

# Scrutiny Committee

# Review of Planning in South Ribble



## Draft Report - March 2014

### Task Group:

- ▶ Councillor Michael Green (Chairman)
- ▶ Councillor Melvyn Gardner (Vice-chairman)
- ▶ Councillor Colin Coulton
- ▶ Councillor Ken Jones
- ▶ Councillor Alan Ogilvie
- ▶ Councillor Mike Otter
- ▶ Councillor Frances Walker

## Contents

Rationale for Review

Scrutiny Committee Review Team

Review Aims and Objectives

Methodology

Findings

Conclusions

Recommendations

Appendix 1 – Recommendations Allocation Table

For further information on this review or to view the background information and research, please contact Darren Cranshaw, Scrutiny & Performance Officer on 01772 625512 or email: [dcranshaw@southribble.gov.uk](mailto:dcranshaw@southribble.gov.uk).

## **Rationale for the Review**

The Council is the statutory planning authority in South Ribble. The planning service is high profile with residents because of the impact it has on their local area and quality of life. Planning is also an area which ward councillors are regularly involved with on behalf of residents and in their community leadership role and through 'My Neighbourhoods'.

Members are also involved in decision-making on planning applications and planning policy through the Local Development Framework.

Nationally, government policy is encouraging growth and development as part of driving and regenerating the economy, stimulating jobs and wealth creation.

The Council has a strong and successful track-record of public involvement in planning and engaging with them on planning policy through the Local Development Framework and individual planning applications.

Due to the prominence of the service with residents and Members, the agreement and opportunities of the Local Development Framework and change within the local and national planning landscape the Scrutiny Committee felt it was an opportune time to carry out a strategic review of the planning service to ensure it continues to be as efficient and effective as possible.

Completely separate to the review, the Director of Planning and Housing retired from the Council and a re-organisation of the senior management structure was undertaken during the review. A new management structure will be implemented from 1 April 2014 and it is hoped that this review will help the new Director and service to improve even further in the future.

## **Scrutiny Committee Review Team**

- ▶ Councillor Michael Green (Chairman)
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## Review Aims and Objectives

- ▶ To assess the public perception of the planning service
- ▶ To assess Member perception of the planning service
- ▶ To assess partner and stakeholder perception of the planning service
- ▶ Look at Member/Officer engagement on planning issues and involvement of Lancashire County Council Highways
- ▶ Consider best practice with regards planning
- ▶ Make recommendations on how the Council could improve its planning service to ensure it remains effective and efficient

## Methodology

The Task Group has carried out extensive research to inform their review and ensure that all those involved with the Planning Service and Planning Committee could get involved in the review:

- ▶ The Task Group carried out desktop research reviewing best practice from other Scrutiny reviews carried out by other councils around the country.
- ▶ The Task Group reviewed key documentation to set the context for the review including the Council's constitution, national performance data, Local Development Framework, policies and procedures.
- ▶ The Task Group has met on 12 occasions to carry out the review meeting with a selection of key Members and Officers associated with the Council's planning services:
  - Councillor Cliff Hughes – Cabinet Member for Planning and Housing
  - Councillor Jon Hesketh – Chairman of the Planning Committee
  - John Dalton – Director of Planning and Housing (now retired)
  - Helen Hockenhull – Planning Manager
  - David Whelan – Legal Services Manager
  - James Wallwork – Democratic Services Officer

- ▶ The Task Group also met with Rachel Crompton from the Highways Service at Lancashire County Council.
- ▶ Members of the Task Group also shadowed three key elements of the Planning Service: Forward Planning, Development Control and Enforcement, which was unique for scrutiny review and felt to be very beneficial to the review.
- ▶ Members of the Task Group have also observed the Planning Committee on at least three occasions to gain an appreciation of the process and how the Planning Committee operated.
- ▶ A survey was developed and sent out to all planning applicants over the last two years to gain their perceptions of the process and how their experience of the service.
- ▶ A workshop was held for all Members of the Council to gather their views as ward councillors and community leaders.
- ▶ Members of the Task Group held a focus group with the parish/town councils in South Ribble and Lancashire Association of Local Councils.
- ▶ A letter asking for feedback was sent to all known stakeholders of the service and a press release issued.
- ▶ Members of the Task Group also carried out visits to other councils at Lancaster City Council and Pendle Borough Council.

