



Planning Improvement Peer Challenge

**South Hams and West Devon Councils**

On site April 18 - 20 2016

Final Report June 28 2016

*Working together*



## 1.0 Background and scope of the peer challenge

1.1 This report is a summary of the findings of a planning improvement peer challenge organised by the Local Government Association (LGA) in cooperation with the Planning Advisory Service (PAS) and carried out by its trained peers. Peer challenges are managed and delivered by the sector for the sector. They are improvement orientated and are tailored to meet individual councils' need. Indeed they are designed to complement and add value to a council's own performance and improvement focus. They help planning services review what they are trying to achieve; how they are going about it; what they are achieving; and what they need to improve.

1.2 The peer challenge involves an assessment against a framework for a local authority planning function which explores:

- **Vision and leadership** - how the authority demonstrates high quality leadership to integrate spatial planning within corporate working to support delivery of corporate objectives;
- **Community engagement** – how the authority understands its community leadership role and community aspirations. Then how the authority uses spatial planning to deliver community aspirations;
- **Management** - the effective use of skills and resources to achieve value for money, accounting for workload demands, ensuring capacity and managing the associated risks to deliver the authority's spatial vision;
- **Partnership engagement** – how the authority has planned its work with partners to balance priorities and resources to deliver agreed priorities; and
- **Achieving outcomes** - how the authority and other partners are delivering sustainable development outcomes for their area.

1.3 As part of the above five themes the Council also asked the peer team to look at the following areas:

- Case Management System (T18);
- Governance and Planning Committees;
- Service support to corporate priorities;
- Planning policy;
- Customer and Community Access; and
- Development Management Performance.

1.4 Peers were:

- **Jack Hegarty** – *Managing Director Wychavon and Chief Executive Malvern Hills District Councils*
- **Cllr Andrew Proctor** *Leader, Broadland District Council.*
- **Alan Gomm** *Local Development Framework Manager – Borough Council of Kings Lynn and West Norfolk Borough Council*

- **Mark Cawood** *Planning and Building Control Manager, North East Lincolnshire Council/ ENGIE*
- **Phillipa Silcock** *Principal Consultant - Planning Advisory Service.*
- **Robert Hathaway** *Peer Challenge Manager, LGA Associate,*

**1.6** PAS where possible will support councils with implementing the recommendations as part of the Council's improvement programme. It is recommended that the council discuss ongoing PAS support, including the cost of it, with Alice Lester, Programme Manager at [alice.lester@local.gov.uk](mailto:alice.lester@local.gov.uk). The LGA is currently discussing support with the Councils in relation to officer/member training. A range of other support from the LGA – some of this might be at no cost, some subsidised and some fully charged <http://www.local.gov.uk/> is available. For more information contact Andy Bates, Principal Adviser [andy.bates@local.gov.uk](mailto:andy.bates@local.gov.uk). Additional support direct from PAS, including the subscription offer is at <http://www.pas.gov.uk/documents/332612/1102169/PAS+flyer+final+version/21115b48-e7dd-4d25-9e64-2298cfeaeadab>

**1.7** As part of the peer challenge impact assessment and its evaluation, PAS or the LGA may get in touch in 6-12 months to find out how the Council is implementing the recommendations and what beneficial impact there has been.

**1.8** The team appreciated the welcome and hospitality provided by South Hams and West Devon Councils and partners and the openness in which discussions were held. The team would like to thank everybody they met during the process for their time and contribution.

## 2. Executive Summary

2.1 South Hams and West Devon's ambitious Transformational 2018 (T18) programme has been successful in delivering significant financial savings on schedule. Driven by four key principles, including services 'centred around the citizen' and easier access 'enabled by technology', the new operating model offers clear potential for delivery of modern planning services. In the last year both Councils have totally changed the way they deliver their services with re-engineered internal processes, moving from departments to cohorts of case managers and specialist officers from all services and 30 per cent (100 full time equivalents) less staff.

