

Information/Discussion Paper

Overview & Scrutiny Committee – 9 September 2024

Progress Report in respect of the 2023 Planning Peer Review

This note contains the information to keep Members informed of matters relating to the work of the Committee, but where no decisions from Members are needed.

1. Why has this come to scrutiny?

- 1.1 The Planning Service at Cheltenham Borough Council was peer reviewed by the Planning Advisory Service (PAS) during February-March 2023; the final report setting out the reviews' findings and conclusions was published in April 2023 and is appended to this report.
- 1.2 The purpose of this report is to provide the committee with a progress update in respect of the steps that have been taken, or are in the process of being taken, by the Service to implement the recommendations of the peer review, as well as other improvements identified by the Service itself.
- 1.3 As context, it has been a very challenging time in respect of recruitment, this is a national problem and not one specific to Cheltenham, however one which has had implications. Between 2019 to date there have been 7 contracts for the role of Head of Planning a mix of permanent appointments and contractors. Chris Gomm took up the role November 2023 which provided the resource to actively address the peer review recommendations, and other service improvements. In summary actions have largely taken place January 2024 - to date.

2. Summary of the Issues

- 2.1 The peer review was a positive experience and resulted in a report which made 12 key recommendations; these are listed below for ease of reference:

R1: There is a need to ensure that the vision and priorities set out in the new Corporate Plan are fully embedded in the core work of the Planning Service. The Service needs to become more visible, and its delivery role better understood.

R2: The new Joint Strategic Plan needs to be progressed to adoption at the earliest possible opportunity and the necessary level of leadership and resources applied in order to make this happen.

R3: There is a need to review the structure of the Service, including its leadership and management arrangements. This review should also consider how related placemaking functions can best support decision making and the obtaining of developer contributions.

R4: Capacity and resources within the Service need to be evaluated. An Improvement Plan and associated governance arrangements should be put into

place to drive the swift delivery of a more joined up and business-like approach to service delivery.

R5: As part of the Improvement Plan, consideration should be given to how the current Business Support function might provide a wider remit of support to the front-line Planning Service. Opportunities for joint working arrangements with other Local Authorities should also be explored.

R6: Planning's input into key strategic projects such as Golden Valley needs to be fully supported and properly resourced.

R7: Existing relationships between Officers and Members should be further enhanced so as to ensure greater collaboration and an enhanced ability for Planning to positively assist in the delivery of the Council's priorities. This should include the delivery of a more robust Member training and engagement programme, to develop knowledge and skills and support decision making and strengthen community engagement.

R8: Consideration should be given to setting up a Place Board involving external stakeholders, with the aim of capturing and coordinating their contribution to high quality place-making.

R9: A Planning – Parish Council Liaison Group should be introduced, in order to foster closer working relationships and a better understanding of both the needs of communities and the planning process.

R10: The Planning Agents Panel should be re-started so that regular users of the Service can have a constructive dialogue on matters of mutual interest.

R11: The planned review of the constitution should be undertaken in conjunction with related recommendations contained in this report and should focus on giving the Planning Committee a greater strategic focus.

R12: Planning Committee should be given ongoing training and development, as well as briefings on large or more complicated cases prior to committee meetings.

3. Progress to-date and Planned Actions Going Forward

3.1 Progress and actions against each of the 12 key recommendations are discussed in turn as follows.

R1: that the Corporate Plan be fully embedded in the core work that the service does and that the service becomes more visible, and its delivery role better understood.

3.2 It is evident that the role of the Planning Service in delivering council priorities needs to be better understood by decision-takers and better expressed within committee reports. The committee report template is currently under review and will include a proportionate assessment of how each officer recommendation supports the delivery of the corporate plan.

3.3 A broader review of the committee report template is currently underway to ensure that the Public Sector Equality Duty can be better incorporated into reports where necessary. This point has also been raised by members and was picked up in the

latest member training on planning (May 2024). The inclusion of meaningful reference to the council's priorities and the Corporate Plan within reports will form part of that wider review, which will be concluded by the end of September.

- 3.4 The peer review identified a perception that the Planning Service currently operates in an isolated manner although no conclusion was drawn by the authors as to whether that perception was a reflection of reality. Nonetheless, there is a clear need to improve communication more broadly so that the service and its activities are more visible and better understood across the organisation. To this end, it is intended that a briefing note or bulletin be produced quarterly (or more frequently) informing members (and staff) as to the work that the service does or is doing, this has been actioned and circulated via Member Briefing email and other relevant communication channels. The production of this bulletin was on hold due to two successive pre-election periods the first edition was published in August 2024.
- 3.5 Given the clear line of planning throughout the Corporate Plan to support its delivery, the portfolio of the Director Communities and Economic Development has been realigned to facilitate greater capacity and oversight of planning at a leadership level. This was activated July 2024.

