Planning Peer Challenge: Implementation Plan

Update Report: September 2024

This Update Report Table includes the following Red, Amber, Green (RAG) rating to illustrate workstream activity 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 – Individual Actions and RAG Rating
A: **Review the operation of Planning Regulatory Committee** 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.	**Develop a forward planning mechanism for briefing the Chair and Planning Group Leaders regarding upcoming Committee items.** *Following review, and relatively light committee agenda during the first half of the calendar year, it has been agreed that the monthly briefing to the PRC Group Leaders and Chair's Briefing provides an effective mechanism for this. The Service Manager and Planning Applications Manager are also empowered to provide stand-alone, advance briefings on any upcoming, complex planning applications.*
	Produce new, consistent scripts for Planning Regulatory Committee meetings *The Chair of PRC now has a revised script for Committee meetings.*
	Review length of committee reports and accompanying presentations *This review has taken place. Except for 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. 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. Further topic specific sessions have been taking place and will continue to do so on a rolling basis (including sessions to cover any significant changes to legislation). Some of this training has been available to all Members (i.e. not just PRC Members).*
	Review current Planning Committee speaking arrangements to better manage speaking time (instead of unlimited number of speakers) *This was discussed with Members after the 29 January 2024 Planning Regulatory Committee. Consensus was to retain the public speaking scheme as present (i.e. with an unlimited number of speakers).*
	Consider a review of the Scheme of Delegation to reduce the number of items being determined at Committee. *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 number of items at Committee, as suggested by the Peer Review, was therefore not considered appropriate.*

	Fix an agreed procedure for defending Committee overturns at any subsequent planning appeal (noting the Institute's professional Code of Conduct) *Work is concluding – a final draft document is anticipated in October 2024 and will then be followed for all such cases.*	
	Additional work (i.e. over and above the identified tasks in Workstream A) have also been completed: • *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.* • *Clearer guidance for making observations on planning applications was provided in November 2022 and is available on the Council's website.* • *The location of Planning Regulatory Committee will remain unchanged at Morecambe Town Hall to enable future meetings to be live streamed.*	
B: **Review the operation of the Local Plan Review Group (LPRG) prior to further (new) policy production**	**Revisit the terms and reference of LPRG to determine the purpose of the Group going forward** *The terms and reference of LPRG was revised and agreed at the 20 September 2023 LPRG meeting.*	
	Consider the membership arrangements of LPRG *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.*	
	Agree the forward plan for LPRG meetings for 2023/34 including a review of report length and content *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.*	
C: **Align corporate priorities with the priorities of the Planning and Place (now Planning and Climate Change) Service**	**Determine methods for ensuring aligned priority delivery (following remodelled service delivery post-senior leadership team restructure)** *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 within the Council plan, which were published in late-January 2024.* *Since the last report the LGA Corporate Peer Challenge has separately concluded, and a recommendation in that challenge seeks to ensure greater project and programme oversight (Rec 7) and ensure a focus on the delivery of priorities, aided by better use of data and performance management (Rec 6). This priority work will be concluded via the corporate peer challenge workstreams.*	
	Embed shared priorities within Service teams via training *This will now follow the implementation of the (separate) Corporate Peer Challenge recommendations listed above.*	

