



**FEASIBILITY STUDY ON THE  
ESTABLISHMENT OF A PLANNING AID SERVICE  
IN THE REPUBLIC OF IRELAND**

**A STUDY ON BEHALF OF THE ROYAL TOWN  
PLANNING INSTITUTE IRISH BRANCH (SOUTH)**

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## **EXECUTIVE SUMMARY**

This study was commissioned by the RTPI Southern Irish Branch and examines the feasibility of establishing a Planning Aid service in the Republic of Ireland.

The principal finding is that there is a perceived need for a Planning Aid service. It is evident that the principle of establishment and development of a Planning Aid service would be supported by most planning authorities. The role of Planning Aid should be confined to advice and training rather than engaging in advocacy activities, and as such, may be seen as complementary to the role of the planning authorities.

While all planning authorities participating in the study considered that members of the public and community groups would be the prime beneficiaries of a Planning Aid service, 92% considered it would also benefit the planning system generally and 80% recognised that it would benefit planning authorities in the discharge of their statutory responsibilities.

All but one of the sample authorities considered that a Planning Aid service would usefully contribute in promoting better understanding of the planning system, and as such, would assist in promoting a better public image.

The greatest perceived need for the type of assistance offered by Planning Aid was in provision of advice in relation to development plan preparation and review. 68% of authorities perceived a need in offering advice to those making representations on planning applications, while 52% saw a similar need in relation to third party appeals.

The key aims of any service established should be:

- A. To make independent planning advice available to all individuals, community groups and organisations who are unable to afford to engage the services of a private planning consultant
- B. To increase awareness and understanding of planning issues and procedures, to encourage public participation and thus enhance the planning process

The key benefits of a Planning Aid service may be summarised as:

- To promote better understanding of the planning process and planning issues
- To enable individuals and communities unable to afford the services of a private planning consultant to engage more effectively within the planning process through the use of statutory opportunities to influence planning decisions and the content of development plans.
- For planning authorities, it offers a potential for more effective public involvement in the development plan process, with enhanced prospects of a development plan or local plan which more accurately reflects community aspirations for an area. As such, it offers the likelihood of a greater sense of community “ownership” and confidence in the planning system

- It potentially reduces the numbers of objections to planning applications made on irrelevant non-planning or non-material grounds, but focuses on key planning issues or concerns raised by proposals
- By offering a source of independent advice, it potentially marginally reduces planning authority workloads in the provision of such advice, or often reinforces professional opinions already given by planning authorities so enhancing the credibility of the planning authority in the public mind
- It has potential to marginally reduce the number of third party appeals lodged in circumstances where the prospects for reversal of a decision are very low
- For volunteers, it offers valuable work experience contributing towards CPD, networking and training opportunities

A key problem associated with the establishment of a Planning Aid service is that it may raise expectations far in excess of the ability of the service to deliver. In addition, it must be recognised that given inherent problems within the planning system, the benefits will only emerge in the longer-term.

It is estimated that the potential workload of a Planning Aid advisory service would be in the order of 540 cases annually, but in the absence of any previous experience, this figure must be treated with extreme caution. For the purposes of delivery, the service could be delivered by a minimum number of 30 volunteers, but to give greater flexibility the target number should be closer to 50.

This estimated figure assumes that the service is widely marketed, which will not be the case initially. As the demand for the service can be directly influenced by the level of publicity given, and by restriction on access to the service, these measures need to be employed until such time as significant levels of funding are achieved.

Best estimates of costs, would suggest that a fully developed service would require annual revenue funding in the order of €105,000, but a modest advisory service could be established for approximately €12 – 15,000.

The study identifies a range of options for delivery, including potential partners and organisational arrangements.

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## CHAPTER 1 INTRODUCTION

### What is Planning Aid?

1.1 Planning Aid may provide a potentially wide range of services, but has a fundamental role in offering free and independent planning advice to individuals and community groups. It seeks to ensure that everyone has access to planning advice regardless of his or her ability to pay. It assists people in understanding the planning system, and their role to participate within the planning process and influence decisions.

1.2 The form of assistance can vary widely ranging from advice given in a single telephone conversation to provision of community training opportunities in planning matters. Any such advisory services are generally seen to be complementary to those provided by planning authorities or other public bodies, nor do they provide a service competing with the services offered by planning consultants. It normally offers an independent source of advice, rather than playing an advocacy role within the planning system. The basic rationale for a planning aid service centres on a view that no individual or community should be disadvantaged in their ability to engage in the planning process and decision-making by virtue of their financial circumstances or remote geographic location.

### Development of Planning Aid Services

1.3 Planning Aid has to date been developed within the UK, and may be seen as an increasingly important element to involvement of the public within the planning process. Its origins are found in the impetus to public participation created by the Skeffington Report (1969) and growing public opposition to major development projects in the late 1960s and early 1970s. Against this background, the Royal Town Planning Institute (RTPI) initially established Planning Aid in 1973. Since that time Planning Aid services have been developed and evolved throughout the UK, primarily but not exclusively, based on the RTPI Branch structure. Within the Republic of Ireland no such service has been developed to date, although for a period in the 1980's the Irish Planning Institute (IPI) operated an advisory service on a limited basis.

1.4 Within the UK, the RTPI has played a major role in the promotion and co-ordination of Planning Aid. In more recent years, the further development of Planning Aid services has been largely due to the efforts of the RTPI, which has increasingly promoted Planning Aid as a core activity and recognised as such in its Corporate Plan (1997). Sesnan (2002) suggests that the role of Planning Aid has altered significantly since 1973. In particular, it is increasingly recognised that a purely reactive approach to service delivery is insufficient to identify and engage communities in need in the planning process. The study by Sesnan pointed to the requirements for the future to meet new challenges. Although the future development of regional Planning Aid services within England is centred on increased numbers of paid staff, typically employed on a part-time basis, delivery of advice will remain primarily a voluntary professional activity undertaken by members of the RTPI.

1.5 The future potential role for Planning Aid was strengthened through the RTPI *New Vision for Planning* (2001), which places emphasis on more positive, proactive and facilitating roles for the profession in the future. Additionally, a changing political context has evolved in recent years, which places greater focus on community development and community regeneration initiatives generally. It is of significance to note that within Government policy generally in Ireland, less explicit emphasis is placed on the role of communities than is now typically found within the UK.

1.6 In the current programmes of reform of the planning systems in England and Scotland, public confidence and involvement in the system are recurring themes. Within England, Government considered that an enhanced Planning Aid service would make an important contribution to these wider objectives, and has committed funding of £3.8m over a 3-year period for this purpose. Although the RTPI continues to place considerable emphasis on the voluntary contributions of members as the foundation for service delivery, the key initial effect of government funding is currently found in the increased numbers of paid staff being recruited. While these changes are primarily confined to England, the renewed focus on Planning Aid within the RTPI has given fresh impetus to the development of Planning Aid services elsewhere. This study arises from these developments.

### **Study Aims and Objectives**

1.7 As Planning Aid has not previously been promoted or operated in any form by the RTPI within the Republic of Ireland, the issues to be considered at this initial stage differ significantly from the current agenda found within the UK. In particular, while recent debate within the RTPI nationally has focussed on significant expansion based on the existing regional structure within England in response to changing government priorities, the key matters to be addressed in Ireland are of a more fundamental nature. At this stage, the issues centre on consideration of whether a Planning Aid service is needed and/ or would be beneficial in the operation of the planning system, and if so, how can such a service be delivered, funded and sustained.

1.8 This study was commissioned by the RTPI Southern Irish Branch and examines the feasibility of establishing a Planning Aid service in the Republic of Ireland.

1.9 The specific objectives of the study were:

- To review the need for a planning aid service within the Republic of Ireland
  - To assess the likely demand for a planning aid service
  - To evaluate options for service delivery and development
  - To quantify general costs of delivery options and identify key potential sources of funding and income generation opportunities

1.10 This study takes as its starting point that it is fundamentally flawed to assume that a Planning Aid service based on a general UK model will also be successful within Ireland. It is important to recognise that even within the UK there are significant variations in the arrangements for service delivery. It is generally accepted that the form of service and organisational arrangements must be tailored to the specific local needs and regional circumstances. This is best illustrated by the services in London, Wales and Scotland, all of which are established as charitable companies operating with the support of, but independently of, the RTPi. Similarly, the most recently established Planning Aid service in Northern Ireland reflects key differences in the context of the planning system.

1.11 Recognising key differences in the context and arrangements for the planning system in Ireland, this study makes an assumption that a unique form of provision will be required for the establishment of a planning aid service within the Republic of Ireland.

1.12 While recognising that a specific service tailored to the circumstances found in Ireland is necessary, experience gained within the UK can help inform the development of any such service. Although some of the experience, and more recent developments within England are of limited relevance in the context of Ireland, it is suggested that there is some merit in particular examination of current arrangements in the development of an equivalent service in Northern Ireland, and Scotland. The former is of particular relevance insofar as it faced similar potential issues regarding volunteer recruitment and service delivery, while the latter shares similar demographic characteristics, development issues and planning similarities to facilitate comparison of initial demand projections based on the historic records. In addition, Planning Aid for Scotland has an impressive track-record in the attraction of external sources of funding, and in the development of the service from an initial basic advisory role to one of increasing community outreach activities.

## Research Methodology

1.13 The research methodology employed in the study was based on a combination of:

- Literature review
- Questionnaire survey
- Interviews
- Comparative assessment

### *Questionnaire survey*

1.14 Although a survey of RTPI Branch members had already been undertaken, a survey involving a significant proportion of the 88 planning authorities was also required. This sought to establish general views and perceptions of need for a planning aid service. It also sought to establish what level and form of support might be anticipated.

1.15 The sample was based on 50 planning authorities, weighted to ensure that all authorities with a significant planning role were included. Accordingly the sample included all 29 county councils, all 5 city councils, all 5 urban borough councils and 11 of the 49 town councils. The sample thus provided full geographic coverage, the full range of planning and development circumstances faced by both rural and urban planning authorities, by size of authority and range of available resources for the discharge of the statutory planning function.

1.16 The survey was administered through a combination of postal/ email correspondence, telephone interview and meetings with selected authorities. In order to boost response rates, the “questionnaire” was restricted in scope. An important element of this form of initial contact was to also inform authorities of the potential role of planning aid and how it can assist planning authorities in the discharge of their statutory responsibilities.

1.17 This report is based on analysis of 26 responses from planning authorities, representing a response rate of 52%, or 30% of all planning authorities. These responses were based on the following breakdown by authority type:

- County Council        16
- City Council            4
- Borough Council       1
- Town Council           5

1.18 The responding authorities provide an excellent cross-section of authorities by geographic location throughout the country, providing a good range of planning circumstances. As noted above, the initial sample was weighted in favour of those authorities with more significant planning roles, responsibilities and resources, and this has been reflected in the response. It includes over half of the County Councils and 4 of the 5 City Councils. As such, considerable weight can be placed on the reliability of the survey in providing a sound reflection of the views of planning authorities throughout the country.

