

FROM: Audit and Risk Manager **SUBJECT:** Planning Policy
TO: Head of Place, Arts and Economy **DATE:** 23 December 2022
C.C. Chief Executive
Director for Climate Change
Head of Finance
Business Manager (Policy & Sites
Delivery)
Portfolio Holder (Cllr Cooke)

1 Introduction

- 1.1 In accordance with the Audit Plan for 2022/23, an examination of the above subject area has recently been completed by Emma Walker, Internal Auditor, and this report presents the findings and conclusions for information and, where appropriate, action.
- 1.2 Wherever possible, findings have been discussed with the staff involved in the procedures examined and their views are incorporated, where appropriate, into the report. My thanks are extended to all concerned for the help and cooperation received during the audit.

2 Background

- 2.1 Planning policy is the method by which the development of land and buildings is planned, managed, and controlled. Planning policies are designed to guide future development across the district, as well as govern planning application decisions and ascertain suitable development for the area.
- 2.2 Planning Policy is structured at two different levels: National (policies set by the Government through the National Planning Policy Framework) and Local (policies created by local authorities, parish councils and neighbourhood forums).

3 Objectives of the Audit and Coverage of Risks

- 3.1 The management and financial controls in place have been assessed to provide assurance that the risks are being managed effectively. The findings detailed in the following sections confirm whether the risks are being appropriately controlled or whether there have been issues identified that need to be addressed.
- 3.2 In terms of scope, the audit covered the following risks:
1. Failing to deliver adequate infrastructure for development, leading to reduced income from the New Homes Bonus.
 2. Potential fines for non-compliance with legislation (including the Planning & Compulsory Purchase Act 2004).

3. Unauthorised developments taking place.
4. Statutory procedures not followed/not meeting regulatory requirements.
5. Staff unaware of legislative changes.
6. Failure to pass the Housing Delivery Test.
7. Lack of staff resources to support corporate projects.
8. Poor quality development within the District.
9. Threat to health and wellbeing of general public.
10. Lack of five-year supply of housing land.
11. Delays in developing comprehensive plans leading to loss of planning appeals.
12. Failure to provide appropriate advice to officers, Members, and developers in relation to Local Plan policies.
13. Development proposals being brought forward ahead of completion of plans.
14. Injuries to staff whilst on site visits.
15. Lone working.
16. Breakdown of relationship with Stratford District Council regarding the Local Plan.
17. Housing needs of population not met.
18. Failure to deliver objectives outlined in the Local Plan.

3.3 A 'risk-based audit' approach has been adopted, whereby key risks have been identified during discussions between the internal auditor and key departmental staff. The Place, Arts and Economy Risk Register has also been reviewed.

3.4 These risks, if realised, would be detrimental to the Council with regards to achieving the external elements of the Fit for the Future Strategy.

4 Findings

4.1 Recommendations from Previous Reports

4.1.1 There were no recommendations arising from the previous report.

4.2 Financial Risks

4.2.1 **Risk: Failing to deliver adequate infrastructure for development, leading to reduced income from the New Homes Bonus.**

Housing sites and non-residential developments are monitored annually; larger sites that are subject to Section 106 agreements are monitored on a quarterly basis. The Authority Monitoring Report (AMR) is the method through which the monitoring of housing and employment land is reported. This report is produced after the annual monitoring has been completed and measures performance against Local Plan objectives. The AMR includes details of the development status of Local Plan allocations.

It should be noted that the COVID-19 pandemic has had a noticeable effect on development in Warwick District, as construction ceased during the first UK lockdown and new working practices further restricted the pace of construction. During 2020/21, 841 new homes were delivered, 228 of which came under the Affordable Housing Scheme. This figure has somewhat decreased from the 1,168

new homes delivered in the previous year; it is also below the average annual requirement of 1,098 homes. The service will shortly publish its AMR for 2021/22 in which 1,111 homes were delivered. The average annual requirement is projected to be considerably above or below average at various points in the Local Plan, due to the delivery of larger sites. The average annual cumulative requirement for 2020/21 was 7,992. The number of cumulative houses delivered was 7,235, meaning that cumulative delivery was also below the requirement. The cumulative average requirement for 2021/22 was 9,090; 8,346 homes were delivered.