D: Undertake the (already scoped) review of the planning enforcement service.	**Review Enforcement Charter, including expediency flowchart and timescales and match with existing resources;** *A new Local Planning Enforcement Plan (to replace the existing Planning Enforcement Charter) was approved by Planning Regulatory Committee in January 2024. The LPEP has been published and it now informs all enforcement decision-making.*
	Produce new standard letters with flexibility for all circumstances; *The Planning Systems Manager has worked with the team to develop new standard letters, and these are now on the Uniform (database) System.*
	Consider whether other forms of digital communication might be deployed; *There has been greater use of press releases for high-profile enforcement cases and use of social media.*
	Empower PEOs to be taking expediency decisions rather than Planning Officers (includes greater awareness of Development Plan); *Now in force. There is an expectation that PEOs will take expediency decisions on smaller planning breaches, but larger breaches will continue to involve a team-approach to assessment (PEOs and Planning Officers).*
	Review length of electronic file records and methods of recording meetings/dialogue on cases. *Since the publication of the Local Planning Enforcement Plan the team have been investigating whether the capture and storage of data and case file information could be more efficient. The Service's revised Document Management System (due towards the end of this year) may provide new opportunities here.*
	Consider approaches to educating agents and architects re: enforcement responsibilities, especially condition compliance. Restructure of decision notices may assist; *Officers will use the annual Developer Forum for this.*
	Handover of casework from Senior Planning Enforcement Officer (SPEO) to Planning Enforcement Officers (PEOs) with the exception of major strategic cases. *This work continues. Given recruitment challenges in the Planning Enforcement Team, this is taking longer than anticipated.*
	Recruit to vacant existing Planning Enforcement Graduate role to bolster capacity *The role was recruited to successfully. However a Planning enforcement Officer moved to a different council service, and that role was then successfully filled by the Graduate. So the role is vacant again and re-recruitment starts shortly. The situation proves that the 'grow-your-own' talent strategy is working.*

	Review longstanding enforcement cases to clear historic work as much as possible *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.*
E: **Seek greater liaison with developers, inward investors and/or partners.**	**Ongoing monitoring of new pre-application planning service via feedback forms and other methods** *The form has been developed and at the time of compiling this report was due to be sent out.*
	Re-establish the Agents' Forum *A decision was taken to expand this to a 'developers and agents' forum to capture the widest possible audience. The first Forum took place on 6 December 2023. It was attended by approximately 80 developers/agents.* *The planned 2nd Developer Forum (June 2024) was cancelled due to the General Election. It is now taking place on 2 September 2024 instead. 120 attendees have signed up.* *It is considered that an annual forum, rather than twice yearly, would be more appropriate in terms of strategic updates including Local Plan matters. Separate (smaller) Forum invites may be considered for thematic issues in future.*
	Consider the establishment of a Partners' Board or Forum to help deliver the local regeneration and growth agenda (and attract inward investment). *This now sits within the remit of the Corporate Peer Review (2024) now (i.e., recommendation 1 of that separate peer review – "development of a clear narrative for growth and an economic strategy" and recommendation 3, "use the Council's strong reputation as a collaborative and proactive place leader to further develop partnerships").* *Separately (and not explicitly related to regeneration, but of benefit to the wider growth agenda) a new Lancaster District Strategic Partnership (LDSP) has been established consisting of major local stakeholders from the public, private, third and education sectors. The signing of the Memorandum of Understanding for the LDSP took place in August 2024. It aims to* *• Improve the transparency of strategic workstreams that already take place in the district* *• Coordinate and facilitate improved ways of working between partners, to add value to existing strategic programmes* *• Identify gaps in strategic and operational workstreams in the district* *• Prepare, plan, resource and deliver new collaborative workstreams with 'Project Teams' (where there is an identified gap or where new activity adds value to the partnership vision and objectives)* *• Mitigate any duplication of efforts between partners*

F: Make the planning system more accessible to external users and improve communication	**Review and consider various methods for improved communication with communities, Parish and Town Councils** *The use of improved mapping and site notice QR codes provides useful data and communication tools for all public users, including Town and Parish Councils.* *However it has been decided to hold an annual Town and Parish Council event annually (similar to the Developer Forum), with the first event being in person and likely to focus upon the national planning reforms.*
	Review all outgoing literature (reports, policy documents, etc) and ensure that planning jargon is, as far as is possible, minimised. *This has been completed. Enforcement letters are simpler as a result, whilst the new Local Plan Hub has plain-English explanations regarding the planning process.*
	Assess what further improvements can be made to website and other digital forms of communication *Digital mapping is now provided in one location on the website (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).* *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.* *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.*
G: Review processes and priorities to ensure best use of officer time commensurate with agreed service priorities.	**Review length of delegated reports and templates** *Length of delegated reports has been reviewed internally. Further template modification will be considered in response to any future changes to the planning system.*
	Review existing consultee list *The previous Government's review of the statutory planning consultee system (announced Dec 2023) has seemingly not been taken forward (possible changes to consultation thresholds), so in the absence of any changes the local planning authority has reviewed and updated the consultee list.*
	Reconsider role of internal consultees (especially with Service) and devise strategy for communication, rather than formal consultation