### *Interviews*

1.19 A series of structured interviews through meetings with selected planning authorities and other organisations were undertaken. In terms of their intended purpose within the study, they sought to establish broadly similar objectives to the questionnaire survey, but facilitated discussion of topics in much greater depth. In addition, the potential for financial support for a planning aid service was specifically explored in each case.

1.20 Such meetings fell into three general categories – those with planning authorities, those with government departments or government-related bodies and non-government/ private organisations with an interest in planning matters.

1.21 The meetings were also used to gain an in-sight to the views and perceptions of individual members of the planning profession, most of whom were members of the IPI rather than the RTPI.

### *Branch Survey of RTPI Members*

1.22 As noted above, the RTPI Branch had previously undertaken a questionnaire survey of its members in February 2003, and as part of this study the findings of that survey were revisited, and with some further analysis, are incorporated within this report. In doing so, the findings of this survey must be treated with some caution.

1.23 The survey involved some 170 members, with some 24 responses received, representing a response rate of 14%. Closer examination of the responses received suggests that some doubt must be cast on its reliability as a representative sample of the membership as a whole. In common with many such surveys of its type, a high proportion of the responses originated from those members with particularly strong views on the subject matter. As such, the survey provides a useful indicator of the spectrum of opinion within the profession in 2003. It also offers a helpful general insight on members' views of particular aspects on the form of service considered appropriate.

## *Comparative Assessment*

1.24 In the absence of any form of existing planning aid service, demand for the service is entirely latent, and as such is problematic from a research perspective to assess with any degree of confidence. In such circumstances, estimates of demand can be derived from actual data based on the historic records of an equivalent service operating under broadly similar circumstances. The experience in the development of a planning aid service in Scotland provides an appropriate basis for this form of comparative study.

1.25 This assessment was a desk-based study, which initially confirmed the similarity of the planning context by reference to overall planning application and appeal numbers based on the annually submitted and published returns to central government. By comparison over a period of years, average figures will facilitate the calculation of any adjustment required to the case numbers actually handled by Planning Aid for Scotland at inception and in subsequent years and allows projection of estimated demand for Ireland.

1.26 The study also identifies those factors that can influence demand for the service, including those through which the service provider can regulate demand.

## **CHAPTER 2 – OPPORTUNITIES FOR PUBLIC INVOLVEMENT, NEED AND POTENTIAL DEMAND FOR PLANNING AID SERVICES**

2.1 This Chapter examines the need for a Planning Aid service, and presents study findings on perception of that need by stakeholders within the planning system. It identifies the opportunities for public involvement and engagement, the potential roles of a Planning Aid service and best estimates of potential demand. The findings are drawn from both questionnaire responses and interviews.

### **Public Involvement in the Planning System**

2.2 Planning decisions affect communities and the lives of individuals both directly and indirectly, and for this reason, opportunities have been created within the planning system through which those potentially affected can become involved within the decision-making processes. However, for various reasons considerable variations exist in the abilities of communities and individuals to effectively use the opportunities presented for involvement. This variation or form of disadvantage can arise through geographic remoteness, social or educational background or through economic circumstances. The latter is generally regarded as the most common, where the ability to pay for professional expertise and advice can profoundly affect ability to effectively engage in the planning process.

2.3 The questionnaire survey of planning authorities clearly showed that this is a widely held view. Some 92% of respondents considered that some individuals or community groups are disadvantaged in their ability to be come involved in planning matters. While it may be argued that this finding is a statement of the obvious, it is suggested that it represents an important starting point for this study insofar as the planning authorities clearly recognise that disadvantage inherently exists within the planning system.

2.4 The rationale for Planning Aid centres on a view that such disadvantage may be overcome or reduced through the provision of independent professional advice and support to individuals or community groups free of charge. Based on this view, it can be argued that any planning system within which there is provision for public input to decision-making can benefit from the availability of a Planning Aid or similar form of advice service.

2.5 The statutory opportunities for public input to development control decisions and in the preparation of development plans and local plans are established in the Planning and Development Act 2000 and the Planning and Development Regulations, 2001 to 2002. In summary, these are:

- A right to make representations in writing on any planning application (subject to payment of a fee of €20), which the planning authority is obliged to take into account in determination of the application

- A right of appeal to An Bord Pleanála for original objectors only (subject to a fee of €200)
- Rights to make representations on the content of a development plan or local plan following the initial notice of intention to prepare, and following publication of a draft plan (or subsequent material alterations) to submit written representations or objections, which may also be heard at a hearing and will be taken into account prior to adoption

2.6 It is of interest to note that while the planning system is often seen as being fundamentally different to the systems currently operated within the UK, the statutory opportunities for public involvement are, in reality, remarkably similar. In this respect, the differences are essentially confined to the third party right of appeal in Ireland, and the rights of objectors to finalised local plans to have those objections heard at a local public inquiry within the UK.

2.7 These similarities are of significance in the context of considering the need for a Planning Aid service, notably insofar as most of the reasons leading to the development of such services within the UK are equally applicable to Ireland.

### **Existing Sources of Information and Advice**

2.8 Within Ireland there are various sources of information and advice on planning matters available free of charge to members of the public. Key sources of information are:

#### (1) Department of the Environment and Local Government (DoELG)

- Planning Leaflets series – this series of 12 leaflets covering various aspects of the planning system is available through the Government Publications Sales Office, the DoELG website and in most planning authority offices. The series, which was updated following legislative change in recent years, includes a leaflet specifically devoted to Commenting on Planning Applications that offers advice on planning considerations.
- DoELG website – this provides relatively comprehensive information on the statutory framework, and useful descriptions of the key features of the planning system and procedural matters, with hyperlinks to other relevant agencies.

#### (2) An Bord Pleanála

Website – this contains information on the work of An Bord Pleanála and the appeals system generally, including specific advice for potential appellants.

#### (3) Planning Authorities

- Websites – these vary considerably in the range, quality and type of information available. Most are primarily geared towards those applying for planning permission rather than third parties or the community in general, and typically contain contact information. There are some excellent sites, which represent an outstanding and comprehensive resource for the local community presented in a user-friendly format.
- Professional advice – although all planning authorities represent a direct source of advice and information, there appears to be considerable variation in the form and availability of such advice between authorities. This variation would appear to be a consequence of current pressure on staff resources found in most authorities.
- Printed Information – some planning authorities have produced various forms of information available to members of the public, although in many cases this is primarily directed at prospective applicants. Development plans (and/ or summaries) are generally available, and the DoELG information leaflets are available in reception areas of some planning offices.

2.9 It was noted in the course of conducting this study that for a significant number of authorities, access to members of professional staff was relatively restricted, and many have quite limited opening hours for the public.

2.10 It is widely accepted that the planning system has been under considerable pressure in recent years, primarily through the significant increases in the number of planning applications to be determined. While this trend may have slowed down recently, the fact remains that most planning authorities are under-resourced in terms of professional staff numbers relative to the workload faced. This has important implications in terms of the form of service delivered, in which direct advice to the public from professionally qualified staff is often restricted, or may be primarily given in the first instance by administrative staff.

2.11 Although there are considerable variations between different planning authorities, it is evident that the specific arrangements of many authorities are primarily geared towards those submitting applications for planning permission rather than the public generally. In many respects, this is inevitable and from the perspective of the planning authority entirely appropriate in terms of ensuring efficiency in the discharge of its statutory functions. However, if viewed from the perspective of a third party it is less helpful insofar as the opportunity to discuss a particular concern raised for example in a current planning application may be very limited. In the absence of an opportunity to have concerns allayed by professionally qualified staff, there is a greater likelihood of formal objections being submitted in such circumstances.

2.12 The overall impression gained during the course of this study was that many authorities are not particularly well-g geared towards offering general

advice to the public in a user-friendly environment. This is of considerable importance in the context of this study insofar as it clearly points to a situation in which the general role of the planning authority as a key source of advice is diminished, or in practice is less effective than might be expected, or assumed to exist. That general view must also be qualified by noting that there are very considerable variations between different authorities.

(4) Comhairle – established as a statutory agency within the remit of the Department of Social & Family Affairs in 2000, with responsibility for the provision of information, advice and advocacy to members of the public on social services.

- Citizens Information Centres – network of local offices throughout the country. Although not a significant source of planning information, the CICs apparently receive occasional enquiries relating to planning matters. It is notable that this pattern of involvement in planning matters, directly mirrors the UK experience with Citizen Advice Bureau services which perform a broadly similar role.
- Website (Oasis) – contains some very basic information on the planning system.

(5) Community Technical Aid – Offers advice on planning matters to community groups and organisations within the Dublin inner city area only. It employs a planner, provides a planning advocacy role and service for such groups and undertakes community capacity building activities through the provision of training opportunities.

In this respect, the activities and services provided by CTA are potentially not dissimilar from those of a Planning Aid Service. However, it differs in two important respects – (a) it does not advise or assist individuals, and (b) its role is primarily one of advocacy.

2.13 Overall, although in principle there is no shortage of publicly available information on planning matters, in reality, accessibility for members of the public not already familiar with the system is somewhat questionable. Sources of advice are essentially confined to the planning authorities.

2.14 Experience elsewhere strongly suggests that the quality of such advice is variable, particularly for those who are potentially in conflict with the authority over a particular planning issue. That experience also suggests that for a significant minority there is an inherent mistrust in advice offered by the planning authorities. Although such advice is inevitably sound and correct in every respect, some members of the public will seek independent verification before acting upon the advice given. For those unable to engage the services of a planning consultant to provide this form of re-assurance, no other independent source of advice is currently available in Ireland.

2.15 On a more positive note, the public sector generally has embraced the opportunities presented by IT, with extensive use of web-based

documentation availability and email. This clearly represents a potential in the development of any future Planning Aid service.

### **Perceptions of need for a Planning Aid service**

2.16 The study has found that there is widespread support, in principle, for the establishment of a Planning Aid service. This is clearly evident in the questionnaire responses, in which, 96% of authorities were found to be in favour of such a service. In the course of the study, only one planning authority was found to be totally opposed to the idea of Planning Aid becoming available. That authority suggested that there was no evidence that communities in the area lack advice or knowledge of the planning system. It is perhaps not without significance, that this authority has a recent history of successful third party appeal challenges to its planning decisions primarily from residents groups. For another authority, it was opposed to the provision of a nationwide service, but supported a service directed towards identified areas of social and economic deprivation. In addition, for 50% of authorities support was qualified in terms of the form of service considered necessary or desirable.

2.17 In general terms, it was found that support for the establishment of a Planning Aid service was most strongly evident among the larger planning authorities, and those with significant urban areas. It is perhaps notable that the response rate to the survey was lowest from the smaller authorities, particularly the town councils in which the planning function is relatively restricted. While noting this general pattern, it must be acknowledged that other factors such as staff resources may have influenced responses from many of the smaller authorities. As such, it is inappropriate to make assumptions or draw conclusions on the attitudes of the smaller authorities.

