

Planning Peer Challenge: Implementation Plan

Update Report: October 2023

This Update Report Table includes the following Red, Amber, Green (RAG) rating to illustrate workstream progress.

Red Rating	Workstream not yet started
Amber Rating	Workstream started and continuing
Green Rating	Workstream completed

Each RAG rating is accompanied by explanatory text, which sets out the activities in each workstream (in **bold**) and the progress made so far (in *italics*).

Workstream	Progress to Date	RAG Rating
<p>A:</p> <p>Review the operation of Planning Regulatory Committee</p>	<p>Several matters in Workstream A were the subject of consideration by the Informal Planning Task Group (Winter 2022/Spring 2023), which had previously been established by Overview and Scrutiny Committee. The findings of this Group's work were presented to Cabinet on 11 April 2023. Cabinet agreed with some findings, rejected others and noted the remainder.</p> <p>Workstream A comprised:</p> <ul style="list-style-type: none"> <p>Develop a forward planning mechanism for briefing the Chair and Planning Group Leaders regarding upcoming Committee items.</p> <p><i>The PRC Group Leader and Chair's Briefing provides an effective mechanism for this. The Service Manager and Planning Applications Manager are also empowered to provide advance briefings on any upcoming, complex planning applications.</i></p> <p><i>There is ongoing work (October 2023) regarding potentially extending the Committee Briefing to all Members of PRC, rather than just Chair, Vice-Chair and Group Leads.</i></p> <p>Produce new, consistent scripts for Committee meetings</p> <p><i>The Chair of PRC has a revised script for Committee meetings.</i></p> <p>Review length of committee reports and accompanying presentations</p> <p><i>This review has taken place. With the exception of existing, longstanding major cases which have a complex planning history, committee reports are more commensurate with the scale/complexity of development being proposed. Case Officers are briefed by Managers before presentation to ensure that their own presentations to PRC do not repeat the report (i.e. it assumes that PRC Members have read the report before attending Committee).</i></p> 	<p>The review of Planning Regulatory Committee is almost complete.</p>

Officers will continue to take soundings from Members periodically to ensure that reports and presentations do not increase unnecessarily in length and complexity.

- **Develop the existing member training and support arrangements for Planning Committee, including the introduction of review meetings**

*A more detailed training programme for Planning Regulatory Committee Members has been established. This started with a mandatory session regarding planning decision-making and the national planning system. More recent training sessions have been open to all Members and include (separate) subject-specific issues such as flooding and drainage, enforcement, the local plan, and the housing land supply. Other training sessions are set out in the training programme, **details of which are appended to this Update Report as 'Elected Member Training Schedule 2023/24'**.*

- **Review current Planning Committee speaking arrangements to better manage speaking time (instead of unlimited number of speakers)**

This is the lone outstanding action in Workstream A. It will involve informal discussion with PRC Members. Should there be a consensus to alter the public speaking arrangements, then this will be explored in a further, public report.

- **Consider a review of the Scheme of Delegation to reduce the number of items being determined at Committee.**

PRC is rarely inundated with planning applications. The scheme of delegation was considered by the Informal Planning Task Group and subsequently Cabinet (11 April 2023). Both agreed that the existing scheme struck the appropriate balance between ensuring timely planning application decision-making (in accordance with national timescales), and the necessary consideration of strategic major planning applications at Committee level. A reduction of the

