

 <b>EXECUTIVE –</b> <b>1<sup>st</sup> October 2014</b>		<b>Agenda Item No.</b> <b>10</b>
<b>Title</b>	Review of the Planning Service	
<b>For further information about this report please contact</b>	Tracy Darke	
<b>Wards of the District directly affected</b>	All	
<b>Is the report private and confidential and not for publication by virtue of a paragraph of schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006?</b>	No	
<b>Date and meeting when issue was last considered and relevant minute number</b>	17 <sup>th</sup> April 2013	
<b>Background Papers</b>	Planning Peer Challenge report dated 12 <sup>th</sup> February 2013 Executive report dated 17 <sup>th</sup> April 2013 - Review of Planning Committee	

<b>Contrary to the policy framework:</b>	No
<b>Contrary to the budgetary framework:</b>	No
<b>Key Decision?</b>	No
<b>Included within the Forward Plan? (If yes include reference number)</b>	No
<b>Equality and Sustainability Impact Assessment Undertaken</b>	No (If No state why below)
No specific requirement due to the nature of the report	

Officer/Councillor Approval		
Officer Approval	Date	Name
Chief Executive/Deputy Chief Executive		Chris Elliott/Bill Hunt
Head of Service		Tracy Darke
CMT		Bill Hunt
Section 151 Officer		Mike Snow
Monitoring Officer		Andrew Jones
Finance		Mike Snow
Portfolio Holder(s)		Cllr John Hammon
Consultation & Community Engagement		
<p>This took place as part of the Planning Peer Review.</p> <p>Review of Planning Committee was also subject to a consultation exercise with Members.</p> <p>The Chair of Planning Committee has been consulted on the report.</p>		
Final Decision?		Yes
Suggested next steps (if not final decision please set out below)		

## 1. **SUMMARY**

- 1.1 The report is to inform the Executive of the progress made on the recommendations of the external Planning Peer Review that took place in January 2013 and progress on the review of planning committee which followed the peer review.

## 2. **RECOMMENDATION**

- 2.1 That Executive notes the progress made against the actions arising from the external Peer Review and internal review of the operation of Planning Committee as set out in section 8
- 2.2 That Executive agrees that further work on these issues should be pursued by officers and planning committee members and a further report will be presented to Executive in 12 months.

## 3. **REASONS FOR THE RECOMMENDATION**

- 3.1 As part of the improvement work which commenced in the Planning Service in 2012, a request was made to the LGA to undertake a Planning Peer Review which took place in January 2013. At the time it was felt that a number of changes had been made to the service, and it would be helpful to have that independent view on progress made and give assistance on how we could continue to improve, aspiring to provide the best planning service.
- 3.2 There were a number of recommendations from the peer review. Progress has been made against all of these but, as a number of recommendations relate to training and development of officers and members and the development of stronger working relationships in order to establish trust, the desired outcomes will take time to come to fruition. The LGA generally consider that significant progress will only be made on these type of actions over a three year period.
- 3.3 Following the Planning Peer Review, there was a review of the planning committee and the recommendations of the review were agreed at a meeting of the Executive on 17<sup>th</sup> April 2013.
- 3.4 It should be noted that this report links to the report on this agenda regarding the Corporate Peer Challenge Follow Up Visit.

## 4. **POLICY FRAMEWORK**

- 4.1 **Fit for the Future** – Any improvements to the Planning Service and the Committee that results in better planning decisions will be consistent with the Fit for the Future programme as it will contribute to the vision of making Warwick District a great place to live work and visit as set out in the Sustainable Community Strategy.

## 5. **BUDGETARY FRAMEWORK**

- 5.1 At this stage there are no implications on the Council's Budgetary Framework in terms of the Planning Peer Review

- 5.2 Implementation of the recommendations will strengthen the Council's planning service and reduce the risk of costs being awarded against the Council at appeal.

## **6. RISKS**

- 6.1 The risks to the service area are identified in the risk register and are regularly reviewed. If the service does not continually improve and keep ahead of the changes both nationally and locally, then it will severely impact on the all stakeholders in the planning process.

## **7. ALTERNATIVE OPTION(S) CONSIDERED**

- 7.1 Given the recommendations of the Planning Peer Review, and the Councils responsibilities to provide a good planning service for all its customers, there are no alternative options proposed.