2.18 Although generally supportive of the idea of Planning Aid, variations were found to exist in terms of perceptions of the key beneficiaries of such a service, and the areas of the system where it would most usefully contribute, i.e. the nature of the service offered. While a Planning Aid service is provided primarily for the benefit of its clients, i.e. individual members of the public or community groups, experience within the UK has consistently shown that there are also wider benefits both to the planning authorities and the public image of the planning system in general.

2.19 In the past, it was generally assumed that the availability of free professional advice to individuals or community groups would increase, or make the work of planning authorities potentially more difficult, both in dealing with planning applications and in the preparation of development plans. Experience has shown that in practice the reverse is the case.

2.20 In relation to development control matters, the availability of impartial professional advice tends to ensure that objections to particular proposals for development are more likely to be confined to relevant material planning considerations. It can have the effect of reducing the number of objections

from those concerned with loss of views or simply motivated by non-planning related inter-neighbour disputes. Inevitably objections made on such immaterial or non-planning grounds will be rejected within the decision-making process often leaving aggrieved objectors. Such situations are even more important within the Irish system, insofar as objectors are more likely to continue to pursue matters through the exercise of their rights of appeal.

2.21 In relation to development plans, Planning Aid services have become increasingly involved in assisting planning authorities in engaging more effectively with communities. While this can be achieved in a variety of ways, they include working with local communities to help articulate local concerns and aspirations and in organisation and delivery of training programmes utilising techniques such as Planning for Real exercises linked to the planning authorities programme for development plan review.

2.22 It is quite indicative of the attitude of planning authorities that, for example in Scotland, while there was little enthusiasm at the time the Planning Aid service was initially launched, experience has led to increasing support from the planning authorities to a point where over 50% of authorities now assist in funding the service. Even within those authorities unable to make a financial contribution, support for Planning Aid is widespread. It is quite evident that such support would not be forthcoming unless the service was seen as playing a role considered helpful and complementary to that of the planning authority.

2.23 Through these types of activity, a Planning Aid service plays an important role in explaining the planning system to members of the public and communities, and thus contributes to a wider understanding of the system. While this does not lead to changing attitudes within a short period of time, the effects are cumulative. Current developments, particularly within England and Scotland, are the product of greater realisation and recognition by respective governments that Planning Aid plays an increasingly important role within the operation of the planning systems. A key part of that role is one of contributing to the rebuilding of public confidence in the planning system at a time when the credibility of the system has been widely called into question. It is quite evident that the planning system in Ireland is experiencing similar problems.

2.24 Against this background the survey of planning authorities found that:

- 92% of respondents considered that a Planning Aid service would benefit the system generally
- All considered that it would benefit members of the public or community groups, although one authority qualified that view on the basis of depending on how the service would function

- 80% considered that it would benefit planning authorities in the discharge of their statutory responsibilities, 16% considered it would not be of benefit, with 4% unsure of the effect on authorities

2.25 It was evident during the course of the study, notably through the interviews, that most planning authorities had not fully considered what benefits might arise, apart from the suspected effect of receiving more articulate objections! This perhaps points to a wider issue, which requires to be addressed, namely that many members of the profession in Ireland are relatively unclear about both the concept of planning aid and how such a service might function.

2.26 The study found that opinion was somewhat more divided in terms of those potential areas of the system where planning aid might usefully contribute.

- 96% considered a Planning Aid service would promote better understanding of the planning system in general
- 68% considered it would usefully contribute by giving advice to those making representations on planning applications
- 52% considered it would usefully contribute by giving advice to those considering a third party appeal
- 92% considered it would usefully contribute by giving advice in relation to development plan preparation and review

2.27 The percentages quoted above mask a greater range of diversity of opinion between authorities. However, it is evident from these figures and from interviews with the planning authorities that there is a clear division in perception of potential advisory roles between development control and development plan work.

2.28 It was found that planning authorities are rather less enthusiastic in their support for, and perception of the need relating to development control matters. Surprisingly, this was not so much a concern that a Planning Aid service could lead to increased or better informed objections, but appears to emerge from a view that more citizens are aware of the functioning of the system in this area, and their statutory rights of objection and appeal. While this is generally correct insofar as planning applications and decisions receive regular media coverage raising public awareness, it does not necessarily equip individuals with the basic knowledge for their potential involvement or contribution to the decision-making process.

2.29 Another view of this aspect is that there is significantly more information already available to the public in relation to the development control function and the appeals system. However, drawing on the experience of existing Planning Aid services within the UK, it is found that a high proportion of cases handled and queries from members of the public

relate to current planning applications or other development control related issues.

2.30 In the course of the study, it was found that there is a perception by some that the third party right of appeal provides a safeguard for individuals and community groups within the planning system. While in some respects this is correct, it assumes that members of the public and communities are able to exercise this statutory right effectively. Given that many find the development control system confusing, and are at a disadvantage in making representations on a planning application, similar problems can be anticipated in relation to the appeals system. As such, the existence of the right of third party appeal actually increases the need for access to independent advice such as that available through a Planning Aid service.

2.31 Although there is no clear or conclusive evidence, it appears likely that the existence of advice through a Planning Aid service may have the effect of at least marginally reducing the number of third party appeals lodged. Given the relatively short time period for the lodging of such appeals following a decision by the planning authority, it is suspected that a number are lodged in circumstances where the prospects of having the decision reversed are extremely poor. The existence of a Planning Aid service offering advice in such circumstances could well have the effect of reducing the numbers of this type of appeal. This view could only be verified by detailed analysis of third party appeals actually lodged over a period of time, which was beyond the scope of this study.

2.32 Although in the course of the study it was found that there was very limited support for any form of advocacy role for a Planning Aid service, most individuals questioned on this aspect were totally opposed to any such form of activity in any circumstances. Within the context of development control, such activities might include the drafting and submission of letters of objection, or presenting cases within the context of an appeal or associated hearing. While there may be a need for direct representation on behalf of some communities or individuals, it was generally considered that it was inappropriate for professional bodies to become involved, directly or indirectly, in such activities. There is no doubt that any such activities would bring a Planning Aid service into conflict with the planning authorities. As such, it would change the nature of the relationship away from any notion of the service being complementary to the role played by the planning authorities. For these reasons, and potential public funding implications, it is very strongly recommended that any such advocacy role is avoided.

2.33 In contrast, a key finding of this study, strongly reflected in the questionnaire responses, is that advice and assistance relating to development plans and local plans is needed in most areas. This view was consistently raised in meetings with the planning authorities, who with a couple of notable exceptions had experienced difficulties to varying degrees in seeking to engage with local communities. As a consequence the development plan process was often not based on any meaningful dialogue

with communities, but rather conducted “at arms length” with submission of representations in the form of objections being the primary means of dialogue.

2.34 It was evident that while the process met the statutory requirements, many authorities had reservations over the effectiveness of the process in producing a plan that commanded public support or reflected community aspirations.

2.35 In this respect, it would appear that the experience in recent years in Ireland mirrors that often previously found within the UK. The fundamental issue centres on the fact that most members of the public fail to recognise or appreciate the significance of development plan content on their daily lives, except where it directly affects their property interests. Although most authorities engage in extensive public consultation during preparation of plans, the extent to which the development plan reflects community aspirations or addresses concerns is questionable. The potential role of a Planning Aid service can explicitly address this aspect through out-reach work within target communities. It was evident in meetings that most authorities would very strongly support this type of activity, through which, for example, in advance of development plan preparation, communities can be encouraged to examine and articulate their concerns and aspirations.

2.36 Specific issues raised by planning authorities are addressed through the discussion of features of a proposed service in Chapter 3.

### **Other stakeholders within the Planning System**

2.37 In addition to the planning authorities, meetings were also held with other bodies with specific interests in the planning system. Such meetings varied in purpose but were primarily focussed on potential funding or possible partners in the delivery of any Planning Aid service. It should be noted that it was beyond the scope of the study to enter into any formal discussions with these bodies, and as such, the meetings were of an initial exploratory nature only in order to gauge preliminary attitudes. Further, as the contact was with individual employees or representatives, their views do not necessarily reflect the formal view of the organisation.

2.38 Irish Planning Institute (IPI): As previously noted most of the members of the planning profession interviewed in the course of the study were IPI members, who were generally supportive of the principle of Planning Aid. In addition, a meeting was held with the Secretary of the IPI, and at least one member of the IPI Executive made a questionnaire return. From these various sources it would appear that the IPI may be reasonably well disposed towards to notion of a Planning Aid service, subject obviously to detailed arrangements on how such a service might be funded and organised.

2.39 Department of Environment and Local Government (DoELG): Officials of the Department were not in a position to reflect any formal position of the Government, but on a personal level were generally supportive. The Department would not provide funding to establish a Planning Aid service, but

once any such service was operational could consider any formal application for financial support.

2.40 An Bord Pleanála: As a key body in the operation of the planning system in relation to appeals, it was considered inappropriate to hold any specific view on the need for, or potential contribution of a Planning Aid service. It should however be noted that An Bord Pleanála might derive some benefit from the existence of such a service, as suggested above.

2.41 An Taisce and Community Technical Aid: Strongly support the principles of Planning Aid, and consider that such a service is required throughout Ireland. Such support must however be qualified by virtue of a perception of Planning Aid playing an advocacy role to some extent. The views of CTA are soundly based as a consequence of its current role in relation to community-centred planning within the inner Dublin area, and its experience with co-operative working with the Northern Ireland Planning Aid service.

### **Potential demand**

2.42 In the absence of any form of existing planning aid service, demand for the service is entirely latent, and as such is problematic from a research perspective to assess with any degree of confidence. In such circumstances, estimates of demand can be derived from actual data based on the historic records of an equivalent service operating under broadly similar circumstances. The experience in the development of the Planning Aid service in Scotland provides an appropriate basis for this form of comparative study.

2.43 The experience of Planning Aid for Scotland provides a basis for projection of demand for the service in the initial phases of development, recognising similarities in population size, geographic characteristics (combination of major urban conurbation and remote rural areas), planning and development issues and the respective planning systems.

2.44 This assessment initially confirmed the similarity of the planning context by reference to overall planning application and appeal numbers based on the annually submitted and published returns to central government. By comparison over a period of years, average figures facilitated the calculation of adjustment required to the case numbers actually handled by Planning Aid for Scotland at inception and in subsequent years to provide an assessment of potential demand for Ireland.

### Actual cases handled by Planning Aid for Scotland 1993 - 2004

Financial Year	Number of cases
1993	64
1994	133
1995	184
1996	227
1997	232
1998	220
1999	206
2000	213
2001	286
2002	265
2003	302
2004	347

2.45 If these cases referred to PAS are compared to overall planning application and appeals handled annually through the Scottish planning system, it provides an annual referral average of 0.8%.

