA)	Screening Completed	N/A	Date:
	RNA Required and Completed:	N/A	Date:
Data Protection Impact Assessment (DPIA)	Screening Completed:	N/A	Date:
	DPIA Required and Completed:	N/A	Date:

FOR INFORMATION

1.0 Purpose

1.1 This Report is to provide Members with an update on the outstanding audit recommendations from the NIAO and Public Accounts Committee reports published in February and March 2022 respectively.

2.0 Details

2.1 The Northern Ireland Audit Office (NIAO) and the Northern Ireland Assembly (PAC) published reports on the Planning System in Northern Ireland in February and March 2022 respectively.

2.2 The Reports considered how the system has operated since April 2015 and conclude that it is not working effectively and not providing certainty and the impact that this has on applicants, developers and the economy, communities or the environment.

2.3 It found that progress on Local Development Plans (LDPs) is equally poor and commented that the process is stymied by a complete underestimation of the complexity and volume of the work required, necessary skills and resources, compounded by the oversight by DfI.

2.4 The Report highlights the Committees concerns including:

- about the long-term, cumulative effect of widespread quality issues and the need to amend legislation to improve the quality of planning applications.
- transparency in decision-making and seeks urgent remedial action to ensure better transparency for those applications called in and for applications overturned by a Planning Committee contrary to the recommendation of the planning officers.
- greater transparency in the exercise of enforcement powers due to the considerable variation across councils.
- Schemes of Delegation should ensure that decisions are taken at the appropriate level and that only the most significant or controversial applications should be considered by committee. The review found that specific applications coming to committee are not always the most significant and complex applications and that some councils appear to be excessively involved in decisions around the development of new single homes in the countryside which are rarely the most complex.
- decisions against officer recommendations must always be supported by clear planning reasons. It states that the variance in overturn rate across councils, the scale of the overturn rate and the fact that 90% of these overturns were approvals which are unlikely to be challenged raises considerable risks.

- that there is no system in place to monitor such decisions and ensure that decisions being made are compliant with overall planning policy. It considered that consistent and on-going training on planning matters is essential to a well-functioning planning committee, suggesting a minimum of 10 hours per year for all committee members with the potential that this is centralised to ensure those making decisions have the same training, making the process fairer for people submitting planning applications.
- The Report noted concerns regarding silo-working within the public sector. It advises that there is an urgent need for radical cultural change in the way in which central and local government interact.

2.5 The recommendations from the Reports are set out in the attached Appendix 1 with an update on the implementation of each of the recommendations.

3.0 Recommendation

3.1 **It is recommended** that the Planning Committee considers and notes the update position in relation to the implementation of the NIAO and PAC Report recommendations.

APPENDIX 1

PAC Audit Recommendations:

Action	Lead	Action Taken	Date Completed
Commission established to undertake a fundamental review to ascertain the long-term, strategic changes that are needed to make the system fit for purpose	Dfl to set-up	Regional Commission established	February 2023
Commission established to identify tangible improvement that can be achieved in the short-term	Commission	Regional Commission established	February 2023
Provide radical action plan on the improvements made in 6 months time	Dfl	Action Plan agreed	June 2022
Streamline the remaining LDP processes and works with Council to learn lessons from those that have been through the independent examination process with a view to taking a more pragmatic approach to the remaining plans.	Dfl and Councils	Focus Group set up	Ongoing through PIP
Processes are open and transparent, particularly where a high degree of interpretation has been exercised; check on good record keeping to ensure transparency	Councils	Reason for referral included in Planning Committee Report and minutes; copy of referral request appended to Planning Committee Report; reasons for overturning officers recommendation detailed in minutes	March 2022 August 2022 Pre-2019
Suitable and proportionate means of engaging with the planning system, including deeper consideration of the appropriateness of limited third party rights of appeal	Dfl	N/A	N/A
Rural policy is agreed and implemented equally and consistently across Northern Ireland	Dfl and Councils	Draft Plan Strategy	Workshops held with members; Planning Committee agreement; Full Council ratification deferral 01

