

## **Environment and Communities Committee**

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<b>Date of Meeting:</b>	31 October 2022
<b>Report Title:</b>	Local Planning Authority Review and Service Transformation
<b>Report of:</b>	Jayne Traverse, Executive Director of Place
<b>Report Reference No:</b>	EC/20-22-23
<b>Ward(s) Affected:</b>	All wards

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### **1. Purpose of Report**

- 1.1** This report is to provide an update on the progress made in connection with the Planning Services Deep Dive Review and to set out some of the challenges, opportunities and transformational changes needed to the service.

### **2. Executive Summary**

- 2.1** A 'Deep Dive' review of the planning service was undertaken, led by the Executive Director of Place, to consider how the Local Planning Authority (LPA) is performing in the context of its statutory and regulatory obligations, and to understand how the Planning Service is delivering against the vision and objectives of the Council's Local Plan Strategy 2010-2030, and the Corporate Plan 2021-2025.
- 2.2** The review was needed because of an increase of undetermined planning applications which had resulted in a backlog and consequent delays in decision making. This has resulted in an increase in complaints about the service. The LPA Review and Service Transformation Report can be found at Appendix 1 to this report, which details service improvements needed to reduce the backlog more quickly, and actions necessary to modernise the service. It also identifies those service areas which still need to be subject of a more detailed review as part of a modernisation plan.

**2.3** The teams face many challenges. To deliver a quality planning service it is necessary to make some changes so that it is able to better respond to the various demands placed on it. A restructure is proposed, including a review of staffing resources and structures, to enable the service to develop, grow and flourish.

### **3. Recommendations**

- 3.1.** That the findings and recommendations of the Local Planning Authority Review and Service Transformation report be endorsed (Appendix 1).
- 3.2.** To note and endorse the establishment of a Transformation Board to oversee the Modernisation Plan which is to be chaired by the Executive Director of Place.
- 3.3.** That Members note and endorse the range of measures already implemented as part of the review, particularly in relation to reducing the backlog of planning applications.
- 3.4.** That a Member / Officer group is established to explore the process of S106 planning obligations - as part of the Modernisation Plan.

### **4. Reasons for Recommendations**

- 4.1** To ensure Elected Members are sighted on the challenges and measures needed to reduce the planning application backlog and the improvements required to transform and modernise the Planning Service.
- 4.2** To ensure Elected Members are aware that the Executive Director has identified some additional areas of the Planning Services which need further operational review, the governance being put in place to manage and monitor implementation of the improvements, and proposals to improve monitoring and reporting of local performance and risks. One of the areas recommended for further review is S106; group leaders will be approached to nominate two Members each, to participate in a Member / Officer working group.

### **5. Other Options Considered**

- 5.1.** As an alternative, an external independent review of the service was considered. This was not progressed since the Executive Director of Place is a Chartered Town Planner with extensive experience of undertaking service reviews. Also, the Executive Director was new in post and therefore able to bring an objective and fresh approach to the review.

<b>Option</b>	<b>Impact</b>	<b>Risk</b>
Independent external review	A full external review would assess the issues	Delays in commissioning the

	however it could take some time to secure and appoint an appropriate external provider to do the review resulting in delays and potential additional cost.	review could result in more issues and complaints for the service leading to reputational harm for the Council. Any alterations to the scope of the review would require further appointment and would result in more delay.
Objective and independent to-the-Service internal review led by Executive Director of Place	Would deliver earlier understanding of issues and solutions, would be agile to adapt to new circumstances and emerging issues. This also allows improvement measures to be implemented in parallel with the review.	Resources from elsewhere in the Council may be stretched due to other priorities, resulting in possible delays to completing the review.