2.46 For comparative purposes, average numbers of planning decisions in Ireland were initially relatively similar to Scotland until the mid-1990s. Numbers of applications rose sharply in the late 1990s, peaking in 2000, but are now understood to be falling. Given these fluctuations, an average annual figure for the period 1998 to 2002 was used, and taken as 67,250. For appeals, the annual numbers are approximately three times those of Scotland. While it is generally assumed that this is the effect of the third party rights of appeal, it is also a product of a significantly higher rate of refusal of planning permission in Ireland. Again taking average figures, refusal rates in Ireland are quite consistently double those found in Scotland.

2.47 By applying the average Planning Aid referral rate of Scotland to the 5-year Irish average workload, a Planning Aid service in Ireland might anticipate a demand in the order of 540 cases annually.

2.48 This provides a preliminary basis for the calculation of the approximate numbers of volunteers required for service delivery. Based on the average volunteer workload of the Northern Ireland Planning Aid service, a minimum of 30 volunteers would be required, but based on the Planning Aid for Scotland experience a minimum of 75 would be necessary. This latter figure is potentially misleading insofar as most of the Scottish volunteers are also involved in the delivery of outreach training work.

2.49 In many respects, this is something of a theoretic exercise and must be treated with extreme caution. While the figures above may indeed prove to be quite accurate, the fact remains that until such time as a service is launched

considerable uncertainty will remain over the demand generated, and the optimum number of volunteers required.

2.50 It must however be recognised that demand for a Planning Aid advisory service can be influenced by the service provider, notably through the levels of publicity given to the availability of the service. This approach has most recently been adopted in the development of the Northern Ireland Planning Aid service. This service is currently handling in the order of 350 enquiries per annum, but it is considered that if the service was more widely marketed that figure could be easily doubled.

2.51 The effects of publicity are very clearly seen in the build-up of cases handled in Scotland since inception. The increasing caseload is not a reflection that Scottish citizens are finding the planning system more problematic, but rather is a direct reflection of increasing availability of information on the service offered by Planning Aid for Scotland. The effect of a period of significant funding difficulties in the late 1990s is also evident in these figures, which resulted in a period where the service was not being extensively promoted.

2.52 In estimating a potential annual workload of approximately 540 cases annually, it is important to appreciate that figure is derived from the actual Scottish use of an equivalent service, which is now extensively advertised. Information on PAS is available through a wide network involving publicity leaflets being available in every planning authority public office, every library, Citizen Advice Bureaux offices and direct mailing to every Community Council in Scotland. It has a website, which is also linked to several other key public websites including the Scottish Executive Planning homepage, with multiple options for access to the service by phone, fax and email. Accordingly, in the early years in the development of a Planning Aid service in Ireland it is very unlikely that anything approaching the estimated figure of 540 will be achieved.

2.53 There will be a need for any new service to carefully consider the extent of publicity it seeks to achieve. While the extent to which information leaflets are distributed is the most obvious means of potentially regulating demand, other methods include limitation on the geographic coverage of the service, access to the service by email only or limiting access to advice to community organisations only. Although such measures are regrettable, it is important that the service is comfortably able to deliver within the resources at its disposal, and does not raise expectations in any unrealistic manner. In this respect, key influences on the ability to deliver will be the size of the volunteer pool and the extent of the administrative support available to the service.

## CHAPTER 3 – OPTIONS AND ISSUES FOR SERVICE DELIVERY

3.1 This Chapter examines issues associated with service delivery, and outlines potential organisational options, with indicative costs and potential funding. In examining aspects of service delivery, it addresses a range of matters raised by planning authorities during the course of the study.

### Form of Service

3.2 It was clearly evident during the study that while there was a very significant consensus on the need for a Planning Aid service, there was considerable diversity of opinion over potential roles, particularly in terms of relative priorities. As previously noted, Planning Aid services fall into 2 general forms of activity. These are:

- Provision of advice in response to a specific request from an individual or community group. This role is primarily reactive, and is generally regarded as the core activity of the service.
- Provision of training or similar opportunities through which individuals or community groups may develop a greater understanding of the planning process in order to enhance their confidence and abilities to engage with the planning system. This community capacity building or empowerment role is primarily proactive in approach, and is generally referred to as outreach activities. This form of work may extend into community planning initiatives, which typically involves advocacy activities.

3.3 The experience of Planning Aid services elsewhere have followed a broadly common pattern of development, based on the initial provision of an advisory service, which has been subsequently expanded into outreach activity provision.

3.4 As noted in Chapter 2, there is a perceived need for a Planning Aid service covering both forms of activity. However, the study has shown that the greatest need throughout Ireland centres on the potential offered by outreach work. It is the form of activity that is likely to be strongly supported by the planning authorities, who generally acknowledge weaknesses in seeking to engage with local communities, particularly at the time of development plan review.

3.5 In many respects, this preference or need poses a potential dilemma for the launch of a new Planning Aid service. The issue is primarily one of resources, insofar as an advisory service can be initially provided with relatively low resource input, but outreach work requires a comparatively high level of resource commitment. Typical funding priorities further complicate the matter. Experience elsewhere has shown that funding of core activities can be notoriously difficult to achieve. In contrast, due to the potential to package outreach work as part of wider programme of community development or similar initiatives, the attraction of funding from a much wider range of sources offers greater opportunities.

3.6 While this choice of initial approach and service priority is potentially available, the reality is likely to prove somewhat different, with the form of initial service inevitably determined by the available funding rather than need priorities. However, this aspect clearly demonstrates the importance of developing a strategy that incorporates both a short and longer-term perspective, and is sufficiently flexible

to take advantage of funding opportunities, as and when they might arise in the future.

## Aims and Objectives

3.7 The recommended overall aims of a Planning Aid service are:

- To make independent planning advice available to all individuals, community groups and organisations who are unable to afford to engage the services of a private planning consultant
- To increase awareness and understanding of planning issues and procedures, to encourage public participation and thus enhance the planning process

3.8 In pursuit of these aims, the recommended service objectives are:

- To provide advice and assistance to individuals and community groups wishing to make representations regarding an application for planning permission, a draft development plan or local plan or wishing to exercise third party rights of appeal
- To provide planning advice to community businesses or individuals seeking to establish a new business
- To advise and inform individuals and community groups about the role of planning and associated statutory procedures, to enable them to play a fuller role in the planning process
- To encourage, train and assist individuals and community groups to participate in the planning process

## Options for delivery

3.9 Having identified what the service might seek to achieve, it is important to establish in general terms how the service could be delivered. While detailed aspects are examined later in this Chapter, it is evident that there are 4 basic models for delivery.

### 1 Virtual Planning Aid service

3.10 With advances in ICT in recent years, there is now the possibility to provide a basic advisory service without the need for an office base, and at very low cost. The potential for this form of service has not been available to the existing Planning Aid services in the past, and as such, there is no experience on which to draw. The

feasibility of this form of provision is considerably enhanced in Ireland where in general the use of electronic based communication and business, particularly within the public sector, appears (at least marginally) ahead of the UK.

3.11 The service could be provided utilising a website, telephone and email only, and could well be provided by, as a minimum, about 4 volunteers. However, the principal problem will be the inevitable restriction on the scope of the type of assistance the service would be able to provide. It also raises some issues on access to the service. Although, in theory Ireland has an excellent network for public access to ICT through its libraries network, the extent to which seriously disadvantaged groups are in a position to make full use of such facilities is highly questionable.

3.12 Given its limitations, it does not represent a viable means of developing a service consistent with perceptions of need, notably in terms of outreach work. It does however offer possibilities as a means of launching an initial Planning Aid service, and should not simply be dismissed for this reason.

## 2 Voluntary body only

3.13 This option has the potential to deliver a service providing sufficient numbers of volunteers could be recruited. A fundamental issue associated with this option centres on the provision of central administrative tasks that are required by any service. While a significant number of volunteers willing to provide professional input to the service are likely to be able to be recruited, the prospects of volunteers willing to undertake relatively mundane administrative tasks appears somewhat unlikely.

3.14 In this respect, the fact that the Branch does not already have an office base, even partly manned and with basic office infrastructure, could effectively eliminate this option. However, if this basic support could be drawn through partnership with other existing organisations, it may become a viable proposition. Conversely, the development of a Planning Aid service delivered by volunteers only, might provide further justification for the establishment of a Branch office to service not simply the administrative needs of Planning Aid, but also the wider needs of the profession in Ireland.

## 3 Voluntary body with paid part-time and/ or full-time staff support

3.15 This option is the model already used by existing Planning Aid services, in which most, if not all, professional advice and training work is delivered through a pool of volunteers, with co-ordination and administration of the service undertaken by paid staff. The principal issue in this form of delivery is inevitably related to funding. It must be noted that in engaging staff, costs are not simply related to salary, but a range of additional requirements fall upon the service as an employer.

3.16 In the previous survey of RTPI members, this option was most favoured by a considerable margin over others identified at that time.

## 4 Full-time professionally staffed body

3.17 Although this option may appear relatively attractive, probably maximising both efficiency through reduced administrative tasks and with enhanced quality of service, it is essentially incompatible with the RTPI perception of Planning Aid. It is

the most costly method of delivering a Planning Aid service, and potentially raises conflicts with private sector planning consultants.

## Operational Principles

3.18 For the purposes of delivery of the service, the following operational principles are recommended:

- The service must maintain an independent position in relation to individual development proposals, planning issues or policy matters
- The service will offer advice to clients, but not act on their behalf through the drafting of representations or representing clients at meetings or hearings of any type
- The service will not undertake any work, for which the client was in a position to engage the services of a planning consultant
- The service will operate its activities in a manner to ensure that no conflict of interest could be construed to exist, including any potential conflict between the work of any volunteer and the interests of their employer
- The service will establish and maintain reasonable records of all advice given
- The service will establish performance standards and seek to deliver the service to clients in accordance with these standards

## Volunteer issues

3.19 As previously noted, at national level the RTPI has continued to envisage Planning Aid primarily as voluntary activity undertaken by members, with the support of administrative staff and limited numbers of other paid professional staff. Within the context of Ireland this has been seen as potentially problematic in two areas. Firstly, with a total Branch membership in the order of 180 there is a concern that insufficient numbers would become volunteers to maintain a viable service. Secondly, there is a view that the terms of local government contracts could be seen to prohibit any form of external professional activity, such as Planning Aid, for many members.

3.20 The earlier survey of members carried out by the Branch revealed that just over 50% of respondents would be prepared to become volunteers. While this was regarded as a “disappointing” response, in reality, if reflected throughout the membership, would represent a level of commitment far in excess of anything experienced elsewhere. In this respect it must be recognised that throughout the entire RTPI membership in England, approximately 4% are Planning Aid volunteers (Ellis, 2003). For Scotland, for example, there are currently 50 active volunteers from a Branch membership of approximately 1800. In recent years, Planning Aid for Scotland has operated with a pool of volunteers as low as 20, and the most recently launched Planning Aid service in Northern Ireland operates with a similar number of volunteers.

