

## CABINET

11<sup>th</sup> November 2015

### REPORT OF THE EXECUTIVE MANAGEMENT TEAM

**Report Title:** Progress made in implementing the Action Plan agreed by Council in response to the report of the Planning Peer Review Team

**Submitted by:** Executive Director – Regeneration and Development

**Portfolios:** Planning and Housing

**Ward(s) affected:** All

#### **Purpose of the Report**

To bring Cabinet up to date on further progress in implementing the proposals agreed at its meeting on the 22<sup>nd</sup> July 2015.

#### **Recommendations**

- (a) That Cabinet note the progress made.
- (b) That subject to a report coming forward on the Community Infrastructure Levy no further reports on the Action Plan be required.

#### **Reasons:**

To bring the Action Plan work to an appropriate conclusion.

### **1. Background and update information**

- 1.1 Cabinet at its meeting on the 22<sup>nd</sup> July received a report back on progress made in implementing some 75 Actions that formed the Action Plan agreed by Cabinet in November 2014, following the receipt of the report of the Planning Peer Review Team in August 2014.
- 1.2 Cabinet on the 22<sup>nd</sup> July agreed a number of further actions, having reviewed those actions which had not been completed. The date by which any call in of that decision had to be made passed on the 12<sup>th</sup> August.
- 1.3 Some 14 actions were agreed at the meeting on the 22<sup>nd</sup> July. Each action is considered below and a brief update provided on progress made at the time of writing and if appropriate that anticipated by the time of your meeting.
- 1.4 **Action 1** – That a report be brought forward to 16<sup>th</sup> September Cabinet on the development of an Interim Planning Policy Statement (IPPS) as part of the Local Plan preparation process, identifying the potential benefits and costs of such an approach including its implications for the existing Local Plan timetable and the weight such a statement could have

in development management decisions. **Progress to date – action completed;** a report was submitted to the 16<sup>th</sup> September Cabinet.

1.5 **Action 2** – That if Cabinet do wish an Interim Planning Position Statement to be prepared a timetable and details of the required consultation and resource implications be brought forward for approval to a subsequent Cabinet. **Progress to date – action completed;** Cabinet resolved on the 16<sup>th</sup> September that officers be authorised to prepared a Housing Clarification Statement on the basis set out in the report, early in 2016.

1.6 **Action 3** – Implementation of the decision. **Progress to date – on target to achieve;** there is no reason to suggest that the Housing Clarification Statement will not be able to be prepared by early in 2016.

1.7 **Action 4** – That a new post of Senior Planning Officer (Enforcement) be created at Grade 9 plus any appropriate Market Supplement. **Progress to date – action proceeding;** a draft Job description and Job Specification has since prepared for consultation with Human Resources. It is hoped that by the 11<sup>th</sup> November the post will have been the subject of the necessary internal processes to enable commencement of formal recruitment.

1.8 **Action 5** – That Officers be authorised to spend up to £20,000 on the securing of short term assistance to the Development Management Function. **Progress to date – action completed;** the Council has obtained the services of two planning consultants one of whom started on the 18<sup>th</sup> September and the other on the 5<sup>th</sup> October. However members should be aware that two planning officers within the Development Management section remain on long term sick leave which negates the intended additional capacity. This situation is being managed dynamically by officers and may result in further steps being taken in consultation with the Portfolio Holder.

1.9 **Action 6** – That officers take steps to ensure that a report on the review of the remit, membership and business of the Strategic Planning Consultative Group comes before Cabinet at its meeting on the 16<sup>th</sup> September. **Progress to date – action completed;** Cabinet received a report on the 16<sup>th</sup> September, made various decisions with respect to the remit, membership and business of SPCG and the agreed changes are now being implemented.

1.10 **Action 7** – that appropriate training be provided by Member Services for non-Planning committee members on probity, and member officer relations, if it can be sourced. **Progress to date – action outstanding;** because it has not been possible yet to source such training but officers will seek to procure suitable training provision as part of the wider member training package.

1.11 **Action 8** – that the review of local validation requirements to determine whether more applications should require to be accompanied by Heads of terms (of possible legal agreements that might be required) or whether actual draft agreement should be required, be incorporated in the statutorily required review of the local validation list that must be completed before the beginning of October 2015. **Progress to date –**

**action completed;** Planning Committee at its meeting on the 21<sup>st</sup> July approved a revised list of Local Validation requirements for public consultation purposes. Subsequent to that decision the consultation was launched on the 24<sup>th</sup> July and it closed on the 4<sup>th</sup> September. The Planning Committee at its meeting on the 15<sup>th</sup> September received a report on the results of that consultation, enabling the Council to determine its new Local Validation requirements prior to the 1<sup>st</sup> October 2015 target date.

- 1.12 **Action 9** – that when resources permit a Service Level Agreement between Legal and Planning Services setting standards for response times to instruction and requests for clarification (with respect to Section 106 agreements) be drawn up and introduced. **Progress to date – action proceeding;** with the additional capacity in the Council’s Legal team it is expected that this SLA will be substantially progressed by the 11<sup>th</sup> November.
- 1.13 **Action 10** – that when resources permit, key consultees be invited to enter into Service Level Agreements if the other party shows a willingness to enter into such an agreement, similar to that already in place between the Highway Authority and the Borough Council (as Local Planning Authority). **Progress to date – none;** but no approaches seeking such a SLA have been received. This will be maintained as an objective but is considered to have a lower priority than other actions given that it is largely an operational management issue.
- 1.14 **Action 11** – that by December 2015 draft conditions should be prepared within two weeks of the relevant Planning committee in all cases, and also be the subject of consultation with the developer, wherever possible (within the restrictions imposed by the wish to make timely decisions. **Progress to date – ongoing action agreed;** given the limited number of such decisions it is too soon to be able to say whether such practice is becoming embedded within the service but this will be monitored as part of the internal performance monitoring.
- 1.15 **Action 12** – that officers take steps to ensure that the revised Planning Committee members’ protocol comes before Council at its meeting on the 9<sup>th</sup> September if possible. **Progress to date – target date not achieved** because of officer capacity reasons but a revised timetable is now being prepared and substantive progress by the 11<sup>th</sup> November is anticipated.
- 1.16 **Action 13** – that appropriate steps be taken to bring a report on the issue of pooling post April 2014 (of Section 106 contributions) and, having taken external legal advice, to revisit the advice given to the December 2013 Cabinet that the adoption of a CIL Charging Schedule could not proceed in the light of the decision to abandon the Site Allocations and Policies Local Plan and to instead proceed with the new Local Plan. **Progress to date – not achieved** due to competing demands on officer time, this work has not been able to be given priority but officers are confident that a report will be brought to Cabinet within the next 3 months.
- 1.17 **Action 14** – that a new 0.5 FTE post of practice manager to the Planning Service (Grade 8) be created. **Progress to date – action progressing;** it is expected that by the 11<sup>th</sup> November a draft Job

description and Job Specification will have been prepared to enable internal recruitment processes to be completed before advertising the position.

- 1.18 As is indicated above considerable progress has been (and continues to be) made in bringing to a conclusion the Planning Peer Review Action Plan work.
- 1.19 In addition to this programme of improvement measures your officers, in consultation with the relevant Portfolio Holder, are giving active consideration to further improvements that might be appropriate in a range of areas across the Planning Service to further strengthen the function.