## **8. BACKGROUND**

- 8.1 The Planning Peer Review provided a number of recommendations and next steps for the Council to consider. Some of the recommendations are at a strategic level and reinforces the need to have the planning service at the 'top table' in the organisation as it provides the strategy for the Council which cuts across all services. The recommendations are listed below with a brief update on each item to explain progress:

1. As a matter of priority, articulate and document your overall vision for the District in a way that it is understandable and usable by planning committee and planning officers

Progress: Significant progress has been made on the development of the Local Plan which provides the spatial vision for the district. The Local Plan is visible by the whole political leadership and the process is clearly understood, owned and led by members.

2. Review the room layout and acoustics for planning committee from a 'form follows function' perspective, and bearing in mind the importance of Planning Committee for the reputation of the Council

Progress: The layout of the room has been changed so that all Planning Committee members can be clearly seen by the public. The area for speakers and the public is being managed better, encouraging the public to feel part of the meeting. This includes the Chair explaining the proceedings at the beginning of the meeting. Planning committee is a public meeting where decisions are being made on projects of significant investment by applicants and potentially significant impact on neighbours and each stakeholder in the process must feel that they have had a fair opportunity of playing a part in the process.

3. Seek dialogue between the Executive, CMT and members of the Planning Committee to identify and resolve areas of disagreement in order to establish trust.

Progress: A mechanism is now in place for regular meetings between the Chief Executive and the Chair of Planning Committee to discuss issues and so to help ensure there is greater linkage and understanding between the Planning

Committee and the strategy of the Council. This mechanism aims to will help the Planning Committee understand the strategic direction of the organisation when making decisions.

4. Re-examine the structure and content of planning committee reports and members' need for information, advice and support in view of an increased number of major developments

Progress: The format and structure of committee reports have been changed to ensure that all key areas are covered, for example, there is a heading for Health and Well-being to capture how the application contributes to this strand of the Sustainable Community Strategy (SCS). Reports also now include detailed plans of the proposal to assist members. New equipment has been installed in the chamber to improve visual aids.

5. Given the significant success in improving the efficiency and effectiveness of the Development management function, introduce a more distributed leadership style

Progress: Progress has been made to delegate responsibility to officers, empowering and supporting them to use their professional skills. This also assists in providing a more efficient and effective service. The direction of the service improvements is now more widely understood by officers and they are taking more ownership of their areas of responsibility.

6. Further improve the Development Management function by:

☐ Make sure all officers are aware of the corporate priorities and vision of the authority and how that affects their role and workload.

Progress: Officers are more aware of how their role fits into the wider picture and overall vision of the Council and this work is continuing through steps taken at both the Service Area level and for the Council as a whole.

☐ Continue to integrate economic development and town centre management into development services, and particularly development management, to benefit from the available synergies. Make sure they understand each other's roles and objective and how they may be able to contribute.

Progress: Planning is required to make a significant contribution to the prosperity agenda, in particular supporting inward investment into the district. It is therefore essential that economic development is closely linked to the planning service to ensure that investors in the district have support and guidance through the planning process and that we work as one Council. Equally, our town centres need protecting and planning work closely with the town centre management to ensure that our town centres continue to thrive. Examples of this are where a potential investor contacts the Economic Development team and they help to guide them through the planning process.

☐ Create an procedures manual (online to allow updating- version control essential) to ensure that all approaches and procedures are consistent and do not rely on individuals

Progress: Whilst we have made some progress on procedures, in particular on enforcement, there is still further work to do in providing manuals in an

electronic form for all approaches and procedures and it is anticipated that this may be completed in the next year.

☐ Ensure adequate coaching and support of officers (mechanisms required) to improve the confidence of officers to take delegation, give views and form recommendations

Progress: Officers have focused on coaching and supporting each other, particularly sharing expertise within the teams so that junior staff will learn from senior staff. Regular team meetings take place including case reviews to ensure that there is a consistent approach, but also enable officers at all levels to be involved in decision making.

☐ Develop all officers' political awareness and skills including delegation of committee to the team leader and case officers.

Progress: Rotas have now been set up to ensure that all officers have the opportunity of attending and presenting at planning committee. This gives officers a better understanding of how committee consider applications and the questions members are likely to ask, enabling officers to pre-empt these in future reports. It also helps officers to become aware of issues from a member perspective, as well as helping to develop good relationships between officers and members.

☐ Now that the service has been turned around in terms of backlog, move it forward in terms of overall service quality with a focus on development management (focus on the whole process and overall time and resource implications) rather than just speed of throughput of applications.

Progress: Whilst there were risks to the service regarding the potential to be put into special measures due to the poor performance on planning applications, this was addressed prior to the peer review, and WDC is now one of the top performing authorities. We're very pleased that we've turned around the performance of an entire service area so decisively by changing the culture and focussing on outputs and outturns. Without having done so we wouldn't have the luxury of considering the current recommendation but are now able to do so from a position of strength. However, there will always be a developer or agent who wants us to flex on determination timescales. Of course that doesn't necessarily mean that it would be in the best interests of the service or its customers to do so, and a judgement is made when such requests are proposed.

