

**REPORT TO PLANNING COMMITTEE**  
**28<sup>th</sup> October 2014**

**PLANNING PEER REVIEW**

**Purpose of the Report**

To provide the Planning Committee with an opportunity to comment on a proposed Action Plan that is to be considered by Cabinet to address the recommendations of the Planning Peer Review Team

**Recommendation**

**That the Planning Committee recommends to Cabinet that it agree the proposed Action Plan**

1. **Background**

1.1 The Council commissioned the national Planning Advisory Service to review its Planning Service with the aim of addressing perceived concerns about facets of the service to ensure that this important service is both effective and efficient.

1.2 The review process was undertaken in accordance with a nationally-agreed approach. This involved an assessment around a number of key themes.

1.3 The review team spent three days on site during which they interviewed a wide range of Members, officers and other stakeholders.

1.4 The Council in mid-August received a final report/letter from the Peer Review Team (PRT), a copy of which has since been circulated to all Members. For ease of reference the recommendations have been extracted and shown at Appendix 1, whilst the report/letter is provided as Appendix 2.

1.5 At its meeting on the 15<sup>th</sup> October Cabinet received a report inviting it to agree how to manage and respond to the report. Members were advised that it had been agreed with the portfolio holder that an Action Plan should be prepared, and that, in order to optimise the robustness of the Action Plan, all stakeholders (including all members of the Council) had been sent a copy of the letter and encouraged to comment upon the recommendations in a manner that will inform the action Plan. Additionally Cabinet was advised that arrangements had been made to engage Members of the Planning Committee, along with officers, in the drafting of the Action Plan.

1.6 Cabinet resolved

a) That Members note the contents of the PRT's report and the recommendations therein.

b) That Members agree with the proposal to prepare an Action Plan to address the said report's recommendations.

c) That the Action Plan, referred to above, be reported to Cabinet for approval at the earliest opportunity.

d) That officers write to the PRT thanking them for their report and confirming the Council's intended approach.

2. **Issues**

2.1 **Introduction** - Peer challenges are managed and delivered by the sector for the sector. They are improvement oriented and are tailored to meet individual councils' needs. Indeed they are designed to complement and add value to a council's own performance and improvement focus. They help planning services review what they are trying to achieve; how they are going about it; what they are achieving; and what they need to improve.

The five comprehensive themes of focus for a Planning Peer Challenge are:

- clarity and locally distinctive vision and leadership for the planning service;
- community leadership and engaging with the community;
- management arrangements and service delivery;
- partnership working both internally and externally; and
- achieving outcomes.

2.2 The Council asked the PRT to specifically examine and report on the following areas:

- joint local plan timetable;
- advice/ approach of officers in relation to interpretation of National Planning Policy Framework (NPPF) and in particular the consequences of being unable to demonstrate a 5 year housing land supply;
- quality of effective joint working between officers and councillors;
- resources and demands;
- statement of community involvement;
- public perception; and
- enforcement.

2.3 **The recommendations** – The PRT summarised their recommendations and these are provided in Appendix 1.

2.4 This report discusses each of the recommendations in terms of what Actions might be appropriate, and what other actions have been considered but are not recommended. The proposed Action Plan is provided as Appendix 3. Written comments and suggestions received to date from external stakeholders on what should be in the Action Plan are provided as Appendix 4.

2.5 **Recommendation One (the political narrative).** The PRT refer to the benefit that the Council would derive from a stronger political narrative around the benefits of growth for existing and future generations, and that the leader of all political parties have a clear responsibility to work together in the best long term interests of all the existing and future residents in the borough - both at a district and ward level and the narrative, they say, can be built around the benefits that economic and housing growth can deliver for places and people. The proposed actions with respect to this recommendation are that the Council prepare a revised Council Plan that reflects the relationship between key strategies and setting out broad strategic policy objectives, and greater use is made of the Council's media and communication resources.

2.6 **Recommendation Two (a coherent strategy for investment and growth which recognises the key role that planning performs, and examines opportunities for the release or reuse of land assets to stimulate growth and economic development).** That planning has a key role in such a strategy is reflected in the importance given to the preparation of the Local Plan. Decisions about future resourcing of the planning service will need to reflect this. The proposed action with respect to this recommendation is that officers

strengthen the narrative and strategic context in the next Asset Management Strategy and Capital Strategy.