3.21 In addition to RTPI members, there is considerable potential for volunteer recruitment from within the significantly larger body of IPI members. The involvement

of the IPI in any initiative is likely to prove to be of major importance, and is examined in detail at paragraph 3.75 below. Most of the respondents in the survey, and those interviewed during the course of this study were IPI rather than RTPI members. At this stage, it is sufficient to note that a number of these IPI members expressed a potential interest in volunteering.

3.22 During the course of the study it was evident that relatively few members of the profession were familiar with the role of volunteers, and in general there was a perception that relatively significant commitments of time would be involved. In addition, it was evident, both during this study and in the earlier RTPI survey of members that concerns regarding potential conflicts of interest had largely arisen from (incorrect) assumptions on how a Planning Aid service might operate.

3.23 On the assumption that the operation of any future service might be on a broadly similar basis to existing services elsewhere, the following common features would be applicable and it is recommended that they be adopted:

- Volunteers do not normally advise on any case located within their home area, or within the administrative area of their local government employer (where relevant)
- Volunteers are never pressurised into taking on a particular case, and always have a choice of undertaking as little, or as much work as they want at any given time. This allows planning aid volunteers to organise their input to the service in a manner consistent with other employment, leisure and family commitments
- A very high percentage of enquiries to a planning aid service can be resolved by telephone or email contact only, and the nature of the advice service is such that it is usually unnecessary for the volunteer to visit the site, meet the client or be familiar with the area to which the enquiry relates
- A high percentage of cases relate to relatively simple development control matters, which typically can be resolved by one or two telephone calls in less than 30 minutes.

3.24 As a consequence, the commitment required of volunteers is very much at the discretion of the individual. Contrary to the impression that becoming a volunteer would be the equivalent of taking on a second job and represents a major, binding commitment, in reality is normally quite different. In many cases, commitment will be confined to something in the order of two hours per month or less.

3.25 This position is well illustrated by reference to Planning Aid for Scotland, where in operating with a pool of 50 volunteers, the maximum number of cases handled by a single volunteer during 2003 was 13, while the commitment of 8 volunteers was confined to a single case. The study by Ellis (2003) found that, in England, the majority of volunteers devoted between 1 and 4 hours per month to Planning Aid work, with a considerable number reporting less than one hour on average. In seeking to recruit volunteers it will be of particular importance to strongly

emphasise that the individual commitment will be entirely a matter of personal choice.

3.26 The study established that concerns regarding local government contracts of employment were largely unfounded, insofar as they were based on the view that the individual would be advising on local cases involving their employer as planning authority. This of course would represent a clear and totally unacceptable conflict of interest.

3.27 The perceived problem centred on the Disclosure of Interests by local government employees now required under Section 147 of the Planning Act, 2000. The prime purpose of this disclosure is to ensure that the employee has no local land interests or is engaged in any form of activity, including consultancy or advisory work that could give rise to a conflict of interest with the employee's public duties. Although any volunteer would be advised to declare involvement in Planning Aid, it would not give rise to any potential or actual conflict as defined in Section 180 of the Planning and Development Regulations. In this respect, the position of Planning Aid is not dissimilar to that of membership of the RTPI or IPI. This opinion is based on the views of several planning authorities gained during the course of the study.

3.28 However, it must be noted that this may remain an issue for at least one authority, where it is understood that specific conflicts of interest between employee's public roles and external business activities have arisen in the past. As a consequence, it is understood that the authority will not normally permit any form of external activity of a nature similar to, or related to, the employee's work. For this reason, in seeking to establish a Planning Aid service, it is very strongly recommended that every planning authority is contacted in writing to provide a clear explanation of what is involved and how the service will be operated. In doing so, it will be of importance to respect the wishes of each authority without question in the interests of fostering good working relationships.

3.29 In this respect, it is worth noting that in the establishment of a Planning Aid service in Northern Ireland, similar potential conflicts of interest were regarded as a major issue. The problem was that the DOE(NI) is the planning authority for the entire country, and virtually every public sector member of the profession is an employee. The service has been developed based on volunteers drawn from other backgrounds including recently retired planners, academics, consultants, private sector architects with planning qualifications, etc. A similar range of potential volunteers exists within the Republic, and will represent an invaluable resource in the development of any Planning Aid service.

3.30 In recruiting volunteers, it is useful to be aware that the motivation for becoming and remaining a volunteer are quite wide-ranging, and as noted by Ellis (2003) are a mixture of altruistic and instrumental reasons. The Ellis study found that the most common reasons were for personal satisfaction and a belief that it was a "good thing to do". However, for many, important considerations relate to their own careers, with most Planning Aid activities regarded as CPD helping towards meeting the RTPI requirements for membership, and an opportunity to gain some experience in aspects of planning other than that of their current job. In this respect, it provides an opportunity to develop new skills and broaden knowledge of the planning system. It can help develop knowledge of how various planning authorities may approach similar issues, and provides a different perspective on the system. For those working within the public sector, it provides an interesting insight on how members of the public view the planning system, which inevitably is somewhat different than is typically anticipated. It provides an insight to those aspects of the planning system

that regularly cause difficulties for members of the public. Planning Aid work can provide a useful route back into practice following career breaks. Finally there is a common view that Planning Aid engenders a more positive public image of both the profession and the planning system.

3.31 In recruitment of volunteers, it is important to establish individual aspirations, preferences in terms of the type of work to be undertaken and information on the professional experience and expertise of the individual. This information assists in the allocation of cases to the individual in a manner consistent with the volunteers preferences, and from the perspective of the service, maximises the use of available resources. It is particularly useful if the service has recognised specialists in areas such as planning law, retail or minerals development or architectural design within the pool of available volunteers. Apart from the obvious benefit in terms of the quality of advice offered, such specialists may assist other volunteers in gaining some experience in aspects of the system quite new or different from their employment responsibilities. In such circumstances, the specialist may simply be available for discussion with the volunteer actually dealing with the case.

### Volunteer support

3.32 Although the commitment of volunteers is primarily a matter of individual choice, for a service to function effectively there is a need for a range of administrative and management tasks to be undertaken. How these tasks are organised and delivered is largely determined by the organisational arrangements put in place (see below).

3.33 At this stage, the common tasks may be identified as follows:

- Overall management of the service to provide strategic direction
- Contact and co-ordination arrangements for those seeking advice, and associated allocation of cases to volunteers, with case recording and/ or reporting mechanisms by volunteers
- Volunteer recruitment and training as appropriate
- Financial management – strategic and routine administrative arrangements
- Funding raising, including monitoring of potential sources of funding and funding applications
- Service publicity and information
- General administration of the service/ office

3.34 Additional tasks will emerge as any initial basic advisory service subsequently develops outreach activities.

### Service standards and insurance

3.35 It is of particular importance from the outset that the quality of service delivered is of a sound professional standard. For this reason, it is strongly

recommended that without exception, advice to clients is given by fully qualified members of the RTPI or IPI only.

3.36 Experience elsewhere has shown that planning students are likely to be attracted to the service for a variety of reasons, including the potential to gain some experience of practice, which could well be of assistance in gaining their first professional post. Planning students should be given every encouragement to become involved with the service, not least of which being that they represent the next generation of volunteers. In delivering a Planning Aid service there are sufficient range of tasks to be undertaken that finding something to offer student members is not a problem! The service can assist the student in gaining some professional experience by working alongside a qualified volunteer, particularly on more complex cases.

3.37 Perhaps one of the greatest challenges for a new Planning Aid advisory service lies in the development of mechanisms to ensure that all enquiries to the service are dealt with quickly. A significant proportion of enquiries and cases are likely to relate to planning matters in which statutory time periods are applicable for third parties to act, and as such, advice is often urgently required. For this reason, it is prudent for a Planning Aid service to establish performance targets in the provision of assistance to clients. Consistently meeting such targets is important in establishing and maintaining the credibility of the service.

3.38 On the assumption that the new service will not be in a position to employ staff to provide a manned hotline telephone to provide immediate advice, a performance target of a 48 hour response time is suggested as appropriate. The 48 hour period will refer to the time taken for a volunteer to make first contact with the client, following a call to the service, which will be taken by a service co-ordinator or left as a message on a telephone answer machine or voicemail facility. A similar standard can be applied to email contact with the service.

3.39 It is of equal importance that all enquiries and cases handled by the service are documented for record and service monitoring purposes. It would be accepted practice that basic details of each case are recorded on receipt, with a note on action taken, including brief notes on the advice given by the volunteer, subsequently added. Such recording systems and associated forms can readily be supplied initially from existing Planning Aid services within the UK. The importance of establishing such case recording systems cannot be over-stressed, firstly in the event of any subsequent complaint regarding a case, but in providing statistical information on the actual demand for the service in support of future applications for funding.

3.40 In offering an advisory service to clients, the service must also have in place professional indemnity insurance to provide appropriate cover for its volunteers. The Branch will be aware of the RTPI requirements in this regard. In addition, depending on the form of organisational arrangements for the service, additional insurance covering Public and Employer Liability may be required.

#### Access to advice and potential for abuse of the service

3.41 In providing a free source of planning advice to those unable to engage the services of a planning consultant, there is an obvious potential for abuse, which has been an issue raised in the course of the study. Misuse can arise in two key

circumstances – firstly by offering advice to individuals (or developers posing as individuals) who are perfectly capable of paying for a consultant, and secondly by individuals who seek to gain credibility to their particular cause or objection by involvement of the Planning Aid service. The latter, for example, might be in dispute with a planning authority and having received advice from the Planning Aid service, seeks to explicitly draw Planning Aid into the dispute.

3.42 It is of particular importance that these matters are specifically addressed in order to avoid any potential conflicts or disputes arising between the Planning Aid service and private consultants and/ or planning authorities. Any such conflict has potentially serious implications for future funding of the service.

3.43 On first contact with a potential client, the Planning Aid service must establish some basic details both about the individual or community group, and the nature of their planning problem. Before offering advice, the service must satisfy itself that the prospective client is eligible to receive assistance. The RTPI has produced a checklist of appropriate questions for this purpose, and it is recommended that this (or an adapted version to suit local circumstances) is used in every case. As experience is gained by the service in the handling of cases, the verification process can often be streamlined through the asking of key questions early in the initial conversation. There are also a number of “rules of thumb” that can be applied – for example, if the potential client will derive any financial gain from a particular development proceeding then they will normally be ineligible for assistance.

3.44 It must however be recognised that any such initial vetting process is not totally reliable in every case. For this reason, volunteers also require to be vigilant and may decline to offer further advice if, for example, further information on the clients circumstances emerge during the process.