2.2 The Councils recognise that their planning services have been slow in being truly shared compared to the progress of other frontline services. While other front line services have more easily made the transition to T18, delivery of the development management (DM) service in particular has suffered from significant customer concerns and local reputational damage. The Councils are generally aware of the reasons for this and internal reports have detailed factors such as a loss of experienced staff, difficulties in recruitment and problems with information technology (IT), most notably the front end customer interface.

2.3 Significant corporate management focus is invested on improving the planning service which is recognised as vitally important to supporting the delivery of corporate priorities and ensuring that appropriate development provides a stronger economic base. On-going reviews of sufficient capacity in the T18 model to deliver the DM service and weekly discussions with the IT partner are examples of this. The peer team's recommendations are designed to support the on-going improvement drive. We consider that a sharply focussed DM service improvement plan, with strong corporate officer/councillor ownership and accountability, offers significant potential for further improvement. Paramount among these is the need for substantial improvement in the DM websites, sufficient staff resources, improved ability for customers to contact the planning service and improvements to the quality of pre application advice.

2.4 Despite the very high level of customer and stakeholder dissatisfaction with the DM service we believe there are prospects for improvement. Corporate oversight, managerial leadership and councillor and officer trust is high and these are crucial to a successful outcome. The Planning Committee at South Hams and the Planning and Licensing Committee at West Devon (the Committees) are generally sound and speed of decision making is generally good and improving. Preparation of the South West Joint Local Plan between both Councils and Plymouth offers a good platform for the spatial expression of the 'Our Plan' single strategic plans that set out the vision, objectives and activities of each Council. We would encourage both councillors and officers make it a priority to ensure they quickly 'fix' the fundamentals of the DM processes and recapture the visionary and place shaping nature of planning to serve existing and future generations.

2.5 The political leaders of both Councils recognise that "customers have had a hard time" and residents deserve "a quality service to meet their expectations". Given that most local issues coming in front of ward members are about planning, councillors want to see a planning service that both supports them in their community leadership role and is one they can be proud of in upholding the reputation of their Council.

### 3. Recommendations

1. Develop and embed the T18 model to respond more specifically to the context and challenges of the DM service. Specifically consider issues relating to how the T18 model can deal with the whole end to end processes of negotiating and determining proposals, to achieve better accountability, increased capacity and a greater customer focus.
2. Act on the findings of resource reviews, especially at the case manager level, so as to ensure that sufficient capacity to deliver an effective and customer facing DM service. This should include developing a strategy for dealing with applications more efficiently within the time limits without the need for excessive recourse to extension of time agreements, and also to ensure that applicants and the public have a single point of contact.
3. Work with the IT partner to ensure that the recognised IT problems, especially in relation to the planning constraints and history, and the labelling of plans, are tackled as a matter of urgency. In doing this, ensure that the web site is easy to use and learn from currently high performing customer focussed planning services.
4. Urgently reinstate regular local agent's forums.
5. Facilitate engagement with Town and Parish Council representatives to develop appropriate protocols to ensure that the concerns of these stakeholders are fully taken into account, and that feedback is given to them where a recommendation that differs to their views is reached. Also engage with the town and parish councils on expectations around support for neighbourhood plans.
6. Ensure timely processes and mechanisms for adoption of a Local Development Scheme as part of the rapid progression of the South West Devon Joint Local Plan to adoption.
7. Keep the communities, planning agents and stakeholders regularly informed of and involved in the South West Devon Joint Local Plan's progress recognising the benefits of maintaining an expeditious timeline for adoption
8. Engender strong leadership of the Planning Committees through regular training and appropriate updates on planning policy (including on the 5 year land supply for housing). General planning training should be made available to help non-planning committee members to be more effective local community leaders.
9. Report a suite of performance indicators directly to the Planning Committees and where necessary Cabinet and Hub, including productivity and performance of

Planning Committee itself. KPIs including quality, value and customer focus and land supply, should be reported via a performance dashboard to demonstrate the Service's contribution to wider corporate objectives.