**2.7 Recommendation Three (the development of an interim planning policy statement).** The PRT in making this recommendation did so to provide greater certainty to the development industry and to local people. They made it clear that they saw such an action as being undertaken in parallel with the preparation of the Local Plan and that it would not be able to be undertaken immediately (although they do suggest that it would be achievable in 2015). They did however expressly acknowledge the limitations of an interim position statement approach. The proposed actions with respect to this recommendation reflect your officers' view that any decision on whether to go down this route needs to identify both the benefits but also the costs of such a proposal – including any implications for the existing Local Plan timetable and doubts as to the weight that such a Statement could have in development management decisions, for so long as the Council is unable to demonstrate a 5 year supply of deliverable housing sites. Despite these doubts the option (of an interim policy statement) needs to be thoroughly investigated, so the option of rejecting at this stage such an idea is not being pursued.

**2.8 Recommendation Four (resource allocations).** The PRT's message is both about the need to maintain a strong planning service, including ensuring that it has the capacity to deliver the above interim planning policy statement, and also about detailed issues of financial monitoring and awareness within development management. In response a range of proposed actions are indicated. Particularly important ones include resolving the position of the fourth post in Planning Policy, creating a surge of enforcement activity to bring more under control the enforcement workload, and exploration of a range of initiatives as set out in the Action Plan.

**2.9 Recommendation Five (links between financial planning and planning).** The PRT remind the authority of the importance of increasing locally derived income given continuing cuts in local government funding. New Homes Bonus is one such source of income. The PRT also suggests that the Council as a large land and property owner maximises this position to its advantage. Insofar as the Planning Service is concerned the proposed actions are in part about the flows of information and understanding between the two activities – financial planning and planning – but also more than that. They include that more explicit reference is made in reports on applications to local finance considerations – a legitimate consideration in the determination of applications, and that officers and members are properly informed and advised respectively about such local finance considerations.

**2.10 Recommendation Six (member arrangements)** The recommendation that the Council establish an informal pre planning briefing for members of the Planning Committee has been extensively debated at the officer and member workshops. Concerns have been raised both as to the probity of such a proposal and the lack of transparency on the one hand and a concern about meeting overload on the other. It appears to be generally agreed that without lengthening the committee cycle there would be considerable practical difficulties with such a proposal, and even if that occurred there is concern about the additional workload such an arrangement would impose upon the Planning Service. An alternative suggestion that the Council review the arrangements for its Strategic Planning Consultative Group, including widening its membership to at least include all members of the Planning Committee, and that applications for significant major development come before such a Group at such an early stage as to minimise any risk of any impression of predetermination being given. This alternative forms the basis of the proposed actions with respect to this recommendation.

**2.11 Recommendation Seven (training)** There has been, in the workshops, a universal acceptance of the need to improve the training provision for members of the Planning

Committee beyond that currently provided, and to continue to make attendance at such training (or rather a high proportion of it) mandatory. A range of ideas that have been generated in the workshop sessions form the proposals with respect to this recommendation.

**2.12 Recommendation Eight (Section 106s and major applications).** Frontloading of the system is already a recognised objective and the Council has in place a list of local information requirements which enables it to make invalid an application that does not comply with these local requirements if it wishes to. There is considered to be limited scope, having regard to the importance of not making disproportionate requests for information, to front load applications even more. Identifying applications which would require viability assessments and invalidating them until they have been received would not, it is considered, be an appropriate way forward. The proposed actions are a range of measures designed to improve internal procedures and those involving consultees and Legal Services.

**2.13 Recommendation Nine (Scheme of Delegation).** Differing opinions have been expressed in the workshops about any changes to the Scheme of delegation but a commitment to re-examine it should it is considered form the key proposed action with respect to this recommendation. That review will involve the Planning Committee.

**2.14 Recommendation Ten (Community Infrastructure Levy).** That it would be appropriate to review the decision made by Cabinet to cease work on the Community Infrastructure Levy, and to work towards adoption of a levy after the adoption of the Joint Local Plan, is generally agreed, as is the need for any reconsideration of the issue to be informed by legal advice. The proposals in the Action Plan with respect to this recommendation reflect this.

**2.15 Recommendation Eleven (a systematic reviews of the service's methods of Communication).** A number of specific proposals are put forward with respect to this recommendation.

### 3. **List of Appendices**

3.1 The following Appendices are attached to this report

- Appendix 1 - Appendix 1 of the Planning Peer Review Team's report showing their recommendations
- Appendix 2 – Planning Peer Review Team's Report 13<sup>th</sup> August
- Appendix 3 – Proposed Action Plan
- Appendix 4 - Written comments and suggestions received to date from external stakeholders - from Keele University; Keele Parish Council (2nd October and 15th October); and Mrs Withington Clerk to Keele Parish Council (2nd October).

### 4. **Background Papers**

4.1 Planning Peer Review report dated 13<sup>th</sup> August 2014

Date report prepared: 17<sup>th</sup> October 2014

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