

# **WAVERLEY BOROUGH COUNCIL**

## **EXECUTIVE**

**12 MARCH 2019**

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### **Title:**

## **PEER REVIEW OF PLANNING DECISION-TAKING AND STAKEHOLDER ENGAGEMENT**

**[Portfolio Holders: Cllrs Christopher Storey and Kevin Deanus]  
[Wards Affected: All]**

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### **Summary and purpose:**

A Peer Review of the Planning Decision Making Process was carried out by the Local Government Association in July 2018 at Annexe 1. This followed an action from the current Planning Service Plan 2018/19. The Review also included a review of customer engagement within the Planning Service following adoption of the Development Management Improvement Plan in 2018.

The report summarises the findings of the Review and its recommendations. It includes a draft action plan at Annexe 2 which seeks to address the recommendations of the Review. An All Member Workshop was held in December 2018 to elicit views from Councillors in relation to the draft Action Plan. The feedback from that Briefing is attached at Annexe 3.

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### **How this report relates to the Council's Corporate Priorities:**

This report supports the corporate priority of place, through ensuring a robust planning decision making process.

### **Resource/Value for Money Implications:**

The cost of the LGA Peer Review was £14,000. There are no direct financial implications from the Action Plan in place. All work will be carried out within current agreed budgets.

### **Legal Implications:**

There are no direct legal implications associated with this report.

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### **Background**

1. Aim 16 of the Cratus Strategic Review Action Plan 2016 identified the need for a review of the Planning Service. In April 2017, Ransford Stewart of Stewart Consultants was appointed to carry out a review. The key findings were:

- A need for improved communication;
- Keeping applicants informed;
- Telling people about the Service;
- Intelligence sharing with Members and Parishes;

- Improvement of processes – flexing processes to response to volume and complexity;
  - Staff selection, recruitment and training.
2. The Improvement Plan arising from the Review included a number of actions grouped against five themes included Planning Decision Making. The Improvement Plan was adopted by the Executive in November 2017 as the detailed Service Improvement Plan for Development Management (Control).
  3. An update on progress on the Improvement Plan was reported to the Executive in April 2018. It was noted that most key actions had been completed or partly implemented. One outstanding action was “Review the operation of Committees to reduce the number of meetings and enable better use of lead-in time. Officers to focus on main issues only in presentations”.
  4. Pursuant to this action, the Council commissioned the Local Government Association (LGA) in June 2018 to carry out a review of the operation of the Planning Committees in line with the Improvement Plan action above. The scope of the LGA Review was widened to include an evaluation of the success of the Service’s improvement focus on stronger engagement with stakeholders.
  5. The Peer Review Team consisted of four members from other local authorities (three Officers and one Councillor). The Team was on site at Waverley between 27 and 29 July 2018. During that time, the Team carried out interviews with Officers, Members and other stakeholders involved in the Planning Decision Making process and attended meetings.
  6. The final report from the Review was produced on 3 September 2018 and is attached at Annexe 1. Its key conclusions are:
    - a. The Council benefits from a newly adopted Local Plan;
    - b. The Service is well resourced including planners and specialists whose experience and expertise will support effective development management in an appropriate way;
    - c. Changes in focus and prioritisation are needed. Delivery of growth needs to be owned across all political and officer levels, reflecting the Government’s new Housing Delivery Test (HDT).
    - d. There are weaknesses in the levels of trust and confidence between some Members and Officers and also between some stakeholders and the Planning Service.
    - e. The new Corporate Plan sets a strong platform for a new way of working in Waverley.
    - f. Greater emphasis is needed on customer and stakeholder engagement to enable the Council to deliver the objectives of the Local Plan and the housing growth agenda.

- g. Planning decision making needs to be less process driven and more outcome focused. There are opportunities for more delegation to Officers.