4.2.2 **Risk: Potential fines for non-compliance with legislation (including the Planning & Compulsory Purchase Act 2004).**

Legally, there is no requirement for local planning authorities to produce an AMR; however, Warwick District Council (WDC) has an overall duty to monitor local planning. Policy DS2 of the adopted Local Plan requires that new housing delivers a quality mix of new homes, including affordable houses, homes suitable for elderly and vulnerable people, and sites for gypsies and travellers. During 2020/21, there was no gain or loss of bedrooms in residential institutions (care homes) and no self-contained sheltered housing units were delivered. Moreover, no homes for elderly and vulnerable people were completed, although sixty-two suitable dwellings began construction. No pitches were delivered in 2020/21 for gypsy and traveller sites.

A number of policy documents are relevant in the decision-making process for planning applications within the district. The hierarchy of these policy documents and their functions are summarised on the Council website. This includes the National Planning Policy Framework (NPPF), Local Plan, Development Plan Documents (DPD), Supplementary Planning Documents (SPD) and Neighbourhood Plans. Council-adopted SPDs and supplementary planning guidance are also located on the website.

The Planning Policy team has delivered six SPDs in the last two years and has worked with Qualifying Bodies to produce a number of Neighbourhood Development Plans, four of which have been adopted within the same time period. The policy team are actively working with another Qualifying Body at an early stage in the preparation of the Neighbourhood Plan. The AMR and the Infrastructure Funding Statement have also been produced in a timely manner and according to regulations.

4.3 **Legal and Regulatory Risks**

4.3.1 **Risk: Unauthorised developments taking place.**

Site visits are not currently conducted as frequently as previously due to the position of the Development Monitoring Officer (DMO) being vacant. Without a DMO, the service was unable to undertake quarterly monitoring in Q2 2022/23. In the absence of a DMO, the Business Manager (BM) has diverted resources to ensure that the team are able to progress and publish the housing trajectory (and in turn understand the five-year housing land supply position), the AMR and the Infrastructure Funding Statement. It is anticipated that this will be completed within the next month.

The next round of monitoring is due in January 2023. The team are hoping to conduct this monitoring as normal, but at present it is not certain whether the team has the capacity to do this. Interviews for two Site Delivery Officer (SDO) posts began in December; one of these posts has been filled subject to contract. There will also be a need to advertise for three further policy positions, including one full-time permanent Senior Planning Policy Officer, one full-time permanent career graded Planning Officer/Senior Planning Policy Officer and one full-time two-year fixed term Contract Planning Policy Assistant.

Testing conducted by the auditor reviewed site monitoring figures for Q1 2022. This revealed that quarterly site monitoring data had been inputted appropriately onto the Acolaid Idox system. Testing of data across sixteen sites revealed that figures from thirteen sites had been inputted appropriately onto Acolaid and matched the housing figures laid out in the Schedules of Accommodation. There were just three developments where minor discrepancies ensued.

Advisory – Although this did not suggest a widespread issue, consideration should be given to updating Acolaid as accurately as possible.

4.3.2 **Risk: Statutory procedures not followed/not meeting regulatory requirements.**

The Local Development Scheme (LDS) is a three-year programme which provides the local community with information on the current planning policies that are being used for deciding applications within the District. The Council is required to produce an LDS under the terms of the Planning & Compulsory Purchase Act 2004. The LDS has not only been drawn up in line with national legislation, but also in line with Local Plan policies (policy DS19). The legislation requires an annual update to be prepared to reflect progress made against the previously adopted document and any new areas of policy.

Some additional funds are being drawn down from the Climate Emergency Action Fund to pay for additional expert advice to support the remaining stages of preparing the Net Zero Carbon DPD. In addition to this, there is already provision within the Planning Reserve for officers to draw down funds to support work on the LDS documents. It is considered, however, that further budget will be required to complete the Net Zero Carbon DPD including, importantly, the costs associated with the public examination. It has been approved that a further £30,000 be drawn down from the Planning Reserve to cover costs associated with this DPD.

4.3.3 **Risk: Staff unaware of legislative changes.**

The BM holds monthly team meetings but, if necessary, separate meetings concerning specific matters are also arranged. Process and procedure notes are held on the network files relating to the Finance Management System and Acolaid.