3.45 In circumstances where a Planning Aid service declines to offer assistance but suggests that a prospective client engages a planning consultant, it should not recommend any particular consultant(s). Rather it is good practice to send the individual a copy of the RTPI Regional List of Planning Consultants, or simply refer the caller to the telephone directory. It is worth noting that this represents an area in which private consultants benefit from the existence of a Planning Aid service, insofar as they may gain some work from clients who prior to contacting Planning Aid were unaware of the services available from consultants.

3.46 In relation to the second potential abuse of the service through attempts to involve Planning Aid in disputes with a planning authority, it is of particular importance that the service maintains its independent status for obvious reasons. As noted elsewhere in this report, the prime aim of a Planning Aid service is in offering advice only, and not to undertake advocacy roles on behalf of clients. To assist in preventing such situations arising, there are a number of prudent measures that can usefully be undertaken. These include:

- On first contact with a client, the role of Planning Aid is explained to ensure that there is no misunderstanding or unrealistic expectation of the type of assistance to be given
- In the event that the client intends to make an objection or representations to a planning authority (or other public body), the client should acknowledge that assistance was given by the Planning Aid service. It should not state or suggest that the objection is supported or endorsed by Planning Aid.

- On recruitment, volunteers should be carefully briefed on their role, and periodically reminded that they should normally provide advice and assistance, as opposed to acting on behalf of clients. This represents a further clear distinction between the form of service provided by planning consultants and that of a Planning Aid service

## Funding

3.47 The question of funding is the single most important issue, and will largely determine the type and level of service that can be delivered. This issue is not unique to Ireland, but has tended to dominate the agenda followed by every Planning Aid service established to date.

3.48 Working towards financial sustainability must be carefully considered from the outset. There is an inherent danger of building up a sound service, with increasing levels of public expectations and reliance, only to then having to undertake a potentially very damaging programme of cutbacks in the level of service offered as a consequence of lack of funding.

3.49 It is a matter that has three essential components, namely – the funding of start-up costs, service development funding, and sustainable, longer-term funding to maintain the service over time in the future. A further distinction might be drawn between the funding of the core advisory service and outreach work. At this stage, it is virtually impossible to predict what funding might become available to sustain the service in the longer term. For this reason, the study was primarily confined to consideration of initial potential funding sources, and identification of factors likely to enhance longer-term sustainability.

3.50 It is of interest to note the views of RTPI members established in the earlier Branch study, in response to a specific question on who they considered to be the most appropriate potential sources of funding. This showed that the RTPI and Department of the Environment and Local Government as the most appropriate, closely followed by the IPI. 50% considered voluntary donations an appropriate source of funding, with only 30% identifying the planning authorities.

3.51 It was quite apparent from the initial stages of the study that the prospects of obtaining any significant level of funding from a single source in order to establish a service were very unlikely. Accordingly, from the outset funding to establish a Planning Aid service will need to be derived from relatively small grants drawn from multiple sources. While this clearly has resource implications, primarily in the time spent in making grant applications, there are benefits in the service not being over-reliant on a single source of funding. The experience of Planning Aid services elsewhere has shown that funding inevitably will be for a fixed period only, often 3 years at most, which can create longer-term sustainability problems for the service at the end of that period unless alternative funding has been secured.

3.52 For this reason, even in the event that an initial single source of funding was available, it would be prudent to continue to seek funding from other sources. The key to achieving a sustainable service in the long term centres on the development of multiple income streams. Arguably, Planning Aid for Scotland is one of the best examples in this respect, operating in the current financial year with 6 separate sources of funding.

3.53 In the absence of obvious or guaranteed sources of funding, it may be argued that income generation activities could assist in the development and sustaining a viable Planning Aid service through cross-subsidy. Although this may remain an option, it is important to recognise that there are significant disadvantages in undertaking such activities. These include:

- Potential compromising the charitable status of the organisation (see below)
- Increased likelihood of conflict arising with other service providers, including consultants
- Potential loss of perceived independent status
- Increased difficulties in obtaining public sector funding

3.54 In the event that the service sought to pursue this potential means of funding, it is generally accepted that for the reasons listed above, it is prudent to establish a separate company or organisation to undertake such activities. It is worth noting that in recent years the RTPI itself was restructured to form a clear distinction between commercial activities and its core business as a professional body with registered charity status.

3.55 It must however be noted that this does not preclude commercial sponsorship of aspects of the service, providing such sponsorship does not compromise the independent status of the service. An example of such sponsorship was found in Planning Aid for Scotland, where for a number of years the printing costs of information leaflets was funded by the oil company Shell, as part of its support for environmental projects. This funding was acknowledged at the foot of the leaflet beside the Shell company logo. It is the intention of the Planning Aid Trust established by the RTPI in recent years to actively seek private sector financial support, as part of its fund-raising remit.

3.56 Although there will be no initial funding to establish the service from the Department of the Environment and Local Government, it may ultimately provide a significant potential source in the future. However, before it would be in a position to consider any funding application in the future, the service must already be in existence. Indeed, the initial demand for the service may well reinforce any arguments based on actual demonstrated need as opposed to current perceptions of need. In this respect, the position likely to be adopted by the DoELG is quite similar to its equivalent central government departments in England and Scotland. It is worth noting that for both these countries the key to obtaining significant support centred on changing priorities within government, which had the effect of placing greater emphasis on local initiatives and communities generally. Within this much wider context, Planning Aid was increasingly seen as a mechanism through which more effective community involvement in the planning process could be achieved.

3.57 Accordingly, in progressing development of a service it is of particular importance to monitor and be aware of government policies, initiatives and priorities that inevitably change over time. In doing so, monitoring should not simply be confined to planning matters, but needs to be extended into areas such as environmental, economic development, social and community related issues, all of which might present potential funding opportunities. Some examples of current such opportunities are listed below.

3.58 The nature of Planning Aid, particularly in relation to outreach work, can be sufficiently flexible to facilitate presentation of funding applications geared towards the specific focus of the funding programme. In doing so, it will normally require an ability to demonstrate how Planning Aid will contribute to the objectives of the particular programme.

### Potential Sources of Funding

3.59 At present the Department of the Environment and Local Government has responsibilities in relation to 2 environmental awareness programmes. Small grants are available through Local Agenda 21 Environmental Partnership Funding for projects linking to the overall aims of LA 21. Such grants have the potential for matched funding from local authorities. On a somewhat larger and more ambitious scale, the Department administers submissions for Irish projects under the European Union LIFE III Programme. Under the Environment part of the Programme, land use planning issues are specifically mentioned as part of the 2004 Programme priority areas. Projects are typically funded for 18 to 36 months, with funding levels in the order of €1 to 5m.

3.60 The Department of the Taoiseach, Information Society Policy Unit has responsibility for developing, co-ordinating and driving implementation of the Government's Information Society agenda to maximise the potential benefits of ICT. In conjunction with the Department of Finance, it administers the Information Society Fund, which will operate until at least 2005. Although a significant element of the Fund is directed at major public sector projects such as the Revenue Online Services and installation of internet access through PCs across the public library network, it also supports community access to ICT initiatives. It offers potential for funding of all ICT based activities associated with a Planning Aid service.

3.61 The Department of Community, Rural and Gaeltacht Affairs has the lead role in developing the relationship between the State and the community and voluntary sector. In a White Paper published in September 2000, the Government made a specific commitment to the funding of networks and umbrella bodies concerned with promotion and development of communities and the voluntary sector. Given the focus of Planning Aid in seeking to provide assistance to communities in general, and those disadvantaged in their ability to engage in the planning system, this is potentially a key source of funding.

3.62 At present, it has two important programmes – RAPID (Revitalising Areas by Planning, Investment and Development) and CLAR (Ceantair Laga Ard-Riachtanais). RAPID is managed by Area Development Management Ltd. (Holbrook House, Holles Road, Dublin 2) and the programme has 2 strands. The first targets 25 urban centres with the greatest concentration of disadvantage and priority funding under the National Development Plan, and is based on the preparation and subsequent implementation of local area action plans. The second strand follows a similar approach but is directed towards 20 provincial towns. There is a potentially strong link between this programme and the outreach role of a Planning Aid service.

3.63 CLAR complements RAPID by targeting investment programmes in disadvantaged rural areas. Although CLAR is primarily implemented by public sector bodies, action is intended to reflect priorities identified by local communities, in which a potential role for Planning Aid might exist.

3.64 Although it is understood that a prospect of funding may arise through potential assistance to small start-up businesses, there appears to be no national available fund at present to which an application could be immediately made. Funding may be found for assistance given in specific geographic locations.

3.65 Although there is little or no prospect of funding from most planning authorities in the light of current resource availability, some financial assistance could well be forthcoming from a small number of authorities. In the course of the study, two authorities in particular suggested they might offer financial assistance, and indeed have provided community funding in relation to planning matters in the past.

3.66 It was however evident that depending on the nature of the service established, a significant number of authorities would be prepared to assist. This form of non-financial assistance is not simply helpful for service delivery, but can be very important in securing funding from other sources. In particular, it may be regarded as payment in kind that can be used to lever matched funding from other sources.

3.67 Within the private and voluntary sectors, there are some potential funding sources and other forms of assistance, which may be available in the short term. Examples include potential grants available from the Vodafone Ireland Foundation under its Community Support Programme. In addition, assistance can be available through organisations such as VOLT (Volunteer Organisations Linking Together), which for example may provide volunteer training opportunities.

3.68 Although the RTPPI within the UK will not provide direct funding, the Planning Aid Trust, which has been established to attract longer-term funding for sustaining services may be in a position to assist in the future. As part of the activities of the Trust, it will be employing a fund raiser and it has been confirmed that this person could be made available specifically to raise funds in Ireland. In addition, the Branch will have access to the RTPPI Planning Aid Manager, who for example has played an important role in discussions with government to secure funding for the Northern Ireland Planning Aid service. In joining the network of RTPPI and related Planning Aid services, the Branch can reasonably anticipate considerable support and practical help from other existing services.

3.69 Finally, it must be noted that contributions to funding of the service from individuals or community organisations can provide a significant stream of income. Planning Aid for Scotland operates a Friends of Planning Aid scheme through which annual donations can be made. This is a potentially useful method whereby people or organisations who are not eligible for membership of the service (company) can demonstrate their support. Experience has shown that through relatively rigorous marketing this type of scheme can produce quite useful amounts of annual income. The converse is also true, namely that if donations are not actively sought, then the income from donations will be negligible.

## Organisational Models and Potential Options

3.70 There is a potentially wide range of organisational arrangements that might be adopted for the development and delivery of a Planning Aid service. However, the options examined below are confined to those considered feasible in the existing circumstances at the present time. It should be noted that the options are not necessarily mutually exclusive, and their respective advantages and disadvantages may alter over time.