## 6. Background

- 6.1** When the Executive Director of Place, commenced in post in October 2021, the Chief Executive Officer raised concerns about the planning application backlog and asked that a review of the service be undertaken. Subsequently, at the Council's Environment and Communities Committee on 11<sup>th</sup> November 2021, and following concerns having been raised about the Service by Elected Members, the Committee discussed the need for an objective review and agreed that, given the Executive Director's professional background, and since she was new to the organisation, she should undertake the review. The Committee also agreed that a Member Advisory Panel should be set up to help inform the review.
- 6.2** As a result, a Deep Dive was commissioned in January 2022, to review the Planning Service to ensure Cheshire East Council's (CEC's) Local Planning Authority (LPA) is fit for the purpose of fulfilling its statutory and regulatory obligations while also delivering the vision and objectives of the Council's Local Plan Strategy 2010 - 2030 and Corporate Plan 2021 - 2025.
- 6.3** It is important to stress that this review is not an inspection. It is improvement-focused and designed to complement and add value to the council's performance and improvement plans.
- 6.4** The review was needed because of an increase of undetermined planning applications, which had resulted in a backlog and delays in decision making. An increase in customer and Elected Member complaints about delays and service delivery were, and still are, a real concern. In order to

better understand and address these issues and concerns and deliver the quality services that are expected and desired, it has been necessary to review resources, working practices and reasons for complaints.

- 6.5** The Deep Dive review was initially to focus on the planning application caseload and recommend actions to reduce the backlog, which has accumulated from a significant increase in applications received by the LPA from around June 2020. However, it soon became apparent that there are several interdependencies contributing to workload issues and the scope of the review needed to be broadened. The Deep Dive focussed primarily on the Development Management (DM) functions, but it does also touch on other parts of the Planning Service. The Executive Director has identified some additional areas of the Planning Services which need further operational review, which will be undertaken as part of a Modernisation Plan (Appendix 2).
- 6.6** The approach taken for the Deep Dive is similar to that of other recognised bodies who undertake LA reviews. The process provided challenge and support from a team of officers from separate operational areas outside of the service, to give objective views of the service and its challenges. The reason this approach was chosen is because Members requested an objective review of the service and because it is a robust process, which focuses on specific issues or service areas, based on information provided by service managers, team leaders, individual staff and stakeholders. This approach was also important in order to minimise disruption to those staff managing and working within the Service, given the obvious difficulties managing current workloads within existing resources.
- 6.7** Engaging Officers, Elected Members and customers in the process has been essential to help understand practices, processes and issues. The Deep Dive team worked collectively and individually to gather and analyse information. The Executive Director considered all the information made available to her during the Deep Dive and has developed the recommendations that are presented in this report.
- 6.8** The process has involved initial feedback via a presentation to the Deep Dive Team by the Executive Director Place, to take soundings on draft findings and recommendations of the Deep Dive review. In addition, feedback was given in two staff sessions to the planning service by the Service Director, to cover the high-level findings and recommendations and to take questions from staff. This is now being followed by detailed written feedback contained in the appended report.
- 6.9** A number of significant issues had been impacting on the Service for some time. Increasing workloads, an aged and inefficient IT system in urgent need of modernising and replacement, loss of staff from the Service and

vacant posts across all teams. There is a national shortage in technical professions making recruitment, managing and delivering the service much more challenging. The DM service is operating at around 80% capacity due to vacancies.

- 6.10** The COVID-19 pandemic impacted on the delivery of services, which together with a spike in applications being submitted, resulted in backlogs of applications that built over time. It is important to note however, there have been service challenges for some considerable time. COVID-19 safe working practices, recruitment challenges, problematic IT systems and workload volumes have exacerbated an already fragile service. Leaders and managers have worked hard to adapt to new challenges in the service, which were compounded by the pandemic. This situation would have been very difficult to manage, and leaders and managers should be given credit for their efforts to continue to deliver the service in such difficult circumstances. Staff within the teams also worked hard to adjust to the changes needed and to continue to deliver through this period.
- 6.11** Many findings and recommendations from the review which were considered urgent, have been undertaken while this report has been drafted and finalised. This twin tracking has developed out of necessity to make urgent progress and changes, particularly in relation to the backlog of planning applications.