## **Key Findings**

The Task Group has used all the research mentioned in the above methodology to come up with the following key findings that have been used in developing recommendations for the review.

### **Planning Service/Team**

- ▶ The service provided by the Planning Team is held in high regard by the service's customers, with 75% of planning customers who responded very or fairly satisfied with the service provided.
- ▶ The performance of the service in meeting national performance standards around value for money and turnaround time are positive and in the upper quartile/top 25% when compared with a number of other councils in England who

share similar characteristics to South Ribble and known as our 'nearest neighbours'.

- ▶ The main area for improvement for the Planning Service is that the electronic Public Access Planning Software Systems is not user-friendly and is very difficult to navigate for councillors and customers alike. It is understood that the software system is provided to a number of councils across the country and it is not possible for individual councils to make changes. Further development of the electronic Public Access Planning Software System to improve communication and automatically inform relevant customers and parties about planning decisions would be an efficient way of improving the service provided.
- ▶ The provision of information on the Council's website was a key way in managing the expectations of customers and cutting down the need for contacting us with general enquiries. Since the new website was launched following the Scrutiny Committee's review of external communications a more simple and streamlined website has been developed. Whilst it is appreciated that this is appropriate, it was felt that there should be more information on the planning process on the Council's website and that it sets out the national and local context, frequently asked questions and other key information.

### **Member Engagement and the Planning Committee**

- ▶ Members have a key part to play in the planning process as Members of the Planning Committee but all Members also have a role at an individual ward level. Whilst the role of Planning Committee Members is well defined, we found that the role of ward Members is less defined or understood. We also found that whilst some ward Members are comfortable in engaging with residents on the planning process others did not have the confidence.
- ▶ We found that ward Members should manage the expectations of residents more consistently regarding the role of the Planning Committee and the national constraints with which we must operate.
- ▶ The importance of Ward Members working closely with Planning Officers has been stressed throughout the review with the sharing of information and alerting each other of any potentially contentious issues. Keeping councillors in the loop on relevant issues and planning appeals will also help to strengthen this relationship and role. There were good practice examples of this when we visited both Lancaster and Pendle councils.
- ▶ The review looked in detail at the current Member delegation to officers and felt that on some occasions delegated decisions were taken, which should have gone to the Planning Committee. It was felt that a more robust system should be put in place to protect the Director and put a clear and transparent process in place.

On balance the Task Group found that the current system of delegation worked well with the volume of applications and to meet statutory timescales, but that Ward Members should have the right to refer planning applications to the Planning Committee with the agreement of another Ward Members because of the nature of that application.

- ▶ Detailed training is carried out with members of the Planning Committee. A number of Member learning hours on the planning process has been delivered for all Members in recent years. However, it is appreciated that to explain the planning process in an hour and explore roles, responsibilities and the wider policy context is not possible. A structured training programme should be developed and made available for all Members and continue to be developed and updated.
- ▶ The involvement of the public in the planning process and by the Planning Committee is to be commended and very much adds to the decision-making process.
- ▶ In observing the meeting and listening to participants it would be good if the Planning Committee Chairman could summarise for the public why a decision has been taken to help them understand the context in which the decision has been made. A brief response from the Planning Committee Chairman and officers to the key issues raised by the public would help to make the process more transparent and improve the feedback they receive.
- ▶ It was evident from observing a number of Planning Committee meetings that some Committee Members do not prepare for meetings and that further support and training is needed. We feel that Planning Committee Members' knowledge and approach to planning issues would be enhanced further with a cross-party briefing where there are contentious planning applications or out of the ordinary applications that would benefit from Planning Committee Members understanding the technical issues involved. It should be stressed that this should be at the Planning Committee Chairman's discretion in the interests of informed debate and not be seen as making decisions behind closed doors.
- ▶ Whilst the current approach of showing photographs at the Planning Committee to illustrate issues affecting the site is helpful, consideration should be given to video presentation of the sites to get a greater appreciation of the factors around the site. A more formalised approach to requesting and making arrangements for a site visit for the whole Planning Committee would improve this further.
- ▶ Throughout the review the Task Group has identified the perception residents have of the planning process and particularly where Planning Officers make recommendations. Task Group Members have witnessed examples in Planning Committee where the Committee has gone against a Planning Officer recommendation for very justifiable reasons. When this has been explored

further, it was found that the pros and cons of the planning application had been balanced, but the Planning Officer had to make a recommendation. It was felt that in these cases a recommendation should not be made to the Planning Committee, on a trial basis.

