

<b>Key Decision Required:</b>	<b>No</b>	<b>In the Forward Plan:</b>	<b>No</b>
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## CABINET

**10 NOVEMBER 2010**

### REPORT OF INTERIM HEAD OF PLANNING SERVICES

#### **A.12 PROGRESS REPORT ON PLANNING SERVICE IMPROVEMENTS**

(Report prepared by Elizabeth Wilson; Graham Thomas; Clare David)

#### **PART 1 – KEY INFORMATION**

##### **PURPOSE OF THE REPORT**

This report provides Cabinet with an update on the progress that has been made with the previous service improvements within the Planning Service (Appendix 1). It seeks Cabinet approval to:

- Agree that further service improvements should focus on achieving the maximum return as set out in the action plan (Appendix 2) for the next 6-12 months, and;
- To re-consider recommending to Full Council a reduction in the number of Members serving on the Planning Committee, with a new Planning Committee format to include a formal site visit and the use of designated substitutes.

This report also introduces the concept of Development Management (on which officers are currently being trained) which will influence the way the Planning Service handles planning applications and major development projects in the future.

##### **EXECUTIVE SUMMARY**

The Planning Service has been the subject of a considerable number of service structure reviews and internal and external audits over the past few years and considerable changes have already been made to implement the outcomes from these reviews. Firstly, this report brings the recommendations of these reviews together, sets out progress made and outcomes, and makes practical recommendations on future progress to be made. Secondly, it introduces the concept of Development Management which is the new approach for dealing with major planning applications rather than the traditional regulatory role that planning has taken in the past. This represents an exciting and holistic approach to spatial planning that will assist the Council in meeting its Corporate priorities and its regeneration and tourism aspirations.

The Service now needs not only to continue with the ongoing journey of improvements, but also to ready itself for the substantial opportunities that are offered by a change to a Development Management approach that will make it a more proactive and engaging service for residents; inward investors and developers. This report looks forward to the next 6-12 months. It sets out key objectives in terms of prioritising the work to be undertaken to maximise benefits. The suggested programme of further work to implement continued service improvements is tailored to ensure that the improvements made are directly related to the objectives and result in maximum impact.

This report also seeks to reconsider the December 2009 Council decision to reject the recommendation from the Haslam report which identified that the optimum number of

Councillors serving on the Planning Committee should be reduced.

## RECOMMENDATION(S)

### Recommended Cabinet:

- (a) Agrees the service improvement activities are focussed on improved customer satisfaction; enhancing the reputation of the Council; improved consistency of advice and decision making; proactive Development Management including pre-application Member involvement; move towards proactive enforcement and implementation of the Local Development Framework (LDF);
- (b) Agrees the list of service improvement actions for implementation in the next 6-12 months as set out in the action plan in Appendix 2 (including the delivery of the Local Development Core Strategy and commencement of the Site Allocations Development Plan Document (DPD));
- (c) Agrees to continue the process of moving towards a Development Management approach in Planning Services;
- (d) Agree the improvement actions listed within the finance section of this report be funded from the available money (HPDG) provided (of £136,500);
- (e) Recommends to Full Council, a reduction in the number of Members of the Planning Committee of not less than 9 and no more than 11 Members, and;
- (f) Agrees that the planned site visits on the day of the Planning Committee for all Members of the Committee should be part of the formal Planning Committee process, with meetings starting earlier in the day.

## PART 2 – IMPLICATIONS OF THE DECISION

### DELIVERING PRIORITIES

The introduction of further improvements will help to deliver a more focused and user friendly Planning Service with better customer outcomes. The Planning Service directly impacts on a number of the Council's corporate priorities and is fundamental to the delivery of a high quality built and natural environment. However, the Council cannot achieve its corporate priorities on its own. Over 95% of development change in the district over the next decade will be private sector led, and the Planning Service is the key frontline service and the Council's shop window in attracting and working with private sector investors to help deliver our aspirations. It is essential that the Planning Service continues to improve and rises to the challenge of Development Management which is based on proactive partnership working. Without the statutory planning framework in place and experienced officers capable of negotiating good quality development and working with the development industry to secure investment, this would seriously hamper the Council's ability to bring about externally driven change and private sector investment.