## **7. Planning in Cheshire East**

- 7.1.** An efficient and highly performing Planning Service, with strong leadership is essential for a number of reasons. Firstly, the Planning Service is key to meeting the needs of the residents and businesses of the borough. Secondly, Cheshire East Council (CEC) is the 8<sup>th</sup> largest and busiest LPA in the country, receiving over 100 planning applications every week. These range in scale, scope and complexity from householder extensions to new major residential developments. It seeks to secure improved design and quality of development through sometimes difficult and protracted negotiations with applicants and agents.
- 7.2.** Planning applications form only one element of the DM workload – the Service is much more wide-ranging, including pre-planning advice, determining whether development requires formal consent, appeals and investigations into alleged breaches of planning control. The volumes and complexity of work should not be underestimated.
- 7.3.** The LPA is key to delivering the corporate priorities set out in the Council's Local Plan. This plan is about developing Cheshire East to maintain its reputation as the best place to live in the north-west, whilst providing for younger generations so they can live and work in the area they grew up in. It is about the future, job availability, excellent educational standards and a

great quality of life. It is instrumental in setting out the borough's five-year housing land supply and protects the residents of Cheshire East against unwanted, unsustainable and unplanned developments.

- 7.4.** During the Local Plan Inquiry, the Inspector acknowledged that this is one of the most complex and consulted-upon planning documents he had seen in his more than 20 years' experience. There were 13 rounds of consultation, and the council received a total of more than 60,000 comments to arrive at the finalised Local Plan Strategy. This represents an unprecedented level of interest in a council consultation process. The LPA has also made excellent progress with Neighbourhood Plans and ecology, urban design and heritage work which all contribute to Place Shaping.
- 7.5.** Planning applications submitted to Cheshire East Council (CEC) for consideration must be assessed, as a starting point, in accordance with the approved development plans for the area – including Neighbourhood Plans. This gives a sense of the level of complexity for planning application decisions in Cheshire East.
- 7.6.** The LPA is also key to delivering the Corporate Plan, which promotes transparent decision making, through being an open and enabling organisation, and a thriving and sustainable place. It states it will develop services of the council through regular communication and engagement with all residents
- 7.7.** The LPA is outward facing; having many customers with different expectations and needs. It includes complex legislation and guidance and relies on input from a variety of consultees and other bodies, including the public who might be impacted by the proposals - to inform its professional planning assessment and decision making. The challenges associated with leading and managing these services should not be underestimated.

## **8. Findings of the Review**

- 8.1** The findings from the Deep Dive review are detailed in the report, at Appendix 1 with proposed recommendations to tackle the backlog of planning applications and further actions needed to transform and modernise the Service. The following seven key themes have emerged:
1. Capacity, workload and recruitment;
  2. Culture and leadership;
  3. Processes and use of technology;
  4. Customer experience;
  5. Policy and governance;
  6. Members; and
  7. Managing the transformation.

## **8.2.1 Capacity, workload and recruitment**

- 8.2.1.1** In order to understand the backlog, it is useful to first appreciate the planning application process – that it is prescribed in legislation and national guidance. Planning applications are submitted to the LPA for consideration and determination. There are various stages to all applications such as registration, validation (to check the application has the necessary information), consultations (with a wide range of internal and external consultees), and professional assessment of the application and decision making. There are many legislative processes that apply throughout these stages which are complex but have been simplified here.
- 8.2.1.2** The government also sets out guidance for the length of time to determine applications – these guidelines anticipate that not all applications will be determined within these timescales since some applications are more complex, some will require amendments or legal agreements, e.g., which mean that some decisions take longer than the governments statutory timescales. As a result of this, all LPAs will have some applications ‘on hand’ that exceed the government targets for decision making. Due to reasons set out earlier in the report relating to issues such as the COVID-19 pandemic, increasing workloads and vacant posts, the applications ‘on hand’ in Cheshire East have increased to an extent that numbers involved and longer timescales for decisions mean that a back-log resulted. Once this situation occurs it is very challenging to remove the backlog without additional resources.
- 8.2.1.3** The backlog is made up of various planning applications including predominantly householder applications and other minor / small scale applications. In July 2022, 26% of applications in the backlog were for householder applications, 40% were for smaller scale application types including discharge of conditions, advertisements and prior approvals. 15% were for non-major residential applications.
- 8.2.1.4** Due to high Planning Officer workloads, it was decided, during the early stage of the COVID-19 national lockdown, to delay allocating new smaller scale applications to an officer upon receipt. This was a crucial decision by management to try to manage workflow into the service, but also importantly to protect Planning Officers from excessively high application caseloads. Major and larger minor applications are still allocated to officers upon validation.
- 8.2.1.5** Table 1 provides a simple overview of the applications on hand and the backlog, looking at three different months over a fourteen-month period. Progress is being made in that timescales for allocation to officers from the backlog are now less, and the number in the backlog overall is also slowly reducing. For context, in July 2021 there was a total planning application