7. The report includes eight recommendations:

- R1. Improve the operation and efficiency of planning decision making through increasing delegation, simplifying and adhering to agreed protocols and creating one borough-wide Planning Committee in line with detailed suggestions in this report.
- R2. Significantly increase Officer and political oversight and ownership of housing delivery and key Local Plan priorities including learning from good practice elsewhere.
- R3. Planning Service has to reprioritise focus on growth delivery of re-examining roles, responsibilities, targets and working with internal and external delivery partners.
- R4. Explore opportunities to rebuild trust and confidence in planning decision making between Members and Officers and externally with customers and stakeholders.
- R5. Revisit customer engagement Improvement Plan to reflect need for significant step-up in satisfaction with customers and stakeholders through close working with Communications Team.
- R6. Review learning and development plans for Members and Officers focussing on opportunities for joint work and training to build team work and a stronger understanding of roles and responsibilities.
- R7. Review capacity to support Parish and Town Councils and communities to develop Neighbourhood Plans.
- R8. Examine opportunities for stronger co-ordination in place shaping with the four larger settlements to maximise partnership opportunities.

8. Since receipt of the report, Officers have discussed appropriate actions arising, which seek to address the report's recommendations and these have been brought together in an Action Plan, attached at [Annexe 2](#). An All Member Briefing was held in September and a workshop was held on 3 December 2018. The findings from the Review have been discussed with Town and Parish Clerks.

9. The Action Plan includes proposed Lead Officer responsibilities, timeframes for completion and resource implications where appropriate.

10. Many of the actions have already been commenced/completed as they reflected work streams already in progress pursuant to the Development Management Improvement Plan 2017 or through parallel work streams in relation to housing delivery and Development Management performance monitoring of speed and quality.

11. The Action Plan is structured around three key areas which relate to the distinct but inter-connected themes of the Review's recommendations:

1. Housing delivery
2. Planning Decision Making structures and processes
3. Customer engagement.

### **Feedback from All Member Workshop (December 2018)**

12. The note at Annexe 3 records in full Members' responses to the Draft Recommendations (R1 – R8).
13. Of significance is that Members expressed strong concern with:
  - increasing delegation and reviewing call in arrangements
  - establishment of one Borough-wide Planning Committee
14. However, there was some agreement to the proposals that Ward Members should not vote on applications in their Ward (R1).
15. In addition, Members were very supportive of the need to:-
  - increase Officer and political oversight of housing delivery (R2);
  - review capacity to support Neighbourhood Plan preparation (R7)
  - rebuild trust and confidence in planning decision making between all participants (R4);
  - increasing customer satisfaction with planning decision taking (R5);
  - reviewing learning and development opportunities for Officers and Members in planning matters (R6)
16. Members' reaction was broadly evenly balanced in respect of the recommendations to re-examine roles, responsibilities and targets in respect of housing delivery (R3) and stronger co-ordination in respect of place shaping within the four larger settlements (R8).

### **Conclusion**

17. The LGA Peer Review made eight key recommendations that have been developed into a draft Action Plan. The intention is that the Plan will be considered and adopted by the Executive as the detailed Service Improvement Plan for the Planning Service. The key actions will also be carried forward to the Emerging Service Plans for 2019/20 from Planning, Democratic, and Legal Services.

### **Comments from Environment Overview & Scrutiny Committee**

The Environment Overview & Scrutiny Committee considered the Action Plan at its meeting on 25 February 2019.

The Committee disagreed with the findings of the LGA Peer Review Team in relation to decision-making, and their recommendation R1. The Committee felt that no evidence had been presented to the Council that the proposed approach (increasing officer delegated decision-making, reviewing Member call-in arrangements, one borough-wide Planning Committee) would increase housing delivery in Waverley. The Committee was concerned

that one Planning Committee would create a democratic deficit in planning, which would frustrate members and residents; and could have the unintended consequence of officers spending more time responding to Members' questions out of committee. The planning performance metrics showed that the current approach to decision-making was serving Waverley very well.

There was no consensus within the Committee on the proposal to establish a new protocol so that a Ward member could not vote on planning matters within their ward, in order to clearly differentiate between a councillor's community representation role, and their responsibility as a member of a planning committee. Strong arguments were made by individual members for the proposed approach, and for the status quo.

With regard to the actions proposed in response to the Peer Review Team's recommendations R2 to R8, the Committee was generally supportive although some Members had reservations about the practicality or likely effectiveness of the actions, particularly at a time when the Planning Team is experiencing very high workloads and recruitment challenges, which they felt should be resolved before the introduction of major changes to process and procedure.

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### **Recommendation**

That the Executive notes the actions arising from the Peer Review recommendations, which have been subsumed into the Planning Service Plan for 2019/20.

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### **Background Papers**

There are no background papers (as defined by Section 100D(5) of the Local Government Act 1972) relating to this report.

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