	<p><i>number of items at Committee, as suggested by the Peer Review, was therefore not considered appropriate.</i></p> <ul style="list-style-type: none"> • Fix an agreed procedure for defending Committee overturns at any subsequent planning appeal (noting the Institute’s professional Code of Conduct) <i>Officers have not yet finalised the options for this piece of work.</i> <p>Additional work (i.e. over and above the identified tasks in Workstream A) have also considered:</p> <ul style="list-style-type: none"> • <i>That there should be no change to the system of calling-in planning applications. This was a recommendation of the Informal Planning Task Group and was subsequently endorsed by Cabinet in April 2023.</i> • <i>Clearer guidance for making observations on planning applications was provided in November 2022, and is available on the Council’s website.</i> • <i>The location of Planning Regulatory Committee will remain unchanged at Morecambe Town Hall. This is to enable future meetings to be live streamed at some point during 2024.</i> 	
<p>B:</p> <p>Review the operation of the Local Plan Review Group (LPRG) prior to further (new) policy production</p>	<ul style="list-style-type: none"> • Revisit the terms and reference of LPRG to determine the purpose of the Group going forward <i>The terms and reference of LPRG was revised and agreed at the 20 September 2023 LPRG meeting.</i> • Consider the membership arrangements of LPRG <i>A call for new Members followed the May 2023 Local Elections. Membership was capped at Chair + 10 Members, and the membership includes a diverse range of political representatives. The 20 September meeting was a successful reset of LPRG.</i> 	<p>The review of LPRG is complete.</p>

	<ul style="list-style-type: none"> • Agree the forward plan for LPRG meetings for 2023/34 including a review of report length and content <i>Future meetings will usually be bi-monthly but will not be fixed in advance due to the need (occasionally) to be reactive to national planning announcements. This was agreed by the new membership of the LPRG in September 2023.</i> 	
<p>C:</p> <p>Align corporate priorities with the priorities of the Planning and Place (now Planning and Climate Change) Service</p>	<ul style="list-style-type: none"> • Determine methods for ensuring aligned priority delivery (taking into account remodelled service delivery post-senior leadership team restructure) <i>The work undertaken by the Local Government Association in with Cabinet and the Council's Senior Leadership Team concluded on 28 September 2023. This work provided greater clarity regarding the corporate priorities of the Cabinet, and work will now conclude in aligning these priorities within the Service.</i> • Embed shared priorities within Service teams via training <i>This officer training is envisaged to be delivered by the end of the calendar year.</i> 	<p>The conclusion of the LGA work now enables delivery of Workstream C.</p>
<p>D:</p> <p>Undertake the (already scoped) review of the planning enforcement service.</p>	<ul style="list-style-type: none"> • Implement the next phases of the Planning Enforcement Recovery Plan (2022), including: <ul style="list-style-type: none"> (a) Review Enforcement Charter, including expediency flowchart and timescales and match with existing resources; <i>A draft revised Local Planning Enforcement Plan (to replace the existing Enforcement Charter) has been drafted. It will be presented to Planning Regulatory Committee for formal consideration in early 2024.</i> 	<p>The review of the planning enforcement service is ongoing.</p>

(b) Produce new standard letters with flexibility for all circumstances;

The Planning Systems Manager has been working with the Enforcement Team to produce new templated letters.

(c) Consider whether other forms of digital communication might be deployed;

This will include more updated website advice and greater use of social media to report on prominent cases (i.e. those that have been the subject of court decisions).

(d) Empower PEOs to be taking expediency decisions rather than Planning Officers (includes greater awareness of Development Plan);

This is ongoing. The imminent retirement of a long-serving Planning Enforcement Officer will necessitate further expediency-related training (for the subsequent, new postholder).

(e) Review length of electronic file records and methods of recording meetings/dialogue on cases.

This will be implemented following agreement of the revised standards in the draft Local Planning Enforcement Plan.

(f) Consider approaches to educating agents and architects re: enforcement responsibilities, especially condition compliance. Restructure of decision notices may assist;

Restructure of decision notices is problematic given current software. A more likely course of action will be discussion of enforcement at a future Developer Forum (see later workstream for details of this).

