

RESOLVED:

- (a) That the Panel expresses concern that, in his opening statement to the Panel, the Commissioner failed to demonstrate that he had considered the following key issues:
- The impact on all public bodies of the cost of judicial review;
 - The impact of his decision to issue judicial review proceedings on partnership working;
 - The context of planning decisions in terms of economic sustainability and viability of developments;
 - The reality of reaching agreements on planning issues and the need to compromise, set against the risk of losing developer contributions on appeal or in the event of piecemeal development;
 - The actions, which this Panel condemns, on the part of the Commissioner seeking information from Blaby District Council in a way which lacked any form of openness and transparency in order to bolster his case long after the event;
- (b) That the Panel:
- (i) notes that the Court's dismissal of all of the grounds put forward by the Commissioner confirms in the plainest terms its view and that of member authorities that permission for Review should never been sought, particularly in the light of the genuine attempts by Blaby District Council to find an agreed way forward, which were rejected by the Commissioner;
 - (ii) regrets that at least £125,000 of taxpayers' money has been wasted as a result of the Commissioner's action, money which could otherwise have been used on frontline policing and to improve community safety at a time when crime figures continue to display worrying trends;
 - (iii) further regrets that the Commissioner's application for Judicial Review has inflicted more damage to partnership working;
 - (iv) hopes that the Commissioner will learn lessons from this failure on his part and that of his advisers and now look to work with local authority partners in a much more constructive manner than hitherto by withdrawing the threat of judicial review made to other planning authorities and working to achieve appropriate and agreed outcomes in planning matters; and
 - (v) welcomes the statements made by the Commissioner that he will engage in discussions with partners, but expresses concern about the tone of the comments which demonstrated an apparent lack of willingness to compromise

in discussions relating to planning permissions and agreements.

That, having regard to all of the above, the Panel requests the Commissioner to report back to this Panel at its next meeting on measures he proposes to take to repair damaged relationships with partners.