caseload of 2,723 in the service, of which 1110 were not allocated to an officer and therefore in the backlog. The oldest applications in the backlog at that time were 17 weeks old. By December 2021, there was a total planning application caseload of 2,792, of which 982 were not allocated to an officer and therefore in the backlog. The oldest applications in the backlog in December 2021 were 17 weeks old. By September 2022 the total application caseload was 2,504 of which 620 were not allocated to an officer. The oldest applications in the backlog had reduced to 13 weeks. Application numbers in the backlog have fluctuated – having reduced every month over the period July 2021 - September 2022 except for the months of December 2021, May 2022, and August 2022.

**Table 1. Planning Application Caseload Information**

	<b>July 21</b>	<b>December 21</b>	<b>September 22</b>
<b>Total Planning Application Caseload</b>	2,723	2,792	2,504
<b>Total Unallocated to Planning Officer 'Backlog'</b>	1,110	982	620
<b>Oldest Unallocated Applications in 'Backlog' (weeks)</b>	17	17	13

- 8.2.1.6** It was estimated during the Deep Dive review, that if recent levels of new applications continue, staff levels remained as they were and no further interventions were made, it would take approximately two years to remove the backlog. This is clearly not acceptable and has influenced the review and the various measures being progressed to help managers' tackle the problem more effectively.
- 8.2.1.7** Progress on the backlog remains very sensitive to changes such as increasing application numbers in some months and when staff take leave; this results in a reduction in applications determined. The combination of changes already in place, along with the wide-ranging series of other measures underway and planned within the service will all contribute to reducing and removing the backlog to more usual levels of 'on hand' applications. Staff capacity through ongoing recruitment to permanent posts, continued use of temporary agency staff and the temporary extension of the Capita contract will be key moving forward in order to maintain progress.
- 8.2.1.8** One of the largest assets of the Service is the staff. The review has found that staff are talented, enthusiastic, and are committed to CEC. Many are keen to develop their skills and knowledge. Staff are working hard, however the review heard that some are working beyond their contractual hours. An analysis of the extent of this will need to be undertaken as this could contribute to staff retention issues if not managed. Like many councils,

CEC's LPA has found it difficult to attract and retain staff. Pay grades are not aligned with other LPAs of similar size and complexity in England, and this needs to be reviewed as part of any restructure, in the context of corporate pay and grading.