	<p>(g) Handover of casework from Senior Planning Enforcement Officer (SPEO) to Planning Enforcement Officers (PEOs) with the exception of major strategic cases. <i>This work has started but has not yet completed due to the imminent retirement of one of the PEOs (which necessitates some case work retention by the SPEO).</i></p> <ul style="list-style-type: none"> <p>Recruit to vacant existing Planning Enforcement Graduate role to bolster capacity <i>The role has now been advertised and the recruitment process is ongoing. Candidates had been shortlisted at the time of compiling this update report.</i></p> <p>Review longstanding enforcement cases to clear historic work as much as possible <i>This process has been overseen by the Service Manager for Development Management and the Senior Planning Enforcement Officer, and it has resulted in a considerable reduction of longstanding cases.</i></p> 	
<p>E: Seek greater liaison with developers, inward investors and/or partners.</p>	<ul style="list-style-type: none"> <p>Ongoing monitoring of new pre-application planning service via feedback forms and other methods <i>This is not live yet but a new feedback inbox has been set up and a monitoring form created. Currently looking at the potential to include QR codes to create digitally accessible feedback opportunities.</i></p> <p>Re-establish the Agents' Forum <i>The Service has decided to expand the Forum to local developers (as well as local agents). A provisional date has been agreed internally for December 2023 and arrangements are in place to send out the invitations. Thereafter, the Forum will operate on a twice yearly basis and will aim to inform attendees about changes to legislation; Local Plan updates, and strategic project updates.</i></p> 	<p>Some activities in this Workstream have been completed.</p>

	<ul style="list-style-type: none"> • Consider the establishment of a Partners’ Board or Forum to help deliver the local regeneration and growth agenda (and attract inward investment). <i>This is a larger piece of work that involves collaboration with strategic partners. A (very early) internal discussion has considered how this could be established, and further options will be developed before the end of 2023.</i> 	
<p>F:</p> <p>Make the planning system more accessible to external users and improve communication</p>	<ul style="list-style-type: none"> • Review and consider various methods for improved communication with communities, Parish and Town Councils <i>The use of improved mapping has potential to improve the provision of information to the local community (particularly about planning application decisions and appeal decisions). See below (digital forms of communication) for an update regarding this. Further work is required regarding new ways of engaging with Town/Parish Councils particularly regarding changes to legislation.</i> • Review all outgoing literature (reports, policy documents, etc) and ensure that planning jargon is, as far as is possible, minimised. <i>Work in the Planning Enforcement Team has started (review of outgoing correspondence). Once completed this will be expanded to other Teams.</i> • Assess what further improvements can be made to website and other digital forms of communication <i>Digital mapping is now provided in one location on the website. This provides access to Neighbourhood Plan Area mapping; the mapping of over 1300 Listed Buildings, all Scheduled Ancient Monuments and Conservation Areas and Registered Parks and Gardens; the mapping of Non-Designated Heritage Assets; and the mapping of planning application decisions and appeal decisions (which can be filtered to specific date/time searches).</i> 	<p>The website improvements (given that this is often the first port of call for advice) have taken priority. Other activities within the workstream will be completed.</p>

	<p><i>Some of the most-used parts of the Planning webpages have been reviewed and updated since the Peer Review to improve accessibility. These include the 'Do I Need Permission' pages; the 'Pre-Application Advice' pages; the 'Designations and Constraints' pages (which explain about Listed Buildings, Conservation Areas, Tree Preservation Orders, Article 4 Directions, etc); the 'Planning Enforcement' pages; Neighbourhood Planning; and the Local Plan pages.</i></p> <p><i>A new 2023 digitally interactive Housing Land Monitoring Map has also been provided. The map shows sites that are included in the council's calculation of a five-year housing land supply.</i></p>	
<p>G:</p> <p>Review processes and priorities to ensure best use of officer time commensurate with agreed service priorities.</p>	<ul style="list-style-type: none"> • Review length of delegated reports and templates <i>Length of delegated reports has been reviewed internally. Further template modification being considered.</i> • Review existing consultee list <i>Not yet commenced (also affected by pending changes to national planning system)</i> • Reconsider role of internal consultees (especially with Service) and devise strategy for communication, rather than formal consultation <i>Fewer internal consultation within the Service are being sent out, with a greater emphasis being placed on internal collaboration/problem-solving. Work continuing.</i> • Review what standing advice can be agreed with consultees and within our own Service documents <i>This is currently difficult to achieve due to resourcing challenges (for external consultees). Internal standing advice template work will commence early in 2024.</i> 	<p>This workstream has very different strands, most of which have started (others have not, for the reasons stated).</p>

- **Review other examples of local authority policy production, to compile good practice with an aim to move away from detailed policy development where practicable**

This approach will be at the heart of our new Local Plan Review.

