

PLANNING REVIEW ACTION PLAN

DATE: March 2024

PURPOSE OF PAPER:

To provide Governance and Audit Committee with an overview of the development of and progress of the improvement plan arising from the externally commissioned review for the Planning Service.

The table below provides an overview of the action, progress to date and anticipated completion date of the action. This has been split into actions that are within the scope of the officers (i.e. improvements to the Planning service) and those that include Member engagement (i.e. engagement with the Planning Committee). Those actions that have been completed have also been moved to a separate table (Table 2).

OVERVIEW OF PROGRESS:

Table 1.

Action No.	Action	Progress	March 2023 status	March 2024 status
Officer Programme – Operation of Planning Service				
13.	More training for officers on best practices when presenting to the planning committee.	The Director for Growth and Culture and Assistant Director of Planning to oversee the delivery of this action. The sessions to be delivered with support of Chair and Vice Chair of planning committee.	In progress with ongoing training; all officers are encouraged to present their own cases to Committee as part of their development.	Complete – All officers present their own cases at committee and are supported through this. Ongoing training will be part of usual CPD/appraisal process.
18.	The Enforcement policy should be reviewed and appropriately resourced.	Additional Planning Enforcement budget approved for 2021/22 and recruitment activity was undertaken. New Senior Enforcement Officer has been appointed (January 2023) after a period with the post being vacant.	Resourcing – Complete. Reporting of performance of the Enforcement team to resume (Planning Committee) Enforcement Policy to be reviewed Spring 2023	Resourcing – Complete . Reporting of performance of the Enforcement team – Complete – report to Planning Committee May 2023 Enforcement Policy – reviewed by officers complete
25.	Fully exploit the opportunity of technology investment.	Audit of functionality across systems complete. Implementation plan in development working with the South Kesteven ICT service to provide training and appropriate solutions across the service.	Ongoing - Use of Uniform/IDOX is being expanded (e.g. use of Tree Preservation Order module and Public Access)	Complete
26.	Revise the validation process to be a back of house function.	Engagement and workshop conducted with individual teams and jointly. A resource analysis has been completed to understand the required resource to absorb validation requirements. Transfer of activity to commence in July 2021.	The Planning restructure has resulted in additional resourcing in the planning support team – validation function to move across from Spring 2023.	Complete
27.	Ensure clarity within the Council on who holds responsibility for the delivery of the IT strategy, updates, and training of staff.	Included within Item 25 once current upgrades have been implemented.	Spring / Summer 2022 Completion with external supplier.	Complete
Officer and Member Programme – Engagement with Planning Committee and Other Processes				
15.	Create a clearly defined pre-application process which distinguishes between strategic and minor applications, and between corporate discussions in relation to growth and investment versus technical input from the planning service.	Further work will be undertaken in 2022 to review the pre-application advice service and this will include further protocols to support member engagement.	Commencement: January 2022	Complete
16.	The Council should replace the existing 'Design Pad' with full briefings for all members of the Committee on major applications.	Design pad has been retained with amendments to ensure smooth running of the service and to reduce the risk of probity.	Commencement: January 2022	Complete

		The delivery of this service will be reviewed as part of the overall pre-application process (item 15).		
29.	Establish clear pathways for engagement with the Council at strategic and operational levels in respect of planning consents and development proposals. For example: Developers to meet with Leader and Chief Executive or Director only. No members of the planning committee should be meeting with developers.	<p>Following an external review a suggested pathway has been developed with clear roles in engaging with developers (i.e. who should/should not communicate with developers at different stages).</p> <p>Clear protocols have been established with significant engagement with members ensuring this is clarified. The next items of work will be to examine the pre-application advice service to ensure we are evolving with the demands of the service. This is to be delivered in line with items (15 and 16).</p>	Partially completed through the adopted protocols. Linked with items 15 and 16 in relation to Member engagement.	Complete