- 8.2.1.9** Staffing structure changes in recent years have also reduced capacity in the leadership of the service and additional skills and capacity are needed at all levels to ensure it can manage the complex and vast workload and is a modern, responsive and exemplar LPA. Progress is being made to fill vacant posts; however, some vacancies still remain across all of the service areas. It is important to note that the Service delivers many quality outputs – including work already mentioned on Planning Policy and Environmental Planning, but also in DM, where, for example Officers provide excellent support and planning advice to the three Planning Committees that consider applications every month. However, despite much good work done by the Service the shadow of the backlog and complaints is impacting on the teams as they try to manage caseloads.
- 8.2.1.10** There needs to be a consistent approach to PDRs across all the teams, and training plans developed to support personal development. Following the recruitment campaign, initiated by the Deep Dive, there has been recent promotion of Officers in the service as well as new appointments – ongoing training and development will be important for all staff, especially those in new posts and those validating applications. In addition, there are series of measures that can be taken forward to help with staff retention and development – including a structured approach to training, encompassing mentoring, coaching and the creation of graduate and apprentice posts. This will ensure our teams have appropriate training and development to meet the Council's transformation agenda for the Planning Service.
- 8.2.1.11** The Service is currently supported by private sector agency staff from Capita to add temporary capacity as a result of vacancies and increased workloads. The Capita contract provides a reliable resource via a contract – removing some of the challenges of using various agency staff from different agencies who can leave on very short notice. The same staff team are used via Capita bringing consistency; our managers' and staff have also invested time to train these contractors so that they achieve the necessary standard of work, are able to use our systems effectively and achieve the necessary outputs. This has proved to be time well spent as the service from Capita remains consistent and reliable thereby helping us to tackle the backlog. When compared to the use of agency staff the costs are competitive and demonstrate value for money.
- 8.2.1.12** The use of Capita and agency staff is not sustainable in the long term and the Planning Service must be re-structured and sufficiently resourced to deliver the excellent, efficient, flexible and responsive planning functions

that our customers expect. Whilst some additional resource has been added to the service there is still a need for more capacity to help reduce the backlog of applications and to support the implementation of the new IT system. The service managers also continue to look for additional capacity and resource through student placements, arrangements with the private sector or retired planners who might be interested in short-term contracts.

**8.2.1.13** As a result of the Deep Dive, a new recruitment campaign was launched to showcase some of the benefits of working for CEC and includes content from a number of Officers in the Service. This is an innovative approach to recruiting new staff and will be continued moving forward.

**8.2.1.14** There will be a detailed assessment of the current Planning Service's staffing structure with a view to progressing a new structure that is fit for purpose, reflects the workloads – including its complexities and volume, and includes opportunities for staff development. It is important to ensure the service has the necessary skills and capacity at the right levels and in the right places in the structure. Work to develop a new structure will be progressed in the coming months and it is anticipated that this will take around 6 months to complete.

**8.2.1.15** All the measures recommended in the LPA Review and Service Transformation Report will help to reduce the application backlog, but it is expected that this will still take some time to achieve usual levels of applications on hand. It will be important to keep customers updated on any delays proactively and throughout their submission process.

## **8.2.2 Culture and Leadership**

**8.2.2.1** The review includes a large number of wide-ranging recommendations aimed to modernise and improve the service. For LPAs to deliver large scale transformation at pace, they need to have:

- An open-minded approach to change
- A culture shift towards customer engagement across all teams
- Better utilisation of existing resources and additional staff
- Strong leadership of the service
- Ambition, drive and motivation

**8.2.2.2** It is also important that leadership teams within LPAs can support staff as they navigate the balance between not always being able to give customers the outcome they want, while delivering a good level of customer service. At Cheshire East, as 'an open and enabling organisation', the service should be supported to ensure it 'listens, learns and responds to residents and staff, promoting opportunities for a two-way conversation' to meet the Corporate Plan objectives.

## 8.2.2 Processes and use of technology

8.2.2.1 The review has identified a number of areas that would benefit from revised processes and approaches to improve service delivery, transform and modernise the Planning Service. As a result of the Deep Dive review many further changes have already been implemented or are in the process of being delivered in the Service. These include:

- Keep the Capita contract under review - the Capita contract has determined almost 1,500 applications to-date. September 2022 saw a further extension for 500 more applications. The decision by management to appoint Capita has been significant as it has helped back-fill some vacant posts and reduce the planning application backlog more quickly.
- Revised and streamlined processes to speed up application determination. These include introduction of a new site visit protocol and use of photographic and electronic information in lieu of site visits in specified circumstances.
- Updated correspondence and website information to inform customers about high workloads and better manage expectations regarding decision making timescales.
- Employment of a temporary Planning Service Review Lead to help the teams implement recommendations set out in this report and to lead on the review of the other part of the service. This resource, working with the teams, will help to transform and modernise the Service.
- Innovative recruitment campaign highlighting the Borough and opportunities in the Service. This has resulted in a series of interviews and number of appointments, including some promotion within the teams, demonstrating our commitment to 'growing our own'. Some vacancies still remain.
- Ongoing work to plan for and manage the introduction of the new IT system, reviewing workflow and system processes across the service. This will require ongoing Planning Officer resource in the coming months.
- Detailed analysis of key parts of the Service – working with officers within the planning and support teams and starting with the validation of planning applications – to understand issues in more detail and to undertake a series of actions to make necessary changes, unblock problems and implement improvements through a Validation Action Plan.
- A two-day fast-track of planning decisions from 6 - 7 September 2022, working as a team all Officers focussed on application decision making as

an exclusive priority in a structured session focussing on decision making of a high number of applications. This resulted in 200 decisions being made on applications across the 2 days. This fast-track approach will be repeated at regular intervals – this is expected to be every 4 - 6 weeks on an alternating North-South basis so may not include all of the Planning Officers at one time, unlike this September session. This will allow access to the service to remain for customers during the ongoing fast-track sessions which is an important requirement.

- Additional temporary resource brought in to put up site notices – this allows Planning Officers more time to focus on other workloads and not have to undertake this task themselves.
- Reviewing key documents to improve workflow and more efficient processes - work has started to update standard planning conditions and will be undertaken on local validation checklists. These are large pieces of work which, once complete, will make a real difference to Officers and customers.
- Recruitment of temporary agency officers to supplement senior planner posts has also been attempted. This is needed to add capacity to the teams, cover longer term vacancies in the establishment, as well as recently vacant posts which have arisen because of internal promotion. It is also necessary to provide support while officers will be focussing on work to bring in the new IT system.
- Enquiries have been made with external planners' networks and retired planners to try to secure temporary experienced resource.
- Regular monitoring of planning application performance against the backlog, including reporting to Chief Executive and Executive Director of Place levels.
- Reviewed the Ringway Jacobs contract – to provide additional specialist flood risk and drainage advice to the service.

**8.2.3.2** These changes are being monitored to understand their impacts. The extent of change and scale of actions needed across the service is wide ranging – many actions will overlap and be dependent upon other factors. Many issues go beyond the planning service and will need corporate support and input to resolve. These measures should make more noticeable impacts in reducing the backlog in the coming months.

**8.2.3.3** When the review commenced, the planning teams were already preparing for the implementation of the new IT system – this has unfortunately been delayed, meaning benefits of the new system are also delayed. However, it

will deliver more benefits and efficiencies once it is fully operational early 2023. The combination of all these measures contributes towards tackling the backlog while retaining resources on other applications and key areas of work in the Service. It is considered necessary to understand the delays in the IT Systems Project better, assess the risks associated with these delays, and review governance for the project. This will be undertaken as an urgent action, as part of the Modernisation Action Plan.

## **8.2.4 Customer Experience**

- 8.2.4.1** A resident survey has shown that only 20% of customers are happy with the service. Only 19% were satisfied with how CEC deals with planning generally. 53% of individuals who had commented on an application were also dissatisfied with the service. The key overall high-level findings from the analysis completed is that Customer Service Team predominantly deals with customer chasing and escalations caused by problems in the wider system. Calls answered by the Contact Centre between April 2018 - December 2021 were three times larger than submitted applications.
- 8.2.4.2** The current role of customer services is predominantly to pass work on to the Service or pass it back to the customer to do something. At present it is difficult for them to truly resolve enquiries for the customer or add real value. There are no real measures within the system that help the Service understand performance, problems, or demand from a customer perspective. There needs to be a focus on making changes that result in applications being received “right first time”, understanding the cause of rework and the cost and lost hours caused because of these issues.
- 8.2.4.3** The system isn't aligned to respond to the different needs of two of the customer groups (one-time applicants and multiple users, agents). The implementation of the new IT system should be aligned to support any changes proposed as a result of this learning. More can be done to work with agents, and it is recommended that a Cheshire East Planning Partnership is established to improve the quality of submissions and explore how the planning portal can be used more effectively.
- 8.2.4.4** Whilst customer satisfaction might be influenced in some part by whether the individual was successful in gaining planning approval or objecting to a neighbour's application – there is clearly room for improvement in overall levels of customer satisfaction.
- 8.2.4.5** Much more can be done to keep the customer informed, not only on planning applications, but also when dealing with alleged breaches of planning control. However, the volume of correspondence which passes through the DM service is substantial and the service is not currently structured and resourced sufficiently to manage these volumes. This in turn results in 'customer chasing' and complaints. Elected Members have also provided evidence of this to the review team. There are a series of