- **Review end-to-end planning application (and other similar consenting regimes) process**

Planning application work activity plans are identified and help guide officers to produce timely decision-making.

- **Review existing planning conditions and seek to reduce quantum (whilst ensuring fit-for-purpose from an enforcement perspective)**

This is a significant piece of work that due to resource issues has not yet started.

- **Review structure and appearance of Decision Notices**

This is dependent upon future decisions regarding service provider (IT systems) that are due to be taken prior to 31 March 2024.

- **Review length of committee reports and accompanying presentations**

This review has taken place. With the exception of existing, longstanding major cases which have a complex planning history, committee reports are more commensurate with the scale/complexity of development being proposed. Case Officers are briefed by Managers before presentation to ensure that their own presentations to PRC do not repeat the report (i.e. it assumes that PRC Members have read the report before attending Committee).

<p>H:</p> <p>Explore corporate opportunities to create improved delivery vehicle for strategic and other major sites</p>	<ul style="list-style-type: none"> • Assess the current range of projects and strategic sites and agree priorities commensurate with resources • Agree roadmap to delivery with clear milestones • Establish multi-disciplinary projects teams to assist with delivery (informed by outcome of Senior Leadership Team restructure) <p><i>The tasks above relate to (a) the City Council's own strategic sites/properties; and (b) externally owned strategic sites (such as major housing land allocations).</i></p> <p><i>It is considered that an internal officer group, meeting on a regular basis (suggested 6-weekly) would provide the opportunity for Senior Leadership Team, Service/Team Managers and other senior specialists to have early input into the City Council's corporate strategic site projects, to ensure that priorities, resources, and delivery milestones are agreed. Multi-disciplinary teams would be established in each individual case.</i></p> <p><i>Once established, a similar group would be considered to assist with external strategic site delivery.</i></p>	<p>This workstream has been the subject of an initial, informal discussion with Cabinet and Senior Leadership Team (September 2023) but has yet to formally start.</p>
<p>I:</p> <p>Work alongside Lancashire County Council and other strategic partner to explore delivery challenges in South Lancaster</p>	<ul style="list-style-type: none"> • Increase the work with strategic partners to agree a preferred way forward on developer contributions in South Lancaster <p><i>The County Council decision regarding the Housing Infrastructure Funding (HIF), which was supported by the City Council, means that there is no currently deliverable strategic transport infrastructure intervention proposed in South Lancaster. Therefore, this workstream has been overtaken by events. Developer contributions for planning applications in the South Lancaster area will be considered on the same basis as contributions in other parts of the district.</i></p>	<p>This workstream has advanced due to announcements at both the City and County Council (June-September 2023)</p>

