To:	**City Executive Board**
Date:	**16 October 2017**
Report of:	**Scrutiny Committee**
Title of Report:	**Oxford Design Review Panel**

Summary and recommendations	
Purpose of report:	To present Scrutiny Committee recommendations on the Oxford Design Review Panel
Key decision:	No
Scrutiny Lead Member:	Councillor Andrew Gant, Chair of Scrutiny
Executive Board Member:	Councillor Alex Hollingsworth, Planning & Regulatory
Corporate Priority:	Strong, Active Communities; Vibrant, Sustainable Economy; Cleaner, Greener Oxford

Recommendation(s):That the City Executive Board states whether it agrees or disagrees with the recommendations in the body of this report

Appendices
None

Introduction and background

1. The Scrutiny Committee commissioned a report from the Head of Planning, Sustainable Development and Regulatory Services on the operation of the Oxford Design Review Panel (ODRP). The Committee considered this report at a meeting on 7 September 2017.

2. The Committee would like to thank Patsy Dell, Head of Planning, Sustainable Development and Regulatory Services, for providing the report and attending the meeting. The Committee would also like to thank the following people for addressing the committee as expert witnesses:
   - Debbie Dance, Oxford Preservation Trust;
   - Kevin Minns, Minns Estates;
   - Ian Green, Oxford Civic Society.

3. Debbie Dance, speaking as a representative of Oxford Preservation Trust welcomed the report. She noted the desirability of introducing some means of weighting the projects coming before the ODRP. Consistency of approach and panel membership was important; there was evidence that both of these were lacking. The lack of heritage expertise on the panel was a concern; it was frequently regarded as an afterthought and should factor in panel discussions at an earlier stage. Heritage and conservation were as important as design.

4. Kevin Minns, speaking as a developer from an applicant's point of view, welcomed the ODRP as a constructive mechanism for peer review. He noted the importance of challenging misunderstandings at panel hearings and not waiting until after the event. Given the complexity of many schemes it was important that panel members received papers in good time to ensure informed discussion which was not possible if only seen on the day of the hearing. He echoed the point previously made about the importance of consistency. There needed to be clarity to all concerned that the ODRP was an advisory and not a decision making body.

5. Ian Green, speaking on behalf of the Oxford Civic Society, said that he wanted the built environment to improve. The ODRP was a relevant and appropriate mechanism for contributing to that. He suggested that it would be helpful to start to put in place a means of evaluating the Panel's effectiveness and to see if it had made a positive contribution to the built environment. He was concerned that the panel's awareness of a project's context was not always as great as it should be, particularly when not in a conservation area. Site visits were always important. Continuity for repeat reviews was essential. He also noted the importance of the advisory nature of panel being clear. In his view panel meetings should be open and texts of decisions made public as soon as possible.

Summary and recommendations

6. The Committee welcomed the report and voiced support for the ODRP. In discussion the Committee noted that the ODRP is cost-neutral to the Council because applicants are charged for reviews. Design review is seen as being normal practice in a city such as Oxford and many other cities have an equivalent process. Developers don't have to engage with the ODRP but are advised that planning committees would expect them to, so by not engaging they added risk.

7. The Committee noted that a lack of local knowledge and heritage expertise on the ODRP is seen as potential weakness, given that many development schemes have heritage impacts. The Committee suggest that consideration is given to how the ODRP can have a better depth of appreciation of a development scheme's local context and heritage impacts when undertaking reviews. This is especially but not only important for developments within conservation areas. The Committee also note that the ODRP's independence is a key feature and benefit of the panel and that its independence not be compromised.

Recommendation 1 – That the ODRP has (or has access to) on-going heritage expertise where schemes are in conservation areas or adjacent to or affect listed buildings in order to better understand the local heritage context of development schemes, and that consideration is given as to how this can best be achieved.

8. The Committee noted the comments about the need for consistency of membership when designs come back to the panel for repeat reviews. This would help to ensure

fairness and consistency of approach. It is recognised that there is a requirement for the same chair to be in place and that efforts are made to ensure other panel members are the same but this is not always possible. The Committee suggest that consistency of membership should be built in to ODRP reviews as far as possible.

Recommendation 2 – That consistency of the ODRP's membership is guaranteed as far as possible for repeat reviews.

9. The Committee agreed that an evaluation of the impacts of the ODRP on Oxford's built environment would be a useful exercise and questioned whether the work of the ODRP was mainly of benefit to more affluent parts of the city. The Head of Planning, Sustainable Development and Regulatory Services said that a whole range of schemes including schools and civic building go through the design review process and that good design belongs to everyone. The Committee suggest that an evaluation of the impacts of the ODRP should include some form of social impact.

Recommendation 3 – That proposals for a review of the effectiveness of the ODRP should be drawn up that includes a social impact element.

10. The Committee questioned how proposed development schemes are chosen for review by the ODRP and heard that planning officers and elected members can nominate schemes at the pre-application stage. The Committee commented that many members may not know they are able to do this. The Committee suggest that members are made aware of how to nominate schemes for review by the ODRP.

Recommendation 4 – That elected members are alerted to the fact that they may submit suggestions for review by the ODRP.

11. The Committee also commented that, at the pre-application stage, elected members may not be aware of development proposals that affect their wards and which they may wish to refer to the ODRP. The Committee suggest that consideration is given to how members can be routinely alerted to pre-application proposals affecting their wards.

Recommendation 5 – That a mechanism is established to alert Councillors to pre-application proposals in their Wards, recognising that pre-application discussions are normally confidential and that this notification may only happen with the prior-agreement of the scheme developer/promoter.

12. The Committee discussed the status of the ODRP and noted that only planning committees can make planning decisions. The ODRP has an important advisory role that sits in the pre-application stage of the planning process. On balance, the Committee's view was that ODRP meetings should not be open to the public because that would serve to elevate the status of the Panel and may discourage developers from engaging. The Committee also heard that panel members want a confidential space in which to consider development proposals. The Panel's advice is made public at the point when a planning application is submitted. The Committee suggest that the advisory status of the ODRP and the non-binding nature of its advice should be made clear to key stakeholders.

Recommendation 6 – That the advisory status of the ODRP and its advice is made clear to planning committees, elected members and the public.

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