R2: that the new development plan (i.e. the Strategic & Local Plan) be expedited with the necessary leadership and resources put into place to facilitate this.

- 3.6 An updated Local Development Scheme (LDS) was approved by Cabinet July 2023, the LDS sets out the key milestones in the preparation of the Cheltenham, Gloucester and Tewkesbury Strategic and Local Plan (SLP). The key thrust behind the PAS Peer Review was 'do not delay'. This emphasis on delivery remains highly relevant, particularly in light of the new Labour Government which has placed planning front and centre for both wholesale reform and acceleration of delivery of homes and jobs. The first milestone of this LDS was met through the Regulation 18 consultation, the representations received through this consultation are now being fully considered alongside the technical work on the SLP evidence base. This will inform the next key milestone which is a further Regulation 18 consultation in Spring 2025.
- 3.7 During 2023, resourcing conversation across the SLP councils concluded in respect of collaborative plan making with additional funding plan for next 3 years in place. This was secured through the budget setting process.
- 3.8 Permanent resourcing in the planning policy team remains a challenging issue, however current agency support has been extended through to the beginning of November 2024 to support a continued critical vacancy gap. It should be noted that recruitment in planning is a challenge nationally and work is ongoing with the HR team, together with a review of resourcing to find an appropriate solution.
- 3.9 Specialist conservation officer resources are a further challenge, and this has had an impact on work we are progressing through the Strategic and Local Plan. Again, we have been reliant on contractor support, but this has had to focus on planning and listed building applications. As with the planning resourcing challenges, this is not specific to Cheltenham and is a national issue affecting local planning authorities across England.
- R3: that the structure of the service be reviewed including leadership and collection/management of developer contributions (planning obligations secured through s106 Agreements)**

- 3.10 The review identified that whilst the service has strong foundations, there is a “need to take urgent action to address the capacity and resource issues that have been identified”. The review identified that those urgent actions ought to be focussed on systems and processes, management roles and team structure.
- 3.11 Further to the Peer Review an audit was actioned in respect of S106 and CIL. A task and finish group has been put in place specifically looking at S106, this is looking across a range of factors including:
- Processes mapping
 - Joined up monitoring
 - Reconciliations
 - Management and resourcing

The audit report findings were considered by Audit Committee in September.

- 3.12 In addition, at the end of 2023 Council approved the establishment of a Community Infrastructure Joint Committee with neighbouring Councils Gloucester and Tewkesbury. The first meeting of this Committee is anticipated September 2024.
- 3.13 More strategically, the Director Communities and Economic Development is leading on a county wider task and finish group across Gloucestershire. This work started with a workshop undertaken with representatives from the districts and County Council on 9th January 2024. This workshop took a systematic view across securing, funding and planning for infrastructure. Reports on activities of the task and finish group were reported to meetings of the Gloucestershire Chief Executives on 15th January and 17th April 2024.

R4: that capacity and resources be evaluated, and an Improvement Plan be formulated and actioned delivering a more joined-up and business-like approach and;

R5: as part of that Improvement Plan consideration should be given to how the Business Support Team might better support the front-line planning service.

- 3.14 A draft Planning Improvement Plan has been produced alongside the new Head of Development Management’s own schedule of key improvement priorities.

The Head of Development Management’s own schedule of key improvements and actions against them, is set out as follows:

Issue Identified	Action
Lack of one-to-ones and regular/diarised check-ins between management and case officers	Fortnightly one-to-ones between case officers and Head of DM instigated (from December 2023)
Oversight over the allocation of workload / etc.	Head of DM now allocates all work daily

Management sign-off of key decisions (or oversight given the lack one-to-ones)	This was previously managed via the pool of senior planning officers, but now the Head of DM now signs off all major decisions (from April 2024).
Oversight of case officer and wider team performance including caseload/workload, timeliness and efficiency	A series of metrics are now obtained and monitored on a monthly basis, by the Head of DM.
Limited continuing training within the DM team; the training that does occur is ad hoc and is not co-ordinated .	Attendance at RTP1 conferences and training events now coordinated and booked by Head of DM
Lack of regular and frequent team meetings; team meetings tend to be arranged on an ad hoc basis.	Monthly in-person team meetings established
There is a clear need for increased team working and contact between planning officers within DM.	Weekly DM team working day (Tuesdays). Established from July 2024.
Lack of formalised mechanism for reporting complex and controversial application at operational level updates to those outside of the immediate DM team.	Live RAG schedule of controversial and major applications established and shared. This is also used to support briefings and engagements with the lead Cabinet portfolio member.
Lack of formalised member training programme.	See R7 below.
No consistent means of communicating with the boroughs most frequent Planning agents.	See R10 below.

R6: that the service’s input into key strategic projects must be fully supported and properly resourced.