recommendations in the LPA Review and Service Transformation report which will improve customer engagement. Furthermore, it is recommended that there is a one point of contact within the service for Elected Members. When undertaking the restructure of the service, these will be factored in to make sure the structure and resources support these recommendations, having regard to corporate processes regarding restructures and pay and grading.

## **8.2.5 Policy and governance**

**8.2.5.1** Despite the delays processing applications, the LPA is not currently underperforming against the Government's three key performance indicators for timely and quality decision making. However, this is largely due to the extensive use of 'extension of time' (EOT) agreed between the applicant and LPA, as well as CEC having the correct level of delegation to officers, and a robust committee 'call in' procedure.

**8.2.5.2** These statutory performance measures do not, however, show the whole picture. Frustrations over the LPA's application process timescales has been noted by the Deep Dive Team. For minor applications there is currently a 13-week lag from when applications are validated to when they are allocated to a Planning Officer. A lack of engagement and feedback on applications and enforcement complaints is a further concern. Indeed, there is evidence of customers contacting the service multiple times by email and telephone without a response. The review therefore recommends that additional local performance indicators are introduced to monitor validation timescales, extension of time (EOT), applications over 26 weeks old, enforcement complaints received / closed and customer satisfaction. These should have CEC Corporate Leadership Team and Elected Member oversight.

## **8.2.6 Members**

**8.2.6.1** There will be opportunities for training for Elected Members in planning matters. This has been a desire expressed via the Member Advisory Panel and will be taken forward as part of the Modernisation Plan.

**8.2.6.2** The Constitution requires members of Planning Committee to be trained in planning matters. This is a mandatory requirement for Planning Committee members and is necessary to manage risks of legal challenge when making planning decisions.

**8.2.6.3** Planning Committee meetings are long in duration at CEC, whilst this does demonstrate Member's interest in the planning process and desire to make good decisions, they do take a heavy toll on resources. It is considered that more work could be done to review the format and develop training sessions around some of the key policy principles. As part of continuous improvement and learning observing other LPA Planning Committees of

comparable size and complexity could help with this. It is also considered necessary for training for Members on the Councillors Planning Code of Conduct, as set out in the CEC Constitution; Chapter 4 part 4, in relation to planning matters, to provide clarity on procedural and legal requirements as part of a wider training programme.

**8.2.6.4** It is considered that Members need to be engaged more throughout the planning process. The ability to do this is being restricted by the volume of work and staff capacity. The Service will develop a protocol for this and the Executive Director will be mindful of this capacity need when undertaking the restructure of the Service.

## **9.1.7 Managing the Transformation**

**9.1.7.1** Due to the extent and scale of changes proposed it is clear that some improvements to service delivery can be implemented faster than others, whilst some changes may take longer to embed, and impacts be realised - especially if they are dependent upon other factors such as implementation of the new IT system and updates to processes that sit beyond the Planning Service.

**9.1.7.2** The recommendations detailed in the LPA Review and Service Transformation Report will inform the content of a detailed Modernisation Plan for the Service. Progress against the Modernisation Plan will be monitored regularly and reported to the Environment and Communities Committee. In addition, a new Planning Services Transformation Board is being established to oversee progress against the Modernisation Plan. It will be chaired by the Executive Director of Place. The exact composition of the Board is currently being developed.