The team keep abreast of any relevant updates through regional Royal Town Planning Institute (RTPI) seminars, although these were put on hold during COVID. Monthly lunchtime briefing sessions are also frequently held. These usually comprise presentations relating to specific topics, e.g., an emerging

policy document. Officers are also expected to book onto mandatory training sessions and are encouraged to book onto supplementary training relevant to their role.

All agreed policies are published on the Council's website, with specific pages being set up for overall policy, SPDs, and DPDs. Links are also included on the website to any live consultations. Any new legislation or guidance, such as an update to the NPPF, is circulated amongst the team and discussed at monthly meetings. When developing new policy documents, the BM holds supplementary team meetings to ensure that officers are suitably briefed and understand the emerging policies.

Local Validation Lists set out the information that WDC requires to be able to register, assess, and determine planning applications. This takes planning policy into consideration with regards to affordable housing, air quality, and design.

4.3.4 **Risk: Failure to pass the Housing Delivery Test.**

The Housing Delivery Test is a calculation specified by central Government to measure whether local planning authorities are meeting their requirements for housing delivery. It is a percentage measurement of net homes delivered against the number of homes required (as set out in the Local Plan), over a three-year rolling period. 100% or above ensures that the authority is meeting or exceeding its housing requirement. The implications of anything below this are then structured into tiers depending on the percentage. A failure to meet these targets could lead to the Local Plan becoming null and void. The Housing Delivery Test for 2020/21 is yet to be published; whilst no date has been set, the team expect this will be published in January 2023. The BM and Head of Place, Arts and Economy (HPAE) advised that the team does not anticipate any issues arising from the test; the Housing Delivery Test for 2019/20 amounted to 122%.

The team produces an annual housing trajectory to measure housing supply; this is reported in the AMR. There are many variables relating to housing delivery and therefore assumptions on what might be delivered in a year may ultimately differ from the reality; a delay in progress on one or two major sites or a development being unexpectedly brought forward can significantly alter delivery.

When granting planning permission, condition(s) are imposed relating to when a development must commence. If it does not commence within the stated period of time and no applications are submitted to extend that length of time, then the permission will lapse. Once a permission has been implemented, i.e., a substantial start has been made on site, the local planning authority has very little control over how long the period of construction will last.

4.4 **Reputational Risks**

4.4.1 **Risk: Lack of staff resources to support corporate projects.**

Staff workload is regularly reviewed through 1:1s with line managers. These usually take place on a fortnightly basis but may be more frequent if appropriate; staff also have annual appraisals. 1:1s are delivered to new starters

to ensure that staff understand their role within the team. The LDS is also a tool used to manage staff workload. However, there is inevitably deviation from this due to the changing priorities of the Council.

4.4.2 **Risk: Poor quality development within the District.**

Completed plots tend to be reviewed either by Development Management or Building Control. Legal Services or Assets deal with transactions concerning land owned by the Council. Although the service has no control over the identity of the landowner, applicant, or developer, SDOs are sometimes involved in matters relating to the purchase of the land. Furthermore, the service maintains a list of contact details for statutory consultees.

The Contracts Register was interrogated for budget monitoring purposes. Expenditure was within budget for the DPD consultancy contract and the Habitat Biodiversity Audit contract. The initial contract award for the Strategic Environmental Assessment and Sustainability Appraisal was for £37,328; this was the figure provided by Lepus Consulting within the revised tender documents. As the cost of the work was greater than the team had anticipated, the contract was awarded to Lepus by exemption. Further work was later identified which had not been included in the original contract. This could not be done by variation as it breached procurement regulations (PCR2015). This was instead delivered as a Cabinet exemption delegated to the Chief Executive Officer (CEX). The exemption for the second contract was put forward as a recommendation in the December 2022 LDS report; a request which was supported by the CEX and substantiated in the Cabinet minutes. The second contract for £56,362 was signed by both Lepus and the HPAE in October 2022. The updated contract has been included on the Contract Register and saved to the relevant network files.