	Fewer internal consultations within the Service are being sent out, with a greater emphasis being placed on internal collaboration/problem-solving.
	Review what standing advice can be agreed with consultees and within our own Service documents *The relevant pages of the website are being amended to include standing advice links, where appropriate. Work to be completed before the end of the calendar year.*
	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 is being embedded via the full District 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 significant piece of work has now commenced and an amended suite of planning conditions will be in situ by the end of the calendar year.*
	Review structure and appearance of Decision Notices *This workstream has been investigated and completed, but the proposal is not to be taken forward at the present time. A Document Management upgrade in the next 12 months will determine whether decision notice formatting can be altered. Meanwhile, decision notices have been updated to reflect the new biodiversity net gain requirements.*
	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).*
H: **Explore corporate opportunities to create improved**	**Assess the current range of projects and strategic sites and agree priorities commensurate with resources; then, Agree roadmap to delivery with clear milestones; then Establish multi-disciplinary projects teams to assist with delivery** *This includes the Council's own strategic sites/properties and externally owned strategic sites (such as major housing land allocations).It is considered that an internal officer group, meeting on a regular basis (suggested 6-weekly) would provide the*

delivery vehicle for strategic and other major sites	*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. Once established, a similar group would be considered to assist with external strategic site delivery.* *The Corporate Peer Challenge (April 2024) considered this issue and the workstreams arising from the CPC recommendations (Recs. 3, 4 and 6) are now the appropriate mechanism for delivery of multi-disciplinary teams across the Council.*
I: **Work alongside Lancashire County Council and other strategic partner to explore delivery challenges in South Lancaster**	**Increase the work with strategic partners to agree a preferred way forward on developer contributions in South Lancaster** *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, and no further work in this strand of the workstream is necessary.*
	Agree preferred options and roadmap to delivery with partners, establishing clear milestones *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. As such, it will be for the Local Plan to set the preferred options and roadmap to delivery.*
	Establish a new multi-disciplinary project team for South Lancaster (which includes external partners) to assist with strategic delivery *This workstream has been overtaken by the decision to review the Local Plan, including a Call for Sites for all of the district, including South Lancaster. (which has commenced).*

J:
 	
Review wider developer contribution position across the district as part of the plan-making process
	Review governance of section 106 contributions
	Work has been undertaken with the support of the Planning Advisory Service to understand the baseline position regarding the developer contributions process. This identified the following recommendations:
	  (a) Greater senior officer strategic oversight in developer contribution collection, monitoring and spend;
	  (b) The establishment of formal internal structures to enhance the City Council's co-working in developer contributions;
	  (c) The delivery of consistent stakeholder engagement on the allocation of developer contributions;
	  (d) The establishment of regular meetings with the County Council regarding contributions;
	  (e) Consideration of a Community Infrastructure Levy;

	(f) Consideration of how Elected Members could be involved in developer contribution decision-making; and, *(g)* Maintaining an up-to-date policy and evidence to underpin developer contribution decisions; *(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)* More structured approach towards integrating the use of developer contributions within the Council's Capital Programme.
	Create an officer group to review mechanisms for securing financial and non-financial developer contributions and prepare options for consideration *This is the second stage of the above process – following completion of the work no formal mechanisms have been agreed but productive meetings have been held with relevant consultees, including County Education and County Highways (ensuring that any future s106 requests are compliant with the regulations)*