There has been on-going dialogue between members, officers and applicants about performance and the key to providing timely decisions is to ensure that engagement at the pre-application stage is done well. Whilst the Government is imposing targets again on authorities, there is the opportunity of applicants requesting an extension of time. This is a tool that may work well on larger schemes and has been used by officers. That being said, we need to ensure that we do not build up a backlog of applications again which resulted in the position we were in a couple of years ago. This generated an enormous amount of complaints and demoralised staff.

It should be noted that in paragraph 3.4 (3) of the Corporate Peer Review report also makes reference to striking the right balance between target times and making the right decision for major applications and suggests discussions

with the Executive, Chair of Planning Committee and the Head of Development Services to fine tune this work by March 2015.

□ Consider introducing planning performance agreements for large and strategic applications to project manage delivery without compromising speed targets

Progress: this is addressed in the response above.

#### 7. Keep the project plan and risks for the Local Plan under close review

Progress: The Head of Development Services and the Planning Policy Manager meet the Corporate Management Team on a weekly basis to discuss the Local Plan. A Risk Register is regularly reviewed by the Senior Management Team and reported to Members on a regular basis.

#### 8.2 Following the peer review, officers also consulted on a review of the planning committee and Executive approved a series of recommendations in April 2013. These are listed below with progress to date:

1. Ensuring that, whenever possible, Committee makes a decision and does not needlessly defer or delay.

Progress: There are now fewer instances of decisions being deferred but there are still occasions when officers consider that the visual aids available should be sufficient for a decision to be made but a deferral is agreed. Officers will continue to discuss this issue with the Chair of the Planning Committee and review the effectiveness of the visual aids. Members are, of course, free to visit the site independently if it is not on the 'official' list of site visits and a number do. It has also been known to do unplanned site visits on the formal site visit day, particularly if we are going near another site on the agenda.

2. Officers to include in their recommendations a date when the Section 106 needs to be signed by, otherwise it is a delegated refusal.

Progress: This is done and works well. Members have supported this approach.

3. Ensuring that decisions are made on planning grounds and officers are more 'up front' with Members about not having valid grounds.

Progress: This is required in order for the Council to be able to ensure that the reason for refusal is defensible, reducing the potential risk for costs to be awarded against the Council. Whilst some applicants and members of the public consider that officers should not be helping committee in this way, officers are of the view that when the decision to refuse is made, they will assist members in this way to ensure that there is a robust decision that the Local Planning Authority can defend.

4. Changing the format of the planning agenda to ensure that Members can focus on the important things and let officers do their job.

Progress: Recommendations are now from the Head of Service - previously they weren't anyone's recommendations.

5. Including a summary of the applicant's supporting statement in the report, as requested by agents.

Progress: This is now being done.

6. Starting discussions on increasing delegated authority for enforcement matters.

Progress: This has been done.

7. Reducing the length of time of planning committee – seeking to avoid at all costs running into two nights to improve the quality of decision making, customer service and reduce costs.

Progress: This now very rarely happens.

8. Reducing the length of time that officers spend presenting items. Members should be reading their papers before coming to the meeting and do not need officers to repeat the whole report but just draw out the key issues.

Progress: Progress has been made but both officers and members need to continue to work on this.

9. A training event was set up by the Planning Advisory Service to ensure that we learn from the guidance given.

Progress: This needs to be done again to refresh minds and to continue to keep members and officers up to date with changes in planning at a national and local level.

10. Greater liaison of Planning Officers with Town and Parish Councils.

Progress: This was set up last year, but with changes in the service area, needs to be re-launched as both officers and Town and Parish Councils found it was helpful to provide a point of contact.

11. Widening of participation in the Planning Forum.

Progress: There has been limited progress on this and this needs attention in the next six months. This could, for example be opened up to the general public.

12. Revised speaking rights have been introduced for Major planning applications.

Progress: This works well and there have been no incidents to date where members of the public have felt that they have not had an opportunity to speak.

13. Re-organisation of the committee room layout.

Progress: Now all members are in one row and there is more room for the public to be in the same area as members and officers, so they do not feel detached from the meeting. This has been done and works well.

- 8.3. Whilst there is further work to do, officers consider that there has been a considerable amount of progress made since the planning peer review 18 months ago and there are more improvements to make. This is to be done in a partnership way with officers, members and our customers to continue to develop a good planning service.