10. Ensure there are adequate resources to focus on economic growth and affordable housing. This should include reviewing the approach of viability assessments paid for by planning applicants, and developing a pool of knowledge about comparables including values and build rates across the relevant market areas.
11. Review in 12 months' time the operation of the Schemes of Delegation to examine whether even greater harmonisation would be beneficial.
12. Further evaluate the risks at this time of moving to a Local Authority Controlled Company.
13. Ensure sufficient focus, capacity and consistency in delivering a high quality pre application service to provide greater certainty to customers and allow more time for helping shape development to meet community needs. Enhanced pre application engagement should also include delivering informal pre planning briefings to members of the Committees on significant major developments.
14. Review Committee site visit protocols to ensure planning decision making is as efficient as possible.

## **4. Case Management Working in T18**

4.1 The peer team were impressed with the boldness and high level ambition of the two councils to deliver substantial financial savings through the T18 programme. Senior managers have clearly focused their energies on supporting members on the transformational journey. Significant investment of £4.61 million from South Hams Council and £2.83 million from West Devon have ensured that predicted annual savings of £5 million, between the Councils, are on schedule. We met the senior members and managers from both Councils where it was clear that senior leadership is committed to driving through successful implementation despite the obvious challenges and difficulties in implementing a significantly different operating model. However, not all councillors had the same level of understanding and awareness of the implications of the T18 programme and many did not fully foresee the truly radical nature of delivery. More could be done to support all councillors to fully understand the new processes. Be that as it may, we found good political support that is clearly intent on seeing the T18 through.

4.2 We agree with the Councils' assessment that attempts to create a truly joined up planning service across both Councils has been slow to develop. The Councils are also

very aware that the DM service is at the very early stages of introducing the T18 model due to issues with workload, staff capacity and difficulties with IT that we discuss more fully later in the report. Officers have taken reports on the DM service and T18 and IT to Overview and Scrutiny Panels at both Councils and the significant issues are therefore well known and reported in the Councils. The timing of the peer challenge has obviously heavily influenced our findings in that we are unable to critically assess how the T18 was actually working in anything like a finished process in relation to the planning service..

4.3 Based on our extensive interviews and understanding of how the Councils plan to use the case management model in T18 the peer team considers that the Councils will have to very carefully manage potential risks with the new ways of case management working in DM. In particular we consider that there needs to be greater clarity among councillors, staff, customers and consultees in relation to the interrelated themes of accountability, ownership and customer focus. For example we consider that there needs to be a shared common understanding of the responsibilities of the case manager who is managing the progression of a planning application and the responsibilities of the specialist who is leading on determining the application. This is obviously important to all who need to know who to contact to discuss a planning application in terms of customer service.

4.4 Given the highly democratic nature of the planning process –accountability is vital. The high degree of democratic input into planning decisions on some controversial or major applications makes planning somewhat different from most other council services. Given the need for qualitative and value judgements at many stages of the decision making process, and the statutory nature of stakeholder engagement, it is vital that the T18 model ensures clear accountability for decision making to respond to the unique needs of the DM service. Continuity in relation to accountability is also vital as for example work on a major application proposal requires not just a decision at the end, but a series of processes, negotiations and balancing decisions along the way to a decision right from early pre-application discussions. This can occur over an extended timeframe but the integration of pre-app advice into consideration of the application is critical to achieving satisfaction from customers.

4.5 Some councillors, staff, planning agents and some Town and Parish councillors told us they were very confused by role titles such as case manager, specialist and community of practice lead and consequently were unsure who to talk to about addressing issues during the process. We also found generally low levels of confidence among staff that the case management model would work in delivering the high quality DM service that the two Councils aspire to. Our recommendation is for the Councils to further develop the application of the case management element of the T18 model in relation to the DM service.