### FINANCE, OTHER RESOURCES AND RISK

There will be financial costs related to the proposed improvements planned. A budget has been identified. There is currently an uncommitted (£136,240) amount of one-off Planning and Enforcement budget within the Planning Portfolio that was included in 2009/2010 following receipt of the Housing and Planning Delivery Grant, which has subsequently been carried forward to 2010/2011. The costs of the suggested service improvements have not been calculated in detail but the indicative costs are as summarised:

- £75,000 (£25,000 per annum for 3 years) – providing on-going specialist urban design advice identified as a priority by various reviews including the Haslam Report
- £10,500 (£3,500 per annum for 3 years) – covering the cost of hiring vehicles for the

organised Planning Committee Member site visits

- £21,000 (£7,000 per annum for 3 years) – Member training
- £30,000 (£10,000 per annum for 3 years) – provide necessary resources to move the Council forward with pro-active enforcement.

#### **LEGAL**

The proposed actions are within the discretionary powers of the Council.

#### **OTHER IMPLICATIONS**

None

### **PART 3 – SUPPORTING INFORMATION**

#### **BACKGROUND**

The Planning Service has been scrutinised and has been the subject of a number of audits and reviews over the last 10 years including: the internal 2003 and 2004 restructuring/improvement review and the internal reviews undertaken in 2008 (2004-2008); the e-planning benefits realisation project in 2006; the Audit Commission Review 2009; the Haslam Review in 2009; and, Internal Audit of DC in 2010. The Service has made significant steps year on year in addressing the recommendations of these various reports and reviews and consistently meets locally stretched Government targets in relation to planning applications. In addition to these internally generated reviews the Planning Service has faced significant legislative change and external reviews at a national level. These have impacted on the service including the 2004 Planning Act; the move towards Development Management; the General Development Procedure Order changes; and, the Killian Pretty Review 2009

The outcomes of the Planning Service restructure and improvement report of 2004 were substantially completed by late 2008. The more recent audits and reviews have resulted in a number of further recommendations aimed at continuing the improvements, which the Service has been working through to implement.

In the past the traditional 'development control' approach to managing development proposals has focused on processing planning applications and enforcing contraventions. It has more often than not taken a reactive and cautious approach. Development Management aims to actively promote sustainable development and provide a place shaping role. In order to do this the Planning Service will need to: facilitate development opportunities; influence development proposals to negotiate quality outcomes and solve problems to deliver sustainable development proposals. In recent years new skills including the Legal Agreement Manager post have been developed to ensure this Council is best placed to benefit from quality development and private sector investment opportunities. The Development Management approach is about, promoting good quality development in the right places whilst ensuring inappropriate and poor quality development does not take place where it should not, and rather than wait for this to happen, this new approach will seek to identify and then bring the good schemes forward earlier. The Development Management approach to working will be essential to ensure the skills/capabilities required to deliver the corporate aspirations of the Council in raising standards and quality in relation to regeneration and tourism projects are developed and put in place.

A Development Management approach will alter the way in which both officers and elected Members work within the planning applications system. It will also change how we work with developers, the community, other statutory bodies and infrastructure providers. Ways of working will need to adapt to make planning consideration a tool for achieving better outcomes rather than a test of adequacy. To manage delivery of sustainable development, both officers and

Members will need to take a more active role during the shaping of plans.

The Local Development Framework (LDFs) has moved away from strictly land use based plans with a raft of detailed policies and regulatory standards, towards plans which provide a strategic vision and contain detailed projects and objectives for the future of an area over time. The Councils recent LDF Core Strategy document provides a clear steer and direction for other corporate documents including the emerging Regeneration Delivery Plan and the Local Investment Plan.