Table 2

Action No.	Action	Completed	Expected Completion Date
Officer Programme – Operation of Planning Service			
11.	Develop a tailored and targeted member training programme which addresses specific concerns and in particular addresses issues raised around application of planning policy in decision making, the framework and appropriate use of conditions, and the key stages in determination of a larger planning application.	<ol style="list-style-type: none"> 1. Audit of the training which has taken place. 2. Review training for gaps and examine training process for committee members. 3. Future training needs identified and a draft schedule developed to support ongoing development of the planning service. <p>Training schedule in place until February 2022.</p>	Complete
12.	A series of workshops in relation to Local Plan “ownership” and future revisions. This is likely to be an ongoing piece of engagement with elected members.	<p>Programme of training to be constructed and shared as per Recommendation 11.</p> <p>Early delivery includes Sessions on 27th January and 24th February on Local Plan housing/environmental policies and the draft Design SPD.</p> <p>Future sessions to be incorporate as part of the ongoing training programme.</p>	Complete – February 2021 (with ongoing action)
13.	More training for officers on best practices when presenting to the planning committee.	The newly appointed Director for Growth and Culture to oversee the delivery of this action. The sessions to be delivered with support of Chair and Vice Chair of planning committee.	Completed - with ongoing training; all officers are encouraged to present their own cases to Committee as part of their development.
17.	Quarterly reporting of Section 106 income and expenditure, and enforcement matters should be scrutinised by the monitoring officer and reported to committee.	Publication of the Infrastructure Funding Statement and Associated documents to MHCLG. Regular quarterly briefings for Planning Committee in place.	Complete - December 2020 (with ongoing action)
21.	Implement a system of regular Directorate Team meetings between the Director and the Heads of Service to provide leadership, direction and focus to the service.	Regular management meetings scheduled with Assistant Director of Planning. Weekly Team Leaders meetings and 1-2-1s in place.	<p>Complete</p> <p>Regular 1-2-1 meetings have been booked and made available for members of the team.</p> <p>Team Leader Meetings across Planning, Planning Policy and Support Team held on a weekly basis.</p> <p>Monthly Planning Department team meeting in place.</p>
22.	Linked to resolving issues of structure and permanence within the officer core, establish a culture of collaborative and strong leadership including regular opportunities for engagement between officers, Heads of Service and Directors.	Create channels for junior staff to receive regular communications and seek support from Leadership. Ensure engagements from 1-2-1's are meaningful and support the development of officers.	Complete and continues as per yearly appraisal.

23.	Establish a system of performance indicators which are easily understood by members and officers and hold regular feedback sessions for teams and individuals.	Service Plan developed and approved in April 2021. Delivery against objectives and implementation to continue. Continuous review of the KPIs to ensure an accurate reflection of the Corporate Plan Objectives and to deliver improvements to service performance.	Complete
24.	Develop in-house experience within the planning team by aligning Special Projects, the Local Plan, and Development Management teams under a single head of planning service and exercise greater restraint over the use of external consultants.	Review Structure aligned to Assistant Director role and implemented (May-June 2021). Item achieved within current structures. Senior Planning Officer's started in May 2021 / Enforcement Officer August / recruitment in place for Principle Conservation officer and Assistant Director of Planning appointed to join in September 2021.	Complete
28.	The conditions for permanence within the staffing structure and review recruitment proposition to ensure the Council can attract and retain high quality personnel. This will enable clear leadership, structure, and lines of engagement between officers.	Review Structure aligned to Assistant Director of Planning role and further programmed work to take place.	Complete November 2022 with a restructure of the service
5.	Senior staff advice including legal advice, should routinely be available to committee members at the committee	This has been agreed and implemented.	Complete
Officer and Member Programme – Engagement with Planning Committee and Other Processes			
1.	Consider whether the present Committee arrangements are fit for purpose	The committee arrangements are being considered as part of a wider review of protocols and processes, which are referenced in the actions outlined below.	Following significant engagement with Councillors including the Planning Committee new protocols and constitutional arrangements have been in place since July 2022
2.	Clarify the protocols for representations to the Planning Committee, ensuring consistency and equity in those for and against an application. Adhere strictly to the time limits.	Current speaking arrangements and protocols for representations are appropriately clear and have been clarified in Informal Committee meetings. The Chair and Vice Chair of the Planning Committee are responsible for ensuring that these protocols are adhered to.	Completed July 2002 (as no. 1 above)
3.	Ensure the new protocols are published and readily understood by all participants at each planning committee and that prospective speakers are reminded of them before the meeting.	Existing protocols and amendments have been presented in consecutive committees. Two informal consultations we're undertaken with Planning Committee with the process being overseen by the Chair of Planning and the Cabinet Member for Planning & Planning Policy. Revisions to the protocols will now be considered by relevant committees prior to formal adoption (i.e. Constitution Committee and Full Council).	Completed July 2022 with training provided to Councillors (as no. 1 above)
6.	The Council changes its procedures to ensure applications are only refused at Committee where members have voted to do so based on clear and cogent planning grounds.	A Local Code of Good Practice has been provided which outlines guidance to members throughout the process of determination. This will aid committee members and add to further learning from member training sessions.	Complete with ongoing training plan in place.
7.	Agree a revised Scheme of Delegation collaboratively with elected members for adoption by the Council and ensure any deviation can only be agreed on an exceptional basis by the Chief Executive, in consultation with the Leader of the Council.	Following consultation with the Planning Committee – a proposed scheme of delegation will be taken forward. This was voted and agreed at the 26 November 2021 Informal Planning Committee.	Completed (July 2022 as no. 1 above)
8.	Agree a revised Call-In protocol which permits members to call-in applications within their wards, on submission of a request containing a sound planning reason. This should be adjudicated by a senior manager, ideally the Service Director.	Following consultation with the Planning Committee – the call-in procedure was examined in detail. Call-ins will now be adjudicated by the Chair and Vice-Chair of Planning in Consultation with the Assistant Director of Planning. This was voted and agreed at the 26 November 2021 Informal Planning Committee.	Completed (July 2022 as no. 1 above)