4.6 Several staff, managers and planning agents told us that capacity at case manager and specialist level is severely stretched and is contributing to the slow start of the T18 model in DM. This was evidenced by agents' reports of long delays and last minute requests for extensions of time. Some staff reported that they and colleagues are under

significant and unrelenting work pressure. We understand that the present numbers of case managers and specialists was derived from an 'end state' resourcing model. This took account of the need for less staff once channel shift, through fully enabled IT, had occurred and also when staff were working efficiently following training and successful bedding down period. When we spoke to specialists who are internal consultees to the planning process, such as Environmental Health and Wellbeing, Drainage, Landscaping and Biodiversity, they confirmed that resourcing issues at case manager level were slowing the speed at which they received requests for consultation advice. They also reported that the reduction in the numbers of specialists had meant that higher workloads weakened their ability to provide effective and timely responses to some planning applications.

4.7 Senior managers told us that they were aware of these concerns and had already commissioned a review of case manager capacity. It will be important for the Councils to act on the outcome of this review. If, given the high volumes and demand, the review finds that more resources are required, then we consider that the Councils should give serious consideration to at least additional temporary capacity to allow the DM service to settle to a steady state. Community of practice leads also need to keep the number of planning specialists and supporting expert specialists under review to maintain the high quality of planning decision making.

4.8 The Councils have recently received the results of a staff survey and while we did not have the opportunity to discuss this in any specific detail we understand that it highlights that staff morale is generally low. The peer team considers that responding positively to the staff survey will provide a good platform to address key issues to ensure staff ownership of an evolved T18 model and a positive upswing in morale confidence following a period of significant corporate transformation.

## **5. Governance and Planning Committees**

5.1 Judged by dismissed planning appeals the quality of the Committees' decisions appear generally sound (see later section for performance figure). The sizes of the Committees at 12 members at South Hams and 10 at West Devon appears appropriate for the numbers and types of applications.

5.2 The proportion of applications (less than 4 per cent) coming before Committee is low at both Councils and this supports efficient decision making. We noted the proportionately higher percentage of member delegated decisions at South Hams (21 per cent) when compared with West Devon (5 per cent). Both Councils have recently adopted new schemes of delegation as a means of ensuring that there are fewer differences between the two, to enable greater consistency and to promote efficient decision making. The member working group set up to review the schemes tried to harmonise the individual Schemes of Delegation but this has not proved possible. Differences remain in terms of the involvement of the Chairs of Committee. The peer team consider that the Councils should, in 12 months, review the operation of the Schemes of Delegation to examine



whether even greater harmonisation would be beneficial and achievable. It would be more efficient for the joint officer team to be working to one joint scheme and of course easier for planning agents and customers who work across both Council areas.

5.3 We visited both the South Hams Planning Committee and the West Devon Planning and Licensing Committee and found that both display a number of key strengths. Both Committees promote high levels of public engagement through appropriate public speaking opportunities, accessible locations with good room layout and audibility. Both rooms contained good IT facilities to project plans and photographs to aid debate. We saw for ourselves the level of public engagement by high attendances of both planning applicants, agents, objectors and non-planning committee councillors.

5.4 The peer team considered that the Chairs of both Committees kept the meetings in good order and helpfully defined the stages in considering the applications. Debate was good natured and there appeared generally to be good levels of trust and confidence between Committee members and officers. Committee members at both Councils showed a good level of technical and general planning knowledge and had obviously kept up to date on local appeal results. It was clear that the community of practice lead (effectively the head of DM) was well respected. Both Committees are supported by specialists including planning, environmental health, legal, democratic services and highway officers (from Devon County Council). However, on one particular occasion we felt that the Chair of the West Devon Committee could have been better supported by officers when a matter of normal procedure was overlooked in relation to a declaration of interest. In this, and in other professional/technical issues, the Chair of both Committees need to receive the highest standards of advice to help them discharge their duties.

5.5 The Chairs of the Committees ensured that the tone and atmosphere of their meetings was inclusive. We were told by some Planning Committee members, other councillors and some planning agents that they felt that some meetings were over long. The South Hams Planning Committee we attended was four –five hours in duration. Committee members can play an active part to support the Chair in the efficient running of to make the meetings efficient by:

- ensuring that they have a full grasp of the officer's report;
- by asking questions before the meeting;
- by avoiding repetitious points, and;
- by ensuring that they only ask relevant planning related questions in the meeting.