The Urban Capacity Assessment contract was originally valued at £49,127.50. A member of the South Warwickshire Local Plan (SWLP) team submitted a Change Request form to the Strategic Procurement and Creditors Manager (SPCM) on 4 July 2022; this was to increase the contract by £6,487.50. This was signed by Arup and WDC in July-2022 and a formal variation to the contract was drawn up accordingly. This variation brought the total contract value to £55,615. Ultimately the cost of all three invoices supplied by Arup, amounted to £58,755.60, which was £3,140.60 greater than the varied contract amount. This increased cost was owing to ad-hoc additional work and covered the consultant's mileage costs. The BM completed a contract variation form for the additional £3,140.60 and the contract register has been updated accordingly. The BM works closely with the SPCM and Procurement Business Partner to ensure that contracts are up-to-date and recorded accurately on Ci Anywhere.

As part of the SWLP, Arup also conducted a climate change analysis, which explored the causes and impacts of climate change on South Warwickshire. Subsequently, they have developed both a mitigation and an adaptation rating for control. Mitigation refers to efforts to reduce or prevent emission of greenhouse gases. Mitigations are preventative measures against climate change such as using new technologies and renewable energies or making older equipment more energy efficient. Adaptation means anticipating the adverse

effects of climate change and taking appropriate action to prevent or minimise the damage that may arise.

Two other contracts were found to be in place for E-consultation and retail consultancy, but no expenditure was highlighted against these on Ci Anywhere. The HPAE confirmed that the retail consultancy contract with Carter Jonas no longer exists. It has, instead, been replaced by a contract with Lambert Smith Hampton. This offers a call-down service for any major retail or town centre planning applications, and also the provision of a Town Centres study to underpin the SWLP. The SWLP has its own budget which is monitored through a spreadsheet; this was last updated in February-2022.

The renewal is due on the E-Consultation contract; however, there are issues with the G-Cloud platform. The software used by the contractor has been declared preferable to the in-house software used by Stratford District Council (SDC). Based on this consultation with staff, WDC aim to use the contractor's software for the SWLP, with SDC contributing to any additional costs. This may mean that separate contracts will need procuring in the future.

4.4.3 **Risk: Lack of 5-year supply of housing land.**

The Local Plan outlines developments due to come forward within the Local Plan period and the housing trajectory provides further detail of this including those sites likely to be developed in the next five years.

The WDC Local Plan makes provision for a minimum of 16,776 new homes between 2011 and 2029. The Council is expected to ensure that sites come forward in a timely manner and that the district has, at all times, a housing land supply of at least five years. This includes assessing how many homes are likely to be completed over the next five years based on sites with existing planning permission. The total five-year requirement for the period 1 April 2021 to 31 March 2026 is calculated at 6,559. This equates to an annual average of 1,312 homes. The Council estimates that, over the next five years, a total of 6,696 new homes will be built, meaning that the Council considers that it has 5.10 years' supply of housing land.

The team monitor their five-year housing land supply through a trajectory spreadsheet. This presents a summary of actual and forecast completions and allows the service to monitor how well the Council measures up to the average annual requirement. This spreadsheet is then divided into smaller pages which look at individual sites based on current planning applications. Based on the likely build out rates, this enables the section to monitor current progress including under or overperformance.

The service also maintains a Brownfield Land Register which sets out land that the Council considers to be appropriate for residential development, following national regulations. The Brownfield Land Register Regulations came into force in April 2017 and aim to encourage developers to invest in Brownfield Land. The register is reviewed at least once every year to include any new sites or amend previously identified sites.

The Local Plan review evaluates the availability of sites. This may begin through a 'Call for Sites' process followed by an evaluation of the suitability of sites through a Housing and Economic Land Availability Assessment (HELAA). In developing the SWLP, the team commissioned an Urban Capacity Study which provided an assessment of the capacity of urban land to deliver additional housing to meet the needs of the area. Work on the HELAA will be carried out during 2023 as part the production of the SWLP.