- ▶ As part of the research we found that there is a local convention (not included in the Council's constitution) which doesn't allow 'dual hatted' - Members who are on both Lancashire County Council and South Ribble Borough Council - to sit on the Planning Committee. We have looked at the advantages and disadvantages to not allowing 'dual hatted' Members to sit on the Planning Committee and feel the benefit that this provides in making sure all voices and talents can be utilised outweighs the disadvantages and should be changed.

### **Resident Engagement**

- ▶ As mentioned earlier through our desktop research, feedback and best practice visits, the Council has a strong track record for engaging residents in the Planning process and is a beacon for best practice, which is to be commended.
- ▶ The research we carried out found that there were some elements from the former Area Committee system which gave residents an opportunity to comment on planning applications, which were then fed into the Planning Committee. There was a feeling as part of the research that these positive aspects had been lost. The My Neighbourhoods community engagement approach since it was launched two years ago has not adopted any approach to engage on planning issues. The Task Group feels that further consideration should be given to how best community engagement on planning could be incorporated into our My Neighbourhoods approach and how this might look in the future.
- ▶ Having looked at the existing methods of resident engagement the presentation of the information we provide to applicants and residents could be improved with a user-friendly leaflet explaining the process and with consultation letters including the contact details of their local Ward Member and for their County Councillor so that residents can contact them about highways and transportation issues.

### **Lancashire County Council Highways**

- ▶ One of the top issues raised by most people throughout the review and identified by our best practice visits, was the role Lancashire County Council's Highways Service plays in the planning process. There was a concern that the highways response was not covered adequately in planning reports and that there wasn't the capacity for Lancashire County Council Highways to challenge the highways



and traffic information provided by developers. We felt that there was more that could be done to reflect the highways comments in the planning application report.

- ▶ Challenging developer highways information to ensure it is robust is key vital and not always challenged by the County Council. It is hoped that Lancashire County Council's Highways service will look at the way it provides capacity to do this so that the information is robust.
- ▶ The Task Group also looked at the role of County Councillors in planning applications and felt that they could liaise more with County Council Highways Officers to provide local intelligence and information on the impact of individual planning applications to help formulate their consultation responses.

## Conclusions

Following a detailed review which has included the Planning Service's stakeholders and customers we found from customer research and performance data that the planning service is providing a good service and performing well. The Planning Committee provides an opportunity for residents to engage in the process.

One of the main areas for improvement are around informing and changing the perceptions of residents with regards the planning process to provide more information on the context in which planning works. The engagement of Members in changing these perceptions is important as is the information we produce and messages we send out to our residents.

A key element of the review was also observing the Planning Committee and as the public face of both the Council and planning decision-making process it is important that the Committee presents itself in an effective way to local people.

Continuing to build on the Council's strong track record of engaging with residents is important and the use of technology and the planning software system should enhance this further. We would like to see a strengthening of planning and My Neighbourhoods as a way to take planning out to local communities and engage more effectively with residents.

The Task Group would like to thank everyone involved in the review for their assistance and valuable contribution.

We hope that this review leads to the Council providing an even better service, continues to encourage residents engagement and works to create South Ribble as an even greater place to live, work, visit and play!

## **Recommendations**

### **Planning Service/Team**

1. The Council work with other councils to encourage the Public Access Planning Software System supplier to improve the system to make it more user-friendly and easier to navigate for customers.
2. The content of the planning pages on the Council's new website be reviewed to make them more comprehensive and user-friendly
3. The functionality of the Public Access Planning Software System is examined to see if consultees and other stakeholders could be automatically informed of the outcome of planning decisions via email.
4. The job title of the Enforcement Officer is updated to Compliance and Enforcement Officer.

### **Member Engagement and the Planning Committee**

5. All Members receive a more detailed and structured training programme to enhance their role in the planning process and how they manage the expectations of local residents as soon as possible after being elected with regular updates.
6. The Planning Manager puts in place a system for alerting Ward Members to potentially contentious planning applications and at an early stage with relevant pre planning application discussion.
7. Ward Members are automatically notified of progress on planning appeals.
8. Ward Members have the automatic right to refer planning applications in their area to the Planning Committee where they have the agreement of their fellow or adjoining ward Member.
9. For a twelve month trial-period, where Planning Officers feel there are balanced pros and cons to an application, no recommendation is made to the Planning Committee.
10. The Planning Committee Chairman should summarise for the public why a decision has been taken, provide feedback on the public's key issues and help to manage the expectations of residents with regards the planning process.
11. The convention that Members of this council who are also Members of Lancashire County Council don't sit on our Planning Committee is changed to allow this to happen.