### OPTION 1: RTPI based

3.71 As noted previously, an RTPI Branch based model is the most commonly found form of organisational arrangement for delivery of a Planning Aid service within the UK. However, the extent to which this is feasible in Ireland is highly questionable. The principal problem centres on the size of the Branch, and the fact that with no existing office or any administrative staff employed on a full or part-time basis, the Branch lacks the basic infrastructure to support the initial development of a Planning Aid service.

3.72 However, it must be noted that the RTPI Northern Irish Branch was in a very similar position, which has not inhibited the development of a Planning Aid service. That service has been developed through the employment of a part-time administrator/ co-ordinator, with home based working arrangements. This type of arrangement is not simply confined to Northern Ireland, but home-based working part-time staff are being utilised in many of the existing services currently being developed in England. There is no doubt that the viability of such arrangements has been significantly enhanced in recent years through advances in ICT.

3.73 A key advantage of this option is that it potentially minimises and simplifies management arrangements, which inevitably become more complex in any joint venture or partnership organisation. Given the size of the Branch this advantage could be considerable, particularly in seeking to avoid a situation in which the work and energies of the Branch become dominated by the demands of dealing with administrative partners in delivering a Planning Aid service.

3.74 This option would also maximise the level of support that the Branch can reasonably expect to receive from the RTPI generally, and from the existing Planning Aid network both nationally and from individual existing services. Such support should not be under-estimated and could be quite extensive, particularly on practical issues associated with service delivery. While some support can be anticipated regardless of the organisational arrangements selected, it is likely to be less extensive than that associated with a Branch only initiative.

### OPTION 2: RTPI in conjunction with IPI

3.75 This option would exploit the full potential of the planning profession in Ireland, and even for this reason alone, must be regarded as highly desirable, if not

essential for the success of a Planning Aid service. The option clearly requires a formal commitment by the IPI, and it was beyond the scope of this study to enter into dialogue with the IPI in this regard. However, it was evident during the study that, in principle at least, the IPI is likely to be supportive to the concept of Planning Aid. It was also evident that as most of the members of the profession contacted in the course of this study were IPI rather than RTPI members, there is likely to be considerable support forthcoming from IPI members.

3.76 The principal advantage of joint working initially is that it potentially increases the available resources for the development of a service. As the larger professional body in Ireland, it has a number of the key elements of infrastructure already in place that might be utilised as a basis from which a service can be developed.

3.77 There is no doubt that a joint initiative by both professional bodies will improve the prospects for obtaining future funding. Although not specifically raised during the study, it is quite likely that any future financial assistance from central government in particular would be dependant joint arrangements being in place. The converse is equally applicable insofar as it is virtually inconceivable that funding would be forthcoming for a venture that is promoted by one body, but opposed by the other.

### OPTION 3: Joint venture RTPI / IPI / CTA

3.78 In many respects, this option would realise the benefits of Option 2, but adds further advantages. In particular, the potential involvement of Community Technical Aid would give access to a fully developed organisational body with existing facilities and experience in areas of immediate benefit in developing a Planning Aid service.

3.79 The principal benefits, which might be realised through working with CTA, are:

- Access to a fully equipped office – indeed, the Northern Ireland Planning Aid service initially worked from the CTA office in Belfast to provide an immediate base for the service
- Becoming part of an organisation well experienced in securing external sources of funding
- Becoming part of an organisation with an established training function, including experience in training community groups on planning matters

3.80 These advantages are significant, and could be extremely important in accelerating development of a Planning Aid service within a reasonably short timescale. Within the context of perceived need in Ireland, the early availability of a community training capacity is highly desirable, and would greatly assist in the attraction of external funding. The fact that CTA already employs a planner could provide further benefit, and there is both a potential synergy and commonality of purpose that might prove to be mutually beneficial.

3.81 However, the fact that CTA already plays an advocacy role within the planning system is potentially incompatible with the objectives of the proposed Planning Aid service. It has the potential to bring the Planning Aid service into conflict with planning authorities and central government, which obvious consequences in terms of funding implications. It would also raise significant issues regarding the role of the RTPI and IPI as professional bodies.

3.82 For the reasons outlined above, the prospect of a joint venture with CTA may only be considered as a viable option in the event that a very clear distinction can be established between the CTA advocacy role and Planning Aid. It is worth noting that this aspect was not an issue in the relationship between CTA and Northern Ireland Planning Aid service by virtue of the fact that CTA (Belfast) is not normally involved in planning matters. As a result, no immediately obvious conflict of interest arose through the sharing of office facilities.

### OPTION 4: Formation of separate organisation, with RTPI / IPI support

3.83 This option differs significantly from those considered above, insofar as the potential role and direct involvement of the RTPI and/ or the IPI is reduced. In establishing an organisation for the sole purpose of developing and delivering a Planning Aid service, it gives a clear focus to the activity relatively free from the constraints that might otherwise arise through control by the professional bodies. Equally, from the perspectives of the professional bodies, it facilitates continuity of

existing activities and priorities without the demands of increased responsibilities arising from Planning Aid commitments.

3.84 This model has been used in London, Wales and Scotland with very considerable degrees of success having been achieved. In many respects it retains the benefits of close association with the RTPPI, but removes the potential disadvantage of direct control.

3.85 The principal advantages of this option are:

- It may be able to access funding from sources not otherwise available to the professional bodies
- It may provide a more appropriate vehicle for collaboration between the RTPPI and IPI, and avoids any potential for dispute over, for example, overall responsibility or equality of resource commitment
- It gives the organisation the degree of autonomy to facilitate development of the service and engage in activities in a more responsive manner best suited to particular circumstances, which may alter over time
- Priorities within the professional bodies may change in the future to the detriment of the Planning Aid service
- It may attract support from a wider range of organisations, which for various reasons would not wish to be aligned with the professional bodies, or the professional bodies might not wish to be seen to be associated with in maintaining their independent status
- It may be able to foster closer working relationships with community groups as clients for whom the professional bodies will typically be viewed, at best, as remote

3.86 The key disadvantages are:

- There may be less commitment to the service by the professional bodies, which particularly over time, may be increasingly viewed as a peripheral activity
- There is a need to establish an independent professional credibility for the service
- It may incur higher costs, particularly in the initial phase of service development

- It reduces the potential for cross-subsidy of the service from other forms of professional activity

3.87 In the event that this option is pursued, further consideration must be given to the form of organisation most appropriate for the purposes of operating a Planning Aid service. It is not without significance that all three UK independent Planning Aid services have selected to operate as charitable companies limited by guarantee, following extensive investigation of alternative arrangements. Initial investigation as part of this study would suggest that similar arrangements would be appropriate for Ireland if this option was to be pursued, indeed the potential tax benefits are marginally greater than those currently available within the UK.

3.88 The principal forms of legal status to be considered are whether the organisation should be a charity, and whether or not it should be an incorporated organisation.

3.89 At present, the RTPI itself is a UK registered charity, although within Ireland it is understood that status is dependant on having this status as a charity confirmed by the Revenue Commissioners for tax purposes. A similar requirement would fall on any separate organisation established for the purposes of the Planning Aid service. The principal advantages of being a charity are in gaining potential access to sources of funding, particularly grants from charitable trusts, which are often restricted to charities only, and in relation to property owned or leased, where 100% rates relief is given. There are no obvious disadvantages in having charitable status.

3.90 It should however be noted that there has been an ongoing review of not-for-profit organisations in recent years. As part of that process, Government has recently announced its intention to introduce new regulations to govern charities operating in Ireland. It is therefore of particular importance that specialist advice is sought on this aspect prior to any future decisions being made in this regard.

3.91 There are two forms of constituted organisations – incorporated and unincorporated. An unincorporated organisation may include unregistered associations, trusts and friendly societies and can have a constitution, which governs their membership, meetings, rules, but their distinguishing feature is that they do not have an independent legal status. The effect of this is that it cannot hold property in its own name, cannot take legal proceedings in its own name and individual members of the management committee or trustees can be held personally responsible for the organisation's obligations and debts. For the latter reason alone, it would not be considered prudent to launch a Planning Aid service on this basis.

3.92 There are various forms of incorporated organisation, but for practical purposes within the context of a Planning Aid service – industrial and provident society (IPS) or a limited company are the more appropriate. While an IPS enjoys many of the benefits of a limited company, a distinguishing feature is that it must be either a workers co-operative or an organisation, which is acting for the benefit of the community. While the latter may superficially appear appropriate for the purposes of Planning Aid, there is an immediate problem in defining "the Community". For this reason, an IPS is often established for social clubs, community centres or similar ventures where the community it is intended to serve can be precisely defined.

3.93 Primarily due to the various constraints outlined above many charities have elected to become companies limited by guarantee. All companies regardless of any charitable status are by definition required to adopt a corporate model of governance. Legislation requires companies to stipulate in their Articles the following:

- Membership details
- Arrangements for meetings
- Voting requirements
- Arrangements for the appointment and removal of the management committee or board of directors
- Powers and duties of the management committee
- Accounting and auditing arrangements

3.94 Companies and directors are subject to both common and statutory law. At common law the principal duties of company directors requires that they exercise their powers for the benefit of the organisation and in good faith, must not put themselves in a position of conflict of interest and are required to exercise their powers with due skill and care.

3.95 The Companies Acts 1963 and 1990 afford protection to third parties by providing for transparency and accountability in the appointment, decisions and discharge of company directors. It must, however, be noted that the Companies Acts make no distinction between commercial companies and charities and as such, charities are obliged to comply with general standards in excess of what might reasonably be expected of a small charity (O'Halloran, 2002).

3.96 Unlike commercial companies, a company limited by guarantee will have aims to pursue the purpose of Planning Aid only and does not require to have any shareholders. Membership of the company can be offered at a nominal cost of say €1. The advantages of this arrangement is that liability is limited and it is democratic with members able to elect and remove directors or management committee.

3.97 This form of arrangement has been adopted by the Planning Aid Services in London, Wales and Scotland and is recommended as equally appropriate for Ireland. In the event that the new service becomes a company, it will be possible to encourage all volunteers to become members of the company, and therefore to exercise control over the organisation.

## Delivery Costs

3.98 In order to facilitate calculation of the broad financial implications of each or chosen option(s), the following general itemised costs may be identified. The figures used are primarily derived from known annual expenditure of similar services and the RTPI draft budget for Branch Planning Aid Services (Kerr, 2003). The estimated figures quoted are annual totals and are revenue costs only.

## ESTIMATED ANNUAL REVENUE COSTS

Nature of Expenditure	Estimated Costs (Euros €)
Salary: Part-time Co-ordinator	12,000
Salary: Service Manager	33,000
Salary: Planner	40,000
Advertising	2,000
Office rental	6,000
Telephone	1,000
Postage	750
Photocopying	600
Publicity materials/ printing	4,000
Stationery/ office materials	750
Expenses - staff	1,500
Expenses - volunteers	1,500
Insurance	2000

3.99 Based on these figures the basic revenue costs of a fully developed service would be in the order of €105,00 annually. It must however be stressed that there is likely to be significant variations in practice. It is quite evident that the major potential variable centres on staff salary costs, and would be entirely dependant on decisions regarding the level of experience, etc. required for individual posts.