4.4.4 Risk: Delays in developing comprehensive plans leading to loss of planning appeals.

Both WDC and SDC agreed that climate change needed to be considered as a priority. WDC has progressed a Net Zero Carbon DPD in response to its climate emergency declaration. SPDs add further detail to the policies outlined in the Local Plan. They can be used to provide further guidance for development on specific sites, or on particular issues, such as design. Although an SPD can be adopted without the need to go to public examination, it cannot outline any new policies. There is no guidance or requirements to follow on how quickly SPDs should be produced. Instead, they will be completed in order of priority, as per the Local Development Scheme. Members, officers, and Portfolio Holders are consulted in this decision. DPDs, on the other hand, are planning policy documents which form part of the Local Plan for the area. They help to guide development within a local planning authority area by setting out the detailed planning policies, which planning officers use to make their decisions on applications. A DPD is subject to an examination in public, carried out by a planning inspector. DPDs have their own timetable which allows the service to monitor progress against key target dates.

The LDS is updated annually. This sets the priorities for delivery; however, these may be altered if external factors come into play e.g., staff absence. There is a detailed timetable in place for the delivery of the SWLP which is set out on the SWLP website. This was agreed by members of the Joint Cabinet/Executive Committee on 10 March 2022. This was confirmed by the auditor through the SWLP Timetable Report, located on the SDC website. After its presentation at Joint Committee in December, there will be an eight-week consultation period commencing early January 2023. This process has been delayed slightly due to the availability of the Housing and Economic Development Needs Assessment (HEDNA) which was affected by delays in the release of relevant 2021 Census data.

All SPD and DPD documents are available on the WDC website. Neighbourhood Plans which have either been made or are under preparation are also available to view. Neighbourhood Plans form part of the Development Plan for the area. Electronic site maps of planned development sites are maintained in the planning folders on the network file.

4.4.5 Risk: Failure to provide appropriate advice to officers, Members, and developers in relation to Local Plan policies.

The LDS for 2021/22 is available on the Council website. This was approved by Cabinet in May-2021. The updated LDS went to Cabinet in December 2022. The Council could have chosen not to adopt this, and instead suggested a different

range of priorities and timetable for the delivery. However, the LDS has been developed to bring forward the right documents as swiftly and efficiently as possible in a realistic timeframe given the resources available. A formal programme of planning policy is set out in the LDS, which has prioritised goals over the next three years. Adherence to these is monitored through the AMR. The request proposing to update the LDS asked the Cabinet to note that officers are utilising existing resources within the planning service to ensure there is officer capacity to deliver the LDS. The current level of resources is not sufficient to deliver the programme of planning policy work outlined in the proposed LDS, given the range of other related tasks that the team need to deliver. An opportunity has been created through the recent wider management restructure which saw the deletion of the Policy & Projects Manager. This has given the opportunity to review the resources, capacity and skills needed to deliver the LDS, and funding will be redeployed to increase the capacity and capability of the Planning Policy team. It should also be noted that staff resourcing challenges since the publication of the current LDS have impacted on the team's ability to deliver all elements of the current LDS.

Since the adoption of the Local Plan, there have been several SPDs produced including a residential design guide and parking standards. A review conducted by the auditor found that all eight SPDs were adopted in line with the relevant Cabinet meeting dates. In addition, the Planning Policy team has also produced supplementary planning guidance on the mix of housing for large scale developments and guidance relating to Policy H6 (Houses in Multiple Occupation and Student Accommodation).

Since the production of the LDS in May 2021, the Planning Policy team commenced work on the joint SWLP with SDC and has undertaken an initial Scoping and Call for Sites consultation; they have also produced a Net Zero Carbon DPD. This is one of the first to be produced by local authorities on this issue in England and attempts to deliver on the Council's Climate Change Action Programme and respond to the Council's climate emergency declaration. The priorities for the next three years, as set out in the LDS, are the SWLP, Net Zero Carbon DPD and Purpose-Built Student Accommodation DPD along with three further SPDs. The Gypsy and Traveller Sites policy will be covered through the SWLP.

4.5 **Fraud Risks**

4.5.1 **Risk: Development proposals being brought forward ahead of completion of plans.**

The Infrastructure Funding Statement provides information on the contribution sought and received from developers for the provision of infrastructure, and the subsequent use of those contributions by WDC. These are monitored quarterly and categorise the amount of money contributed to each planning application by specific developers. Applicants are encouraged to engage in pre-application discussions with the Development Management team. Although this is not a statutory requirement it does mean that issues may arise if the pre-application advice is not taken. Although Planning Policy provide advice on local plan sites there is no set charge for this.