	<ul style="list-style-type: none"> Agree preferred options and roadmap to delivery with partners, establishing clear milestones <i>The City Council's decision to cease work on the Lancaster South Area Action Plan, and commence a full Local Plan Review, has been approved by Cabinet (12 September) and endorsed via Council (27 September). The new Local Plan will determine what form of development should now emerge in South (and Central) Lancaster.</i> Establish a new multi-disciplinary project team for South Lancaster (which includes external partners) to assist with strategic delivery <i>The City and County Councils have met to discuss future transport infrastructure issues (which in turn would facilitate much-needed housing delivery in the district). There is no involvement of external partners at this stage, until a new 'project' emerges.</i> 	
<p>J:</p> <p>Review wider developer contribution position across the district as part of the plan-making process</p>	<ul style="list-style-type: none"> Create an officer group to review mechanisms for securing financial and non-financial developer contributions and prepare options for consideration <i>This is the second stage of the process – not yet commenced – the first stage is highlighted below.</i> Review governance of section 106 contributions <i>Work has been undertaken with the support of the Planning Advisory Service to understand the baseline position regarding the developer contributions process. This requires further work to be done regarding:</i> <ul style="list-style-type: none"> (a) <i>Greater senior officer strategic oversight in developer contribution collection, monitoring and spend;</i> (b) <i>The establishment of formal internal structures to enhance the City Council's co-working in developer contributions;</i> (c) <i>The delivery of consistent stakeholder engagement on the allocation of developer contributions;</i> 	<p>This workstream has commenced, but further detailed work is necessary.</p>

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| | <ul style="list-style-type: none"><i>(d) The establishment of regular meetings with the County Council regarding contributions;</i><i>(e) Consideration of a Community Infrastructure Levy;</i><i>(f) Consideration of how Elected Members could be involved in developer contribution decision-making; and,</i><i>(g) Maintaining an up-to-date policy and evidence to underpin developer contribution decisions;</i><i>(h) Investment in new IT systems and databases to ensure greater certainty regarding data (possibly supplemented by new charging regimes for monitoring of Section 106 Agreements)</i><i>(i) More structured approach towards integrating the use of developer contributions within the Council's Capital Programme.</i> | |
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Elected Member Training Schedule 2023/24

Planning and Climate Change Service

Topic	Who For?	Trainer, Training Date and Venue
<p>Planning Regulatory Committee (PRC) Training <i>In-person training event which will cover all aspects of the planning application process, including material planning considerations, pre-determination/pre-disposition; planning conditions; reasons for refusal and other related procedural matters.</i></p> <p style="border: 1px solid black; padding: 5px; display: inline-block;">Training Delivered</p>	<p>Mandatory training for all PRC Members and Substitute Members, to allow them to take their seat on the May meeting of the PRC</p>	<p>Led by Service Manager – Development Management</p> <p>Friday 26 May 1100-1300 Committee Rooms 1 and 2, Morecambe Town Hall</p>
<p>New Councillors - Introduction to Planning <i>An online course delivered by the national Planning Advisory Service (PAS), working with the Local Government Association (LGA). It aims to provide an overview of planning, giving some clarity to its complexities and highlighting the different roles that Elected Members have when interacting with planning processes.</i></p> <p style="border: 1px solid black; padding: 5px; display: inline-block;">Training Delivered</p>	<p>This training session is open to all Elected Members</p>	<p>External – Led by Planning Advisory Service.</p> <p><i>Pre-registration to attend is necessary. Please pre-register via:</i> https://www.local.gov.uk/our-support/councillor-and-officer-development/councillor-hub/events-new-councillors</p> <p>Wednesday 31 May 1000-1100 Online</p>
<p>Responding to the Climate Emergency <i>A virtual training event which will provide an overview of how the Council is aiming to be net zero by 2030, whilst encouraging others across the district to reach the same goal.</i></p> <p style="border: 1px solid black; padding: 5px; display: inline-block;">Training Delivered</p>	<p>This is a single training session held over two half-days (i.e. different content on each day) The training opportunity is open to all Elected Members</p>	<p>Led by APSE (Association for Public Excellence) and supported by the Service’s Climate Change Teams</p> <p>Monday 24 July 1300-1630 Online</p> <p>Followed by, Tuesday 25 July 0900-1230 Online</p>