3.100 Capital costs will not be recurring annually, and will be heavily dependant on the organisational arrangements selected for the proposed service. If the service was delivered through or in conjunction with a potential partner such as CTA with an existing office infrastructure, or as a volunteer only service, the initial capital costs could be virtually nil. In advance of decisions in this regard, it is considered prudent that an initial capital cost in the order of €10,000 to €15,000 is assumed. The primary initial capital costs will relate to the purchase of telephone and computing equipment, and essential office furniture.

3.101 Based on these figures, the estimated revenue costs of initial delivery of a Planning Aid service are as follows:

- A volunteer only service, primarily ICT based, utilising home-based working only (or use of an office space at no cost) : **€11,850**
- As above, but with a part-time co-ordinator: **€23,850**
- As above, but with operating from a rented office: **€29,850**

3.102 For the first option above, there may be no initial capital costs, but for the latter two options, additional capital costs in the order of **€5,000** should be added in the first year of operation.

3.103 It is apparent that these represent reasonable and realistic targets for initial fund-raising.

## CHAPTER 4 – CONCLUSIONS AND RECOMMENDATIONS

4.1 This Chapter presents conclusions and recommendations of the study. It also outlines an initial strategy for the establishment of a Planning Aid service, and an indication of the recommended staffing requirements for a more fully developed service capable of meeting perceived needs.

### Key Findings

4.2 The principal finding of this study is that there is a perceived need for a Planning Aid service. This view is very widely held, with few dissenting or contrary views found during the course of the study. It is evident that the principle of establishment and development of a Planning Aid service would be supported by most planning authorities.

4.3 While all planning authorities participating in the study considered that members of the public and community groups would be the prime beneficiaries of a Planning Aid service, 92% considered it would also benefit the planning system generally and 80% recognised that it would benefit planning authorities in the discharge of their statutory responsibilities.

4.4 All but one of the sample authorities considered that a Planning Aid service would usefully contribute in promoting better understanding of the planning system, and as such, would assist in promoting a better public image.

4.5 The greatest perceived need for the type of assistance offered by Planning Aid was in provision of advice in relation to development plan preparation and review. 68% of authorities perceived a need in offering advice to those making representations on planning applications, while 52% saw a similar need in relation to third party appeals.

4.6 The role of Planning Aid should be confined to advice and training rather than engaging in advocacy activities, and as such, may be seen as complementary to the role of the planning authorities.

### Benefits of a Planning Aid service

4.7 The key benefits of a Planning Aid service may be summarised as:

- To promote better understanding of the planning process and planning issues
- To enable individuals and communities unable to afford the services of a private planning consultant to engage more effectively within the planning process through the use of statutory opportunities to influence planning decisions and the content of development plans.
- For planning authorities, it offers a potential for more effective public involvement in the development plan process, with enhanced prospects of a development plan or local plan which more accurately reflects community aspirations for an area. As such, it offers the likelihood of a greater sense of community “ownership” and confidence in the planning system

- It potentially reduces the numbers of objections to planning applications made on irrelevant non-planning or non-material grounds, but focuses on key planning issues or concerns raised by proposals
- By offering a source of independent advice, it potentially marginally reduces planning authority workloads in the provision of such advice, or often reinforces professional opinions already given by planning authorities so enhancing the credibility of the planning authority in the public mind
- It has potential to marginally reduce the number of third party appeals lodged in circumstances where the prospects for reversal of a decision are very low
- For volunteers, it offers valuable work experience contributing towards CPD, networking and training opportunities

4.8 A key problem associated with the establishment of a Planning Aid service is that it may raise expectations far in excess of the ability of the service to deliver.

4.9 In addition, it must be recognised that it does not provide a “quick fix” solution to problems inherent to the planning system. The effects or benefits of even a fully resourced Planning Aid service will only emerge in the longer-term.

## Feasibility

4.10 It is estimated that the potential workload of a Planning Aid advisory service would be in the order of 540 cases annually, but in the absence of any previous experience, this figure must be treated with extreme caution. For the purposes of delivery, the service could be delivered by a minimum number of 30 volunteers, but to give greater flexibility the target number should be closer to 50.

4.11 This estimated figure assumes that the service is widely marketed, which will not be the case initially. As the demand for the service can be directly influenced by the level of publicity given, and by restriction on access to the service, these measures need to be employed until such time as significant levels of funding are achieved.

4.12 Best estimates of costs, would suggest that a fully developed service would require annual revenue funding in the order of €105,000.

4.13 It is suggested that it is feasible to launch a very modest Planning Aid service, and it is recommended that the Branch do so as soon as possible. This will provide an initial platform from which realistic funding bids and associated dialogue can be developed. In launching an initial service the Branch and any partners should make full use of the existing Planning Aid infrastructure and experience available within the RTPi at national level and within established regional services.

## An Initial Strategy for Development

4.14 The following steps are recommended as an initial strategy for establishment of a Planning Aid service

- I. Establishment of a Branch Sub-committee to direct and progress the initiative

- II. Instigate a formal approach to the IPI with a view to forming a joint venture
- III. Form a joint working group with the IPI (assuming willingness to co-operate) to progress the initiative
- IV. Within the sub-committee/ joint working group, allocate specific roles and responsibilities. Particular attention and priority needs to be given to the role of fund raising, primarily through the preparation and submission of grant applications
- V. Contact every planning authority to advise of the initiative and seeking support.
- VI. There is merit in considering the establishment of a Planning Aid Concordat at an early stage as a means of securing the commitment of key stakeholders to supporting the Planning Aid initiative
- VII. Contact every RTPI (and IPI member) to explain the nature of the initiative and specifically request whether they might be prepared to assist through becoming a volunteer
- VIII. Assess funding actually obtained or committed, and finalise the initial form of service to be provided
- IX. Instigate preliminary publicity strategy based on likely numbers of volunteers and administrative support to be available
- X. Instigate procedures to establish the organisational/ legal status

Beyond these initial stages, any potential strategy becomes purely speculative at this stage.

## Form of Service

### 4.15 *Aims*

- To make independent planning advice available to all individuals, community groups and organisations who are unable to afford to engage the services of a private planning consultant
- To increase awareness and understanding of planning issues and procedures, to encourage public participation and thus enhance the planning process

### 4.16 *Objectives*

- To provide advice and assistance to individuals and community groups wishing to make representations regarding an application for planning permission, a draft development plan or local plan or wishing to exercise third party rights of appeal

- To provide planning advice to community businesses or individuals seeking to establish a new business
- To advise and inform individuals and community groups about the role of planning and associated statutory procedures, to enable them to play a fuller role in the planning process
- To encourage, train and assist individuals and community groups to participate in the planning process

4.17 On the basis that the proposed Planning Aid service will follow the model based on a network of unpaid volunteers, there is a need for a central administrative function. For this purpose it is recommended that a single national office be established. The work of the central office will be as follows:

### ***Volunteer support***

- Recruiting new volunteers
- Induction and training for new and existing volunteers
- Provision of a back up service to volunteers

### ***Publicity and publications***

- Publicising the service to both potential clients and new volunteers
- To prepare and distribute leaflets on the service and/or the planning system in general

### ***Outreach work***

- Informing community groups about the role of planning
- Working with community organisations to increase their understanding of planning issues and to enable them to become more effectively involved in the planning process

### ***Administration and Fundraising***

- Maintaining a register of volunteers
- Acting as the first point of contact for potential users of the service
- Matching requests for assistance with volunteers
- Servicing the Board of Directors or Management Committee

- Preparation of an annual budget and administration of expenditure
- Preparation and submission of applications to appropriate funding bodies

4.18 In the longer term, it can be anticipated that staffing requirements will increase in line with the work of the service and the availability of funding. At this stage, it is envisaged that the service staffing requirement is likely to be a Service Manager, Service Co-ordinator and a qualified Planner. Initial staff recruitment is likely to be confined to a part-time co-ordinator only.

4.19 The role of the Service Manager will be to ensure the smooth administration and delivery of the service, the office and liaison between staff and the Management Committee to ensure that the Directors instructions are reflected in the day to day running of the organisation. The person required will have general office and financial skills with experience in using initiative and in the supervision of staff.

4.20 The Service Co-ordinator will be responsible both for the administration of the advisory service and outreach work. The Co-ordinator will be responsible for the matching of clients to volunteers and ensuring that all necessary associated documentation is in place. In relation to outreach work, the Co-ordinator will be responsible for the administrative arrangements associated with the delivery of training programmes.

4.21 The Planner is likely to be relatively experienced in so far as the role will be in the handling and advising on more complex cases requiring longer term involvement and commitment. In addition, the Planner will have overall responsibility for the content both of publications and of training programmes. In common with Planning Aid Services elsewhere, this post may be organised on a home-based working arrangement.

4.22 While these represent longer-term possibilities, this study has established a perceived need for a Planning Aid service and outlined how that need may be met. The establishment of such a service will depend on the enthusiasm and commitment of the Branch and its members to convert an idea into reality.

## BIBLIOGRAPHY

Beattie RS & Munro P (2003) *An Evaluation of the CLEAR Programme*, Glasgow Caledonian University/ Planning Aid for Scotland

Davies AR (2001) *Hidden or Hiding? Public Perceptions of Participation in the Planning System*, *Town Planning Review*, 72 (2), 193 - 215

Department of Community, Rural and Gaeltacht Affairs (2000) *Framework for Supporting Voluntary Activity & Developing the Relationship between the State and the Community and Voluntary Sector*, White Paper Unit, Dublin

Ellis A (2003) *Volunteer Recruitment, Retention and Support in Planning Aid*, A report for the Royal Town Planning Institute and Office of the Deputy Prime Minister

Kerr T (2003) *Delivering a Planning Aid Service in the South West Region*, RTPI/ Office of the Deputy Prime Minister, London

Lathan C (2003) *Planning Aid – an essential role to play in the planning reform agenda*, *Planning* 28 November 2003, 24

O'Halloran KJ (2002) *Charity Law Review in Ireland and the Challenge for the State/ Third Sector Partnership*, *International Journal of Not-for-Profit Law*, 5 (1)

Royal Town Planning Institute (1997) *Corporate Plan*, RTPI, London

Royal Town Planning Institute (2001) *The New Vision for Planning*, *Planning* 11 May 2001

Royal Town Planning Institute (2003) *Funding the Planning Aid Service in England*, RTPI, London

Rydin Y & Pennington M (2000) *Public Participation and Local Environmental Planning*, *Local Environment*, 5 (2) 153 - 169

Sesnan I (2002) *Planning Aid – a review of its role and prospects for development*, Research Paper commissioned by the DTLR from the RTPI

Wates N (2000) *The Community Planning Handbook: How People can Shape their Cities, Towns and Villages in any Part of the World*, Earthscan Publications, London.