4.6 Health and Safety Risks

4.6.1 Risk: Injuries to staff whilst on site visits.

The team conduct quarterly site visits to assess plots for completion. Staff record this through spreadsheets and upload figures to Acolaid. There is an ICE (In-Case of Emergency) spreadsheet that only service managers have access to; this contains the contact details of individuals and next of kin should they be required. There are currently no risk assessments specific to Policy & Projects on AssessNet as staff visits are fairly infrequent. There is, however, a site inspection risk assessment for Building Control that can be applied to Planning Policy site visits and lone working. This covers COVID-19, travelling for work, PPE and handling of equipment or documents. There have been no known accidents to date, as Planning Policy officers and Development Monitoring Officers rarely visit live construction sites.

4.6.2 Risk: Lone working.

If staff go on site during monitoring or policy work, they are asked to update their Outlook calendar with their whereabouts and the times that they expect to be out of the office. A review of the previous DMO's calendar was conducted; it was found that site visits had been recorded in the calendar and the officer was shown as working out of the office. Officers are also asked to operate on a 'buddy' system, whereby a colleague will be informed of officer whereabouts and the time that they expect to return.

Solo Protect has been discussed at a management level, but it was felt that there was no need for policy staff to be issued with the devices given the infrequency and nature of the visits that they undertake. New staff are issued with PPE where relevant and use their own mobile phones when visiting sites. The service has also devised a virtual whiteboard in which staff members log their daily working times and activities. This ensures that management has a clear indication as to staff whereabouts. The Service Area has a lone worker policy that staff must follow when undertaking site visits. However, this has not been updated since 2018.

Recommendation – The Service Area Lone-Worker Policy should be updated.

Although there is a Corporate Lone-Worker Policy in place, this also is out of date (2018). The recommendations to update this policy are being covered under the Corporate Health and Safety audit.

4.7 Other Risks

4.7.1 Risk: Breakdown of relationship with Stratford District Council regarding the Local Plan.

There is no formal agreement in place with SDC regarding the joint Local Plan. The principle of undertaking this project was agreed by both Councils, and Joint Cabinet continue to make decisions on the SWLP. The appendix to the Cabinet decision (which was also approved by SDC's Cabinet) sets out the principles by

which the service operates. This includes the proposed governance and funding arrangements. The estimated cost of producing the SWLP is £2.2m, excluding staff costs. This cost is to be shared equally between Stratford and Warwick. Stratford has £1.3m in place within the Core Strategy Funding Reserve to fund its share. Warwick currently has £0.5m allocated, including £0.3m as part of the 2022/23 Budget. Further funding from WDC will need to be agreed as part of future Budgets.

SWLP team meetings are held every week with the BM, HPAE and their SDC equivalents. The Planning Policy team are also in regular contact with their Portfolio Holder and Development Management. There is a SWLP advisory group in place which comprises Members from both local Councils.

4.7.2 **Risk: Housing needs of population not met.**

The consultation process varies depending on whether the new policy is an SPD or a DPD. SPDs will be produced in draft form and will be passed to Cabinet for approval to consult. From there, a public consultation process will be undertaken along with informing the statutory consultees (e.g., parish and town councils, Highways England, Historic England etc.). Once this consultation period has ended the comments will be made live, a summary will be produced, and responses and actions will be drawn up. Depending on the responses, some changes may be made, and a report will then be presented to Cabinet for the policy to be adopted. The process for DPDs is largely similar; however, there will also be a second round of consultation, with the document subsequently going to an independent inspector for public examination following a Council decision to submit the Plan for examination. Neighbourhood Plans are designed by local communities to guide development in their parish or other designated area. Once adopted, these form part of the policy framework for the area. Three plans were made during 2021 (Bishops' Tachbrook, Radford Semele and Royal Leamington Spa) and a further in 2022 for Burton Green.

