



SOUTH
KESTEVEN
DISTRICT
COUNCIL



Governance and Audit Committee


15 March 2023

Report of Councillor Nick Robins
Cabinet Member for Planning and
Planning Policy

Planning Service Review – Progress Report (March 2023)

Report Author

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Purpose of Report

The purpose of this report is for Governance and Audit Committee to consider the progress made against the Planning Review Action Plan and to seek agreement to receive a further progress report in 12 months in relation to the remaining actions.

Recommendations

It is recommended Governance and Audit Committee:

- 1. Agrees to receive a progress update on the remaining items on the Action Plan in 12 months.**

Decision Information

Does the report contain any exempt or confidential information not for publication?

No

What are the relevant corporate priorities?

- Growth and our economy
- Housing that meets the needs of all residents
- Healthy and strong communities
- Clean and sustainable environment
- High performing Council

Which wards are impacted?

All

1. Implications

Taking into consideration implications relating to finance and procurement, legal and governance, risk and mitigation, health and safety, diversity and inclusion, safeguarding, staffing, community safety, mental health and wellbeing and the impact on the Council's declaration of a climate change emergency, the following implications have been identified:

Finance and Procurement

- 1.1 There are no direct financial implications arising from the report. Should any additional costs be required, this will be assessed and considered at the appropriate time in line with the service plan.

Completed by: Richard Wyles, Chief Finance Officer

Legal and Governance

- 1.2 This external review and the resulting action plan has resulted in improvements to the Council's Planning Service, which should be welcomed. There are no significant legal or governance implications arising from this report.

Completed by: Graham Watts, Assistant Director of Governance and Monitoring Officer

2. Background to the Report

- 2.1 A key theme of South Kesteven District Council's Corporate Plan (2020-2023) is to deliver a culture of high performance. The role and purpose of the planning service is to protect the built and natural environment while enabling development to meet the changing needs and aspirations of the people of South Kesteven. A key action of the Corporate Plan was to undertake a planning review to improve performance and support local sustainable, high-quality growth.

- 2.2 Following engagement with councillors and officers through workshops and focus groups, in September 2020 the results of an independently commissioned review of the planning service was published. An action plan was subsequently developed, for which Governance and Audit Committee last received an update just over a year ago.
- 2.4 Since this Committee was last updated in January 2022, several critical posts have been filled and a review of the overall structure was completed in November 2022. The subsequent restructure, within the same budget envelope, has allowed the creation of new posts which should be filled in Spring 2023. New posts include:
- Development Management and Enforcement Manager
 - Planning Policy Manager
 - Infrastructure Delivery Officer
 - Senior Planning Policy Officer
 - Fixed-Term temporary Planning Policy Assistant Officer
 - Additional Planning Support Officer
 - Assistant Conservation Officer (increased from part-time to full-time)
- 2.5 The planning restructure and consequent recruitment process is critical to the completion of the Action Plan. Reviews of the Council's pre-application service, including Design Pad, are ongoing and will be completed once the team is fully resourced. The additional resource created in the Planning Support team, along with some improvements to the Information Technology (IT) system will allow the validation of planning applications to be moved from planning officers to the support team. This will free up Officer time to concentrate on the determination of planning applications.
- 2.6 The Council has recently appointed a new Senior Enforcement Planning Officer following the departure of the previous officer in August 2022. As a result of this appointment, the enforcement team will be able to focus on a review of the Enforcement Policy as well as other processes and practices. Quarterly updates on performance to the Planning Committee will also be able to be resumed.
- 2.7 The new Infrastructure Delivery Officer will, with the senior Development Management team, review the current processes associated with the collection and monitoring of section 106 agreements. Work will also include creating a fee structure for monitoring agreements which will assist in funding this post. The creation of this post will allow better engagement with our stakeholders including the Parish and Town Council's to ensure better opportunities for local infrastructure provision to meet the needs of development.
- 2.8 An update to the Action Plan is provided at **Appendix A**. For ease of reading there are two tables, as follows:

- a) The first table provides an overview of the action, progress to date and anticipated completion date of the action (split into actions to be undertaken by Officers (i.e. improvements to the Planning service) and those which included Member engagement (i.e. engagement with the Planning Committee)).
- b) The second table highlights completed actions.

3. Key Considerations

- 3.1 Significant amendments to the Council's Constitution have been undertaken and were adopted at Full Council on July 2022 (see **Background Papers**). This included changes to the Scheme of Delegation which has enabled the Planning Committee to focus on the most significant and controversial applications.
- 3.2 Alongside the changes to the Constitution, a new Planning Local Guide of Good Practice was approved (see **Background Papers**). This document provides guidance for Councillors and Officers when dealing with Planning Matters and covers procedure for several key areas including (yet not limited to) the following:
 - The role of the Planning Committee
 - Lobbying
 - Public Speaking
 - Decision Making process
 - Decisions contrary to officer recommendation and subsequent appeals
 - Site visits

4. Other Options Considered

- 4.1 The Planning Review (undertaken in 2020) and subsequent action plan were a result of extensive consultation. Therefore, the 'do nothing' option was discounted as it was considered appropriate to provide Members with an update on progress.

5. Reasons for the Recommendations

- 5.1 Service reviews allow the Council to reflect on how a service is performing and specifically what is going well and what areas could be improved. Once a review has been carried out it is important any action plan created is monitored and progress against it reported. By reporting progress, the Governance and Audit Committee will have the assurance the areas for development highlighted by the Planning Service Review are being prioritised and addressed, with improvements embedded. The approach outlined, provides the Audit and Governance Committee with the opportunity to maintain ongoing oversight and refinement of the action plan.

6. Consultation

- 6.1 Since the action plan was last reported to this committee, a significant amount of consultation with the Planning and Constitution Committees has taken place as part of the review of the Planning Scheme of Delegation and creation of the Planning Local Guide of Good Practice. Feedback from this process has been extremely positive and resulted in several amendments to the documents before they were presented in their final forms.
- 6.2 The restructure of the planning team underwent consultation with the unions and staff. As detailed above, the restructure has resulted in several new posts being created which will help deliver the remaining actions in the Action Plan. The consultation was received positively, and some changes were made to the structure as a result of the engagement process.

7. Background Papers

- 7.1 *Amendments to the Council's Constitution* – Report to Council, Published 25 July 2022, available online via:
<http://moderngov.southkesteven.gov.uk/documents/s35269/Covering%20Report.pdf>
- 7.2 *Guidance for Members and Officers Dealing with Planning Matters – A Local Code of Good Practice*, Published and available online via:
<https://moderngov.southkesteven.gov.uk/documents/s32677/Appendix%20B%20Guidance%20For%20Members%20and%20Officers%20Dealing%20with%20Planning%20Matters%2029th%20October.pdf>
- 7.3 *Planning Service Review – Progress Report*, Report to Governance and Audit, published 26 January 2022, available online at:
<http://moderngov.southkesteven.gov.uk/documents/s32273/Planning%20Service%20Review%20-%20Progress%20Report.pdf>
- 7.4 *South Kesteven District Council Planning Service Review*, published September 2020, available online at:
<https://moderngov.southkesteven.gov.uk/documents/s30480/Annex%201%20-%20South%20Kesteven%20Planning%20Review.pdf>

8. Appendices

- 8.1 Appendix A – Planning Review Action Plan [Updated March 2023]