12. A cross-party Planning Committee briefing is held with the Planning Chairman prior to each meeting at the discretion of the Chairman.
13. Consideration is given to providing video presentations of planning sites where this would be helpful and all images taken at different times of the day where this is relevant, with presentation screens being provided for the public/audience.
14. The process for organising site visits by the Planning Committee be formalised with a clear process developed of when and how they are organised, including feeding back at the meeting.

### **Resident Engagement**

15. The Cabinet Member for Planning and Housing chairs a cross-party Member working group to look at how best community engagement in planning could be incorporated effectively into the My Neighbourhoods approach.
16. A user-friendly leaflet is put together for applicants and those consulted on planning applications to explain the process in more detail, with all information reviewed and improved to manage the expectation of residents about the constraints and framework within which the Council operates.
17. Consultation letters sent to residents include the contact details of ward Members and local County Councillors so that they can be contacted about highways and transportation issues.

### **Lancashire County Council Highways**

18. A more detailed summary of Lancashire County Council's Highways comments is provided in planning reports and a direct link to the full response be provided.
19. County Councillors are informed of planning applications in their areas and are encouraged to liaise more closely with Lancashire County Council Highways officers on responding to planning applications in their Division and liaise more with South Ribble Members.
20. Lancashire County Council Highways be asked to review its capacity for assessing and challenging information provided by developers so that they can provide assurance it is robust and takes all issues into account.

# Scrutiny Review of Planning

## Recommendations Allocation Table

Recommendation	Lead Member/Officer/ Partner
<b>Planning Service/Team</b>	
1. The Council work with other councils to encourage the Public Access Planning Software System supplier to improve the system to make it more user-friendly and easier to navigate for customers.	Councillor Cliff Hughes / Denise Johnson
2. The content of the planning pages on the Council's new website be reviewed to make them more comprehensive and user-friendly.	Councillor Cliff Hughes / Denise Johnson
3. The functionality of the Public Access Planning Software System is examined to see if consultees and other stakeholders could be automatically informed of the outcome of planning decisions via email.	Councillor Cliff Hughes / Denise Johnson
4. The job title of the Enforcement Officer is updated to Compliance and Enforcement Officer.	Councillor Cliff Hughes / Denise Johnson
<b>Member Engagement and the Planning Committee</b>	
5. All Members receive a more detailed and structured training programme to enhance their role in the planning process and how they manage the expectations of local residents as soon as possible after being elected with regular updates.	Councillor Cliff Hughes / Denise Johnson
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10. The Planning Committee Chairman should summarise for the public why a decision has been taken, provide feedback on the public's key issues and help to manage the expectations of residents with regards the planning process.	Councillor Jon Hesketh / Denise Johnson
11. The convention that Members of this council who are also Members of Lancashire County Council don't sit on our Planning Committee is changed to allow this to happen.	Group Leaders
12. A cross-party Planning Committee briefing is held with the Planning Chairman prior to each meeting at the discretion of the Chairman.	Councillor Jon Hesketh / Denise Johnson
13. Consideration is given to providing video presentations of planning sites where this would be helpful and all images taken at different times of the day where this is relevant, with presentation screens being provided for the public/audience.	Councillor Jon Hesketh / Denise Johnson
14. The process for organising site visits by the Planning Committee be formalised with a clear process developed of when and how they are organised, including feeding back at the meeting.	Councillor Jon Hesketh / Denise Johnson
<b>Resident Engagement</b>	
15. The Cabinet Member for Planning and Housing chairs a cross-party Member working group to look at how best community engagement in planning could be incorporated effectively into the My Neighbourhoods approach.	Councillor Cliff Hughes / Denise Johnson
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17. Consultation letters sent to residents include the contact details of ward Members and local County Councillors so that they can be contacted about highways and transportation issues.	Councillor Cliff Hughes / Denise Johnson

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20.Lancashire County Council Highways be asked to review its capacity for assessing and challenging information provided by developers so that they can provide assurance it is robust and takes all issues into account.	Lancashire County Council