9.	The creation of a criteria for when an application justifies a site visit will help provide greater clarity and confidence in the planning system.	<p>Following consultation with the Planning Committee – a revised site visit process will be taken forward.</p> <p>Members are able to undertake site visits individually. Risks associated with Health and Safety, Lone-Working and Probity will be the responsibility of the elected member.</p> <p>A regular schedule of site visits will be set and scheduled for Planning Committee members to attend.</p> <p>Guidance can be read in the Local Code of Good practice.</p>	Completed (July 2022 as no. 1 above)
10.	Further, a Code of Conduct for members when attending site visits will help protect the council and members from any vexatious or otherwise pre-determination and other legal challenges.	<p>Following consultation with the Planning Committee – a revised site visit process will be taken forward.</p> <p>Members are able to undertake site visits individually. Risks associated with Health and Safety, Lone-Working and Probity will be the responsibility of the elected member.</p> <p>A regular schedule of site visits will be set and scheduled for Planning Committee members to attend.</p> <p>Guidance can be read in the Local Code of Good practice.).</p>	Completed (July 2022 as no. 1 above)
14.	The Council should revise the expectations of elected members who serve on the Planning Committee to ensure the highest standards of transparency and openness in relation to other tiers of Government in the District.	<p>This was examined within both Informal Planning Committees and a Local Code of Good Practice has been provided to support the Members who serve upon the committee.</p> <p>Significant chapters to aid this section include:</p> <ul style="list-style-type: none"> - Fettering discretion in the planning process - Lobbying - Decision Making - Site Visits 	Completed (July 2022 as no. 1 above)
19.	Use the opportunity of a revised planning and development structure to revisit member and officer relationships through the lifecycle of an application to ensure value added and appropriate interaction. This could be achieved through internal and external training and support - and must be undertaken collaboratively.	<p>The new Assistant Director of Planning in engaging with the service has reclarified the roles of Members and Officers. This will be supplemented by the Member training programme.</p> <p>This has been identified in the Local Code of Good Practice where Member and Officer roles are outlined. The guide goes further to identify the 'do' and 'do not' items to assist member interaction throughout the lifecycle of an application.</p>	Completed with scheduled member training programme as an ongoing item.
20	Outlines the clear roles and responsibilities of elected members and officers in the determination of planning applications.	<p>To be communicated and clarified as part of any process involving revisions to delegations and processes.</p> <p>Further training will also be available to support Members and Officers.</p> <p>The Local Code of Good Practice outlines Member and Officer roles across various scenarios. The guide goes further to identify in context, where members should be cautious and approach situations with clarity of various risks.</p>	Completed Local protocols adopted July 2022
4.	Specific training for Chair and Vice-Chair on running procedures and Chairing of meetings.	To be examined and provided in consultation with the Chairman and Vice-Chairman of the Planning Committee alongside the Director of Growth and Culture and newly appointed Assistant Director for Planning.	Completed 6 th October 2021 – Chairing Skills for Councillors