- 3.15 A review of roles and structure was undertaken in the context of this recommendation. This resulted in the successful appointment of Head of Development Management, Enforcement and Compliance, but despite numerous recruitment drives we remain unsuccessful in appointing to the role of Head of Policy

and Placemaking. This has involved engagements via HR and two separate recruitment agencies, including direct engagement and head-hunting approaches. In recognition of the challenges, a refreshed review of resourcing and team structure is underway. A first step of this is the change to the Director Communities and Economic Development role as noted above which will release some additional leadership capacity by Summer 2024.

- 3.16 Since the Peer Review, we have experienced more recent resourcing challenges in enforcement and conservation and as noted above, in line with the national challenges of recruitment in these specialist planning skills, we have to date not been able to secure permanent resources. A further review is underway in respect of managing the gap through temporary agency contracts, but this is neither resilient financially or in terms of retaining skills and knowledge within the council. More widely the Development Management team are managing a complex caseload of major applications alongside the strategic allocations of North-west Cheltenham and West Cheltenham. Applications are being monitored regularly and again; this data is being utilised in the ongoing assessment of resourcing. To address this gap the Director of Communities and Economic Development is supporting across the strategic allocations.
- 3.17 An example of how planning is being more centrally linked into corporate outcomes is through the work on vacant units. Planning is part of a multi-disciplinary team working through an agreed action plan.
- 3.18 Engagement has taken place with a potential consultant to review our approach to Planning Performance Agreements income and how this can be stretched in a commercial context. This work will be investigated further over 2024.

R7: that there should be a more robust member training and engagement programme and existing officer/member relationships should be enhanced.

- 3.19 The on-going training of members of the planning committee is something that was well-established in the past but had lost momentum partly on the back of return to activities and full working post covid and partly given the challenges on recruitment and the reliance on a number of temporary contract roles. Training was occurring, but had become somewhat ad hoc. Now that the membership of the new committee is in place post elections, a draft annual training programme has been produced.
- 3.20 It is proposed that a training session relating to pertinent planning issues will be provided, in person, in advance of every other planning committee meeting (i.e. six sessions per year). Topics will include decision-making processes, application types, trees and ecology for example. The sessions will be recorded and retained for future viewing as part of the service's wider knowledge hub.
- 3.21 It is recognised that six sessions per year may be prove to be insufficient, especially given the ever-changing Planning environment, and so this will reviewed three months into the programme. It may be that supplemental sessions will be necessary and that these would be best delivered virtually. Given the general election July 2024, this has triggered potential significant changes to the planning system and its process. A watching brief is being held and training will respond appropriately to this once we have a settled direction of travel.
- 3.22 Understanding our 5-year housing supply is a key area of training and one which was picked up via new member induction training and where planning committee

members were briefed via a shared meeting with Planning and Liaison Member Working Group on 12th August 2024.

- 3.23 In the longer term the service is investigating the production of e-learning modules for both members of the planning committee and members generally. E-learning has a number of advantages including flexibility, convenience (the ability for members to dip in and out), the ability to frequently update content, user interaction and analytics/ability to register participation. This idea is at a very early feasibility stage at present.
- 3.24 There is positive and ongoing engagement with the Chair, Vice Chair and Cabinet lead portfolio member and further to this peer review Planning and Liaison Member Working Group is utilised to build in lessons learnt in respect of development management. This enables a positive check and challenge between officers and members on a regular basis.

R8: that the possibility of establishing a 'Place Board' be established.

- 3.25 Post both this peer review and the subsequent LGA corporate peer review, a terms of reference for a potential Place Board was drafted. This has yet to progress more fully given the recent local elections and the general election in July. This will be picked up through the work with the Leader and relevant Cabinet portfolio lead later this year.

R9: that a Planning / Parish Council liaison group be established.

- 3.26 The Council already has an active group of parish councils who meeting regularly, this is the C5 group managed via the communities' team. Going forward we will look at the opportunities to more closely and better engage with this group to address this recommendation.

R10: that a Planning Agent's Panel be re-established.

- 3.27 The planning agent's 'forum' (preferred title) has been re-established and its inaugural meeting was held on Thursday 1 February 2024. The agenda for the first forum included an introduction to the new Head of Development Management and discussions around policy/operational matters including the then recently introduced SANG (Suitable Alternative Natural Greenspace) payment.
- 3.28 It is not necessary for the forum to meet too frequently; two or three times per year is considered sufficient and proportionate to the size of the agenda. The next meeting is provisionally scheduled for September although a date has not been fixed.

R11: that the constitution be reviewed with the aim of giving the Planning Committee a more strategic focus.

- 3.29 The new government is proposing a 'national scheme of delegation' prescribing which applications should or should not be referred to Planning Committee. Our own review of such matters is to be deferred until the government's position has become clearer.

R12: that the Planning Committee be given ongoing training and application briefings ahead of the relevant committee.

This overlaps with R7 above.

Background Papers – See PAS peer review report (attached)

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