<p>Planning Regulatory Committee – Material Considerations regarding Drainage</p> <p>Training Delivered</p>	<p>This training session is for all PRC Members and Substitute Members</p>	<p>Led by Service Manager – Development Management</p> <p>13 September – Input from Laura Bigley Lead Local Flood Authority, Principal Flood Risk Officer In-person</p>
<p>Planning Enforcement <i>An in-person training event that will explain local authority approaches to planning enforcement, including what constitutes a breach of planning control, what circumstances is it expedient to pursue a planning breach, and what remedies are available.</i></p> <p>Training Delivered</p>	<p>This training session is open to all Elected Members</p>	<p>Led by Senior Planning Enforcement Officer</p> <p>Tuesday 26 September In-person Morecambe Town Hall</p>
<p>What is a Local Plan? <i>In-person training event explaining what the purpose of a Local Plan is, and how important it is in guiding decision-making regarding land use and development in the district. The training will also explain the different stages of plan production, consultation and examination.</i></p> <p>Training Delivered</p>	<p>This training session is open to all Elected Members. It is strongly advised that all PRC Members and Substitute Members, and Local Plan Review Group Members attend</p>	<p>Led by Service Manager – Planning & Housing Strategy</p> <p>Tuesday 3 October 1400-1530 Banqueting Room, LTH</p>
<p>How do we calculate and manage a housing land supply? <i>In-person training event which will explain the methodologies for calculating the local housing need. The training will demystify matters regarding the 5-year housing land supply, the Housing Delivery Test, and implications if housing delivery is not maintained.</i></p> <p>Training Delivered</p>	<p>This training session is open to all Elected Members. It is strongly advised that all PRC Members and Substitute Members, and Local Plan Review Group Members attend</p>	<p>Led by Service Manager – Planning & Housing Strategy</p> <p>Tuesday 17 October 1000-1130 Online</p>

<p>What is Biodiversity Net Gain? <i>A virtual training event that will discuss the purpose of the national Biodiversity Net Gain strategy, who it affects, and how it influences policy-making and planning decision-making.</i></p>	<p>This training session is open to all Elected Members. It is strongly advised that all PRC Members and Substitute Members, and Local Plan Review Group Members attend</p>	<p>Led by Service Manager – Planning & Housing Strategy</p> <p>Wednesday 22 November 1400-1530 Online</p>
<p>Planning Regulatory Committee – Material Considerations regarding Development Viability</p>	<p>This training session is for all PRC Members and Substitute Members</p>	<p>Led by Service Manager – Development Management</p> <p>Supported by CP Viability Date TBC – Likely January 2024 Online</p>
<p>Planning Regulatory Committee – Material Considerations regarding Highway Matters</p>	<p>This training session is for all PRC Members and Substitute Members</p>	<p>Led by Service Manager – Development Management</p> <p>Was planned for 9-10 November 2023 – but postponed due to Lancashire County Council Highways Officer leaving post</p> <p>Date TBC – Likely January 2024</p>
<p>What is affordable housing and how do we achieve it? <i>In-person training event which will examine the concept and definitions of affordable housing, exploring the relationship between the housing strategy and local planning policy, and how we work with Registered Providers, with and without section 106 Contributions, to achieve affordable housing on development sites throughout the district.</i></p>	<p>This training session is open to all Elected Members</p>	<p>Led by Principal Housing Strategy Officer</p> <p>5th December 2023 1000-1130 Online</p>
<p>Planning Regulatory Committee – Material Considerations regarding Place-Making and Design</p>	<p>This training session is for all PRC Members and Substitute Members</p>	<p>Led by Service Manager – Development Management</p> <p>Date TBC</p>

<p>What are heritage assets and how do we take account of them when making planning decisions?</p> <p><i>An in-person training event that explains what a Conservation Area is (including Conservation Area Appraisals & Assessments and Conservation Management Plans); the difference between Listed Buildings and Non-Designated Heritage Assets; the concepts of 'significance' and 'harm'; and the impacts of the National Planning Policy Framework when assessing 'less than substantial harm' vrs 'public benefits'.</i></p>	<p>This training session is open to all Elected Members</p>	<p>Led by the Heritage and Design Team</p> <p>Date TBC</p>
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