By learning and then adopting the Development Management approach this will enable the Planning Service, together with local communities and stakeholders, to promote and achieve the vision and objectives agreed in the development plans and Sustainable Community Strategy.

It is much more of a customer focussed style of service where the 'one size fits all' process is not appropriate. Development Management will ensure that processes are only as complex as they really need to be. The processes should generally be appropriate and proportionate to the impact that a development is likely to have on the community as a whole.

This report brings the outcomes of all the previous reports together into a single document and sets out the steps needed to bring about the necessary culture change to move forward with Development Management (see attached Appendix 1). It gives an indication of where recommendations have been implemented so that there is clarity about the improvements that have been made and the range of initiatives still needed to bring about further service improvements and a Development Management style to the provision of services (Appendix 2).

In relation to the Planning Committee, in line with external advice in the form of the Haslam Report, Cabinet are asked to consider the size of the Planning Committee and recommend to Full Council a reduction in the number of Members to a minimum of 9 and a maximum of 11.

In addition, Members are also asked to consider introducing organised site visits on the day of Committee as part of the Committee procedure so that all Members will have visited the sites on the day of the Planning Committee and thus obviating the need to postpone decision making at Committee.

## **CURRENT POSITION**

In considering the range of initiatives in the next 6-12 months it is important to agree on where the focus of activity should be. It is suggested that there should be a focus on the following key areas:

- Enhancing the reputation of the Council;
- Improving customer satisfaction with the service;
- Improving processes and procedures to make the service as efficient and effective as possible;
- Commence implementing Development Management (rather than retaining Development Control). Support from the Planning Advisory Service will be provided to assist the service to adapt to this new approach;
- Implementing further pre application processes including Member involvement,
- Improved consistency of advice and decision making both at officer and Committee level;
- Move towards providing pro-active enforcement, and;
- Progress of the Local Development Framework and other supplementary planning statements with an emphasis on community based planning in line with the localism

agenda.

Appendix 1 provides a summary of all the reports and recommendations undertaken to date and identifies an outcome against each action. It recognises that a great number of these improvements have already been put in place. Appendix 2 then translates this information into those actions that are outstanding and suggests a priority and timescale to be given to each in relation to the areas of focus set out above. This will enable the work programme to maximise benefits to the customer and thus help to enhance the reputation of the Service and the Council in general.

In addition Cabinet will need to consider and support the following changes proposed for the Planning Committee:

- Reducing the size of the Committee to a minimum of 9 and a maximum of 11 Members (in line with the recommendation of the Haslam Report)
- Holding an organised site visit on the day of Committee to ensure that all Members have seen each of the sites and thus eliminated the need for ad hoc site visits.
- Hold Planning Committee meetings every four weeks.

This will require the Committee to meet formally earlier in the day (say, 10.00 a.m.) and begin with the organised site visits so that all the Committee Members have visited all the sites related to that Committee agenda. After the site visits the Committee would continue with the formal consideration of the applications. This has the advantage of ensuring that there is an emphasis on the need for Members to attend the Committee for both the site visits and the consideration of the application before reaching a decision.

In terms of substitutes for the Committee, it is advantageous for there to be designated substitutes; this would enable training to be concentrated for those Councillors who would be on the Committee. This matter will be dealt with by the report to Cabinet on the Constitutional amendments.

#### **FURTHER HEADINGS RELEVANT TO THE REPORT**

None

#### **BACKGROUND PAPERS FOR THE DECISION**

**Planning Service Restructure 2003**

**Planning Service Restructure 2004**

**E - Benefits Realisation 2006**

**Planning Service Review 2008**

**Audit Commission Report 2008**

**Haslam Report 2009**

**Planning Services-Service Plan 2010/11**

**Planning Advisory Service**

**Killian Pretty Report 2009**

**Internal Audit of DC 2010**

#### **APPENDICES**

**Appendix 1** :Service Improvement recommendations from previous reports and progress made

**Appendix 2**: Action Plan with timescales and priorities