The Council undertook a scoping consultation on the SWLP which ran from 10 May to 21 June 2021. This asked a series of questions regarding what the new Local Plan should cover and how the Council should aim to tackle issues. In particular, it asked where in South Warwickshire new development should be located and how the Council should accommodate growth. At the same time as the consultation, a Call for Sites also took place, inviting suggestions for potential sites to be allocated for a variety of land uses. This process allows residents to suggest land for future development or infrastructure purposes. These are then assessed and considered for their sustainability for inclusions as allocations within the SWLP. These have been compiled into an interactive map for the public to view.

The Call for Sites was published on 5 January 2022 with a total of 558 sites being submitted. Publication of the Call for Sites is not an endorsement by either Council that the site is suitable for development or that it will be included within the Local Plan itself; in fact, it is unlikely that all sites will be taken forwards as the plan progresses. The SWLP period has a minimum requirement of fifteen years, with a review of the plan taking place every five. Members of the public have the option to sign up to the SWLP website in order to be kept informed.

Council activities are also published on Social Media sites including Facebook and Twitter.

Testing conducted by the auditor reviewed two SPDs and four DPDs. Five out of six documents had received approval to consult which were substantiated by Cabinet meeting minutes. The Gypsy and Traveller DPD has been subsumed into the draft SWLP. The Canalside DPD, whilst has received consultation responses, has not yet been adopted as it is also laid out in the SWLP. The Net Zero Carbon DPD (Regulation 18 and 19) has not yet been adopted as it is currently undergoing independent examination. In all cases, OPUS Consult allowed the auditor to see the number of responses to each document, with the number of comments, supports and objections clearly visible. In four cases, the public were given a full two months to provide responses. The Canalside DPD was given six weeks as per Council requirement. No summary of responses from the Council has been provided for the Canalside DPD, as the Net-Zero Carbon DPD and SWLP have taken priority. There was also strong opposition from the Canal and River Trust and therefore it was not sensible to progress the DPD onto the examination stage without first addressing these concerns. The Programme Advisory Board also agreed that this should not be considered a priority; whilst it remains on the LDS, there is no timetable set out for its adoption. When next reviewing the LDS, this will be re-visited, and its priority and delivery will be considered in light of other priorities and staff capacity.

4.7.3 **Risk: Failure to deliver objectives outlined in the Local Plan.**

The Local Plan allocates sites across the district for housing, employment, town centre development, education and sports and leisure purposes. The current status of each of these sites is monitored throughout the AMR. The SWLP is replacing the strategic policies of the existing Warwick Local Plan. If SDC did decide to withdraw from the joint plan, WDC would revert back to an updated version of their own local plan.

5 **Summary and Conclusions**

- 5.1 Section 3.2 sets out the risks that were reviewed as part of this audit. The review highlighted a weakness against the following risk:
- Risk 15 – Service Area lone-working policy is out of date.
- 5.2 One further 'issue' was also identified where an advisory note has been reported. In this instance, no formal recommendations are thought to be warranted as there is no risk if the actions are not taken.
- 5.3 In overall terms, however, we are able to give a SUBSTANTIAL degree of assurance that the systems and controls in place in respect of Planning Policy are appropriate and are working effectively to help mitigate and control the identified risks.
- 5.4 The assurance bands are shown overleaf:

Level of Assurance	Definition
Substantial	There is a sound system of control in place and compliance with the key controls.
Moderate	Whilst the system of control is broadly satisfactory, some controls are weak or non-existent and there is non-compliance with several controls.
Limited	The system of control is generally weak and there is non-compliance with controls that do exist.

6 **Management Action**

- 6.1 The recommendations arising above are reproduced in the attached Action Plan (Appendix A) for management attention.

Richard Barr
Audit and Risk Manager

Action Plan

Internal Audit of Planning Policy – December 2022

Report Ref.	Risk Area	Recommendation	Rating*	Responsible Officer(s)	Management Response	Target Date
4.6.2	Health and Safety Risk - Lone working.	The Service Area Lone-Worker Policy should be updated.	Low	Business Manager (Policy & Sites Delivery)	The current lone worker policy remains largely relevant; however, it would benefit from being updated as it was prepared prior to the pandemic, when most staff were office-based for most of the time.	31 March 2023

* The ratings refer to how the recommendation affects the overall risk and are defined as follows:

High: Issue of significant importance requiring urgent attention.
Medium: Issue of moderate importance requiring prompt attention.
Low: Issue of minor importance requiring attention.