

**TO: THE MONITORING OFFICER
(TOM CLARK, SOLICITOR TO THE COUNCIL)**

**RECORD OF ACTION TAKEN BY A CABINET MEMBER
UNDER DELEGATED POWERS**

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| Subject: Review of MSDC's Design Review Panel's Terms of Reference | |
| Cabinet Member: Cllr Andrew MacNaughton | |
| Has the Cabinet Member received a report prior to making the decision? | Yes |
| In the case of a key decision where the Cabinet Member has received a report, please state the date a copy of the report was made available to the Chair of the relevant Scrutiny Committee and placed in the public domain: | |
| Record of decision taken: The Scrutiny Committee recommended to delegate authority to the Cabinet Member for Housing and Planning that he considers and agrees the revised Design Review Panel's Terms of Reference with the additions and changes discussed at the Committee. These changes to the ToR include: - Consulting Ward Members in respect of the inclusion of the following schemes on the panel agenda: (a) residential scheme of between 50 to 100 dwellings schemes and (b) prominent or sensitively located schemes including schemes within Areas of Outstanding Natural Beauty. - Flexibility for the Panel to consider schemes more than twice. | |
| Date of decision: Wednesday 24 th January 2018 | |
| Statement of reasons for making the decision: To ensure the Terms of Reference are adapted in accordance with the Scrutiny Committee's requirements | |
| Alternative options considered and rejected: N/A | |
| Code of Conduct Interest of Cabinet Members? If yes, please advise on the nature and whether dispensation in place N/A | |
| Is the decision to be protected from call-in? (<i>i.e</i> if any delay would seriously prejudice the Council's or the public's interest) - see Scrutiny Procedure Rule 14 (M) | No |
| If so, please state: N/A | |

Signed:



Cabinet Member

This record must be forwarded immediately to the Monitoring Officer (TC) and copied to the relevant Cabinet Member.

For Monitoring Officer

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| Date of publication of Member Information Service Bulletin | |
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| Date of decision can be implemented (on the Thursday after publication of the Member Information Service Bulletin, unless already protected from call-in) | |
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REVIEW OF MSDC's DESIGN REVIEW PANEL'S TERMS OF REFERENCE

REPORT OF: Sally Blomfield (Divisional Leader Planning & Economy)
Contact Officer: Will Dorman (Urban Designer)
Email: Will.Dorman@midsussex.gov.uk Tel: 01444 477535
Wards Affected: All
Key Decision: Yes

Purpose of Report

1. To ask the Cabinet Member for Housing and Planning to agree the proposed amendments to the Design Review Panel's (the Panel) Terms of Reference (ToR) set out in Appendix 1 following an assessment of the current practice in line with Royal Institute of British Architect's (RIBA) publication revised Panel ToR, and the amendments recommended by the Scrutiny Committee for Community, Housing and Planning.
2. This follows the Scrutiny Committee's recommendation to delegate authority to the Cabinet Member for Housing and Planning that he agrees the revised ToR with the additions and changes discussed at the Committee. These changes to the ToR include:
 - Consulting Ward Members in respect of the inclusion of the following schemes on the panel agenda: (a) residential scheme of between 50 to 100 dwellings schemes and (b) prominent or sensitively located schemes including schemes within Areas of Outstanding Natural Beauty.
 - Flexibility for the Panel to consider schemes more than twice.

Recommendations

3. Cabinet Member is recommended to:

(a) Agree the proposed revised wording of the ToR (set out in appendix 1 attached) following the resolution of the Scrutiny Committee on the 17th January 2018.

Background

4. The Government attaches great importance to the design of the built environment and the National Planning Policy Framework (NPPF) considers that good design is a key aspect of sustainable development and should contribute to making places better for people. As such the NPPF states that planning permission should be refused for development of poor design that fails to take the opportunities to improve the character and quality of an area. In order to ensure good design the NPPF continues that "local planning authorities should have local design review arrangements in place to provide assessment and support ... In assessing applications, local planning authorities should have regard to the recommendations from the design review panel." This section is an important part of the report. It should set out the circumstances, which have led to the report being produced.

5. MSDC's Panel (originally called the Architects Panel) has been running since 2003. Its aim is to raise the quality of design and the built environment in Mid Sussex by providing applicants with design advice on their development proposals. The Panel Members comprise local architects. In 2017 the Panel considered 35 proposals and the comments on the proposals have positively contributed in bringing about design improvements and in helping to resist schemes that are not of sufficient quality.

Financial Implications

6. There are no direct financial implications to the Council.

Risk Management Implications

7. If the revised ToR is not agreed, it could potentially undermine the authority of the Panel particularly in terms of the need for clear procedures for dealing with conflict of interests.

Other Material Implications

8. There are no other material implications.

Background Papers

Appendix 1: Design Review Panel's Revised Terms of Reference with the recommendations of the Scrutiny Committee included as tracked changes