**9.1.7.3** Next steps of the review will include working with management and wider teams on a deeper operational assessment of the other parts of the Planning Service not yet reviewed in detail – including the various associated functions of enforcement, land charges, CIL, Section 106 processes, TPOs, appeals and Building Control. We will continue to update and add to the Modernisation Plan as these other areas are assessed so that the full scale of improvements and actions are captured, progressed and reported in a structured way.

## **10 Consultation and Engagement**

**10.1** During the Deep Dive there have been over 200 comments and suggestions made by staff, 35 Elected Member comments through the Advisory Panel and over 40 case issues highlighted by Elected Members, MPs, Officers and members of the public. Numerous documents have been reviewed and various web content analysed by the Deep Dive Team. There have been more than 25 Deep Dive meetings and additional

sessions with individuals and teams from the service. These included a session for all planning staff and an all-managers' session.

- 10.2** In July 2022 there were two detailed staff briefing sessions to update the teams on progress with the initial stage of the review, including details of high-level findings and recommendations. Trade Unions have been kept informed of progress and attended these two staff briefing sessions.
- 10.3** The Modernisation Action Plan will be accompanied by a Communications Plan to ensure elected members, staff, customers and stakeholders are kept updated about progress.
- 10.4** The proposed restructure will involve consultation stages as set out in corporate policies and procedures.

## **11 Implications**

### **11.1 Legal**

- 11.1.1** The determination of planning applications is a statutory process and delivery of the Service is set against prescribed requirements in terms of time limits and process (such as consultation and challenge).
- 11.1.2** The legal team will support the service with the planned modernisation process – including but not limited to advising on areas such as staffing and employment models, contract procurement and review and Member engagement and participating in the modernisation process as one of the teams involved in delivery of the service to customers.

### **11.2 Finance**

- 11.2.1** Financial planning takes place as part of the usual CEC financial processes. Budget provision has been made for the new IT system and to support additional resources in the short term. Costs associated with all temporary appointments are funded from existing Planning budgets.
- 11.2.2** As part of the 2022 - 2023 MTFS, a one-off budget of £500,000 was approved to support the planning review. It will be necessary to utilise the funding over more than one financial year and appropriate arrangements will be made at year end to facilitate this. Any additional financial pressures that arise will be reported through the MTFS process in future years.

### **11.3 Policy**

- 11.3.1** The Service contributes to the delivery of the Corporate Plan and Local plan as referenced in the report.

## **11.4 Equality**

**11.4.1** An Equality Impact Assessment will be undertaken to support the full-Service review and Modernisation Action Plan

## **11.5 Human Resources**

**11.5.1** Human Resources (HR) have been involved in the review and will be involved in the staffing restructure referred to in this report, as well as recruitment, retention and workforce development. Initial discussions have been held with Trade Unions regarding the intention to restructure the Service. This dialogue and consultation will continue as this work commences and is progressed.

## **11.6 Risk Management**

**11.6.1** For the reasons set out in this report it is important to have an efficient and effective Planning Service. There are risks to service delivery that have been set out in the report if performance, when measured against Government standards, falls below required levels.

**11.6.2** There are also reputational risks associated with the planning application backlog and complaints generated resulting from this.

## **11.7 Rural Communities**

**11.7.1** The planning system helps protect the Green Belt from inappropriate development and helps facilitate business growth in rural areas, including some actions detailed in the Rural Action Plan.

## **11.8 Children and Young People / Cared for Children**

**11.8.1** There are no implications for children and young people / cared for children arising from this report.

## **11.9 Public Health**

**11.9.1** There are no implications for public health arising from this report.

## **11.10 Climate Change**

**11.11** The various functions of the Planning Service, through the application of policy, help to achieve our environmental sustainability agenda, reduce carbon consumption and provide opportunities for healthy lifestyles.

<b>Access to Information</b>	
Contact Officer:	Jane Gowing Jane.gowing@cheshireeast.gov.uk
Appendices:	1. Local Planning Authority Review and Service Transformation Report 2. Draft Modernisation Action Plan
Background Papers:	

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