			November 2022; further workshops November and December 2022 and August, September and December 2023; LDP Working Group established – meetings held 19 March 2024 and 09 October 2024; work on LDP ongoing with Independent Research appointed
Oversight of the planning system accompanied by cultural change with intervention to support delivery and make improvements	Dfl	N/A	N/A
Immediate changes to improve the quality of applications entering the planning system	Dfl and Councils	Validation Checklists	Validation checklists discussed with agents at RTPI/RSUA meeting on 01 May 2024; Implementation of non-statutory validation checklist agreed at Planning Committee meeting held on 22 May 2024 and implemented 01 September 2024. Public consultation ongoing on mandatory Validation Checklist with legislation effective from 01 April 2025 for mandatory Validation Checklists
Review past decisions to understand real-world outcomes, impact on communities and quality of completed development	Councils	Review of 24 overturn decisions	Workshop 02 August 2023; review at annual mandatory training with Planning Committee members
Planning system must be financially sustainable and requires appropriate, long-term funding model	Dfl and Councils	Fees Increase implemented	April 2023 and April 2024; part of PIP.
Inclusive planning forum with representation from developers and communities	Dfl	N/A	Meeting with agents from RSUA and RTPI held on ongoing basis

NIAO Audit Recommendations:

Action	Lead	Action Taken	Date Completed
Review current LDP timetables to ensure they are realistic and achievable, and identify what support councils need to achieve them; consider whether the remaining steps of the LDP process could be further streamlined to ensure plans are in place as soon as possible	Dfl and Councils	LDP timetable reviewed	Timetable amended; ongoing through PIP
Enhanced focus on improving the performance of the most important planning applications; include fundamental analysis of the factors contributing to delays	Dfl and Councils	Improvement in average processing times of major planning applications	23/24 NI Planning Statistical Annual Report: major applications avpt 54.2 weeks, improved to 45 weeks by end Q2 2024/25; PPTO appointed enabling focus on major applications.
Investigate differences in enforcement case outcomes to ensure cases are being processed consistently across Northern Ireland	Dfl and Councils	EWG	Continual discussions of cases at Enforcement Working Group Meeting
Where delegation falls below 90% councils should review their processes to ensure that they represent best use of council resources	Councils	Delegation	No action required; delegation within the 90-95% range
Some of the overturn rates are so high they require immediate action to ensure the system is operating fairly and appropriately	Dfl and Councils	Overturn rate in 2021/22 32.9%; Overturns reviewed with Planning Committee members	Workshop 02 August 2023; overturn rates remain high - review annually with Planning Committee members
Need for full transparency around decision-making. Planning Committees should ensure that minutes of meetings include details of the applications that are brought to committee as a result of a referral, who brought it to committee and outline the planning reasons why the application has been referred	Councils	Detail of referral reason and reason for overturn in minutes; details of referral reason and referral request details included in Planning Committee reports	Implemented – appendix to Planning Committee report

Planning Committees regularly review a sample of their previously determined applications to understand the real-world outcomes, impacts and quality of the completed project. Councils should ensure they review a range of applications to ensure that it is not only focused on those applications that tell a good news story; lessons learnt should be shared across councils	Councils	Applications where officer recommendation overturned at Planning Committee reviewed with Planning Committee members	Workshop held 02 August 2023; review at annual mandatory training with Planning Committee members
Compulsory training for members of planning committees, including procedures where training requirements have not been met; Dept ensure training is consistent across all councils and sufficient to allow members to fulfil their duties	DfI and councils	Compulsory training carried out annually; specific training provided on wind farm policy assessment	June 2022; June 2023, June and August 2024 November 2022
Ensure the planning system is financially sustainable in the longer term	DfI and Councils	Fees review implemented	06 April 2023; ongoing through PIP
Respond to challenges facing the planning system and provide leadership and support for the system as a whole to engender trust	DFI and Councils	Quarterly meetings with agents	Commenced January 2022 and ongoing
Co-ordinate an assessment of key skills and experience gaps across the planning system; plan developed to ensure councils have access to the key skills they need to operate effectively	DFI	N/A	N/A
Seek urgent clarification from DAERA on the appropriateness of the ammonia thresholds in making planning decisions	DFI and Councils	Draft Ammonia Strategy published for consultation January 2023; Call for Evidence August 2023	January 2023 September 2023