5.6 Chairs obviously have a role to play to; graciously but firmly, keeping a good pace to the debate and stepping in where necessary. And the importance of planning committee as the 'front door' of the planning services business can be enforced at members' training which has its part to play how members operate at the meeting. Members will also have an

important role to determine how reports are presented, their written format and how their views are taken account of on any particular application.

5.7 Both political Leaders want to see strong and highly effective Committees. To support this and to continue to improve on the performance at both Councils, the peer team have a number of additional areas for focus - as discussed below.

5.8 Committee members ward councillors and planning agents told us that they would value earlier political engagement at the pre application stage. This would allow councillors, officers and the applicant/agent to be better sighted of the opportunities and challenges to development and for earlier involvement of Councillors in their community leadership and place shaping roles. It also provides some elements of greater certainty for applicants and agents in helping them to 'de risk' their projects.

5.9 For some major or controversial applications we also recommend the Councils consider the use of informal pre planning briefings to members of the Committees. This would need to take place before officer reports on planning applications are published, allowing all members of the Committees to engage with planning and other technical officers at an earlier stage. Such a pre planning briefing has the clear potential to encourage Councillors and officers to be better informed about a proposal, to discuss issues and to point out areas of concern in an informal setting. It will also aid officers in understanding what issues they may need to provide more information and advice on.

5.10 In order to aid efficiency in decision making the peer team recommend a review of the site visit protocols at both Councils. By way of context, we understand that at one recent West Devon Planning Committee meeting all three items were deferred for site visits. Deferrals for site visits introduces delay, additional costs and continued uncertainty for applicants. Site visits are an important part of the decision making process where appropriate and the Councils could consider their use before Committee with the Chair and community of practice lead discussing a forward agenda list of items that includes the recommending of site visits. The ward councillor(s) could also be invited on these visits, provided they are made aware that it isn't a lobbying opportunity or the place for a debate of the proposal.

5.11 We consider that the Committees should take more accountability for and be better aware of relevant planning performance. This is particularly important given the possibility of designation by Government for poor performance on the speed of determining applications, quality of decisions (as measured by overturns on appeal), and local plan preparation. We are aware that the Councils' Overview and Scrutiny Committees receive planning performance information. However, we consider that relevant key performance indicators, including updates on the Councils' five year land supply, should be reported to the Committees to build their greater ownership, to enhance understanding of critical local decision making issues and to enable members to be more strongly engaged in performance management. Given the importance of the planning system in delivering on the Councils' vision in Our Plan, and in supporting financial stability through appropriate

growth, we also feel that Cabinet at South Hams and the Hub Committee at West Devon should be advised on key data trends.

5.12 Committee members told us that they complete mandatory training before sitting on Committee. Some members felt that there would value more in-depth and stronger bespoke mandatory induction training to support their decision making role. They also told us that helpful training updates were also offered but that attendance was mixed. The peer team also believe that Committee members could benefit from additional training and support including:

- the weight to be attached to technical evidence, especially highways, in planning decisions and learning from the Planning Inspectorate and relevant appeals;
- members receiving earlier information about submitted appeals to support their earlier involvement and community leadership role; and
- managing the tension between acting as ward councillor and serving as a Committee member where decisions are plan and policy led unless material considerations determine otherwise.

## **6. Support to Corporate Priorities**

6.1 We found that Planning Committee members had a good grasp of the emerging corporate priorities and annual priorities of sustainable development along with the need to focus and deliver on enhanced economic growth. Both Councils are developing single strategic plans that set out their vision, objectives and activities for their areas. 'Our Plan: South Hams/West Devon' aims to bring together the Corporate Plan and Local Plan into a strategic overarching document together with land use policies and allocations.

6.2 Both Councils' future strategic approach to economic growth and housing is emerging as part of the 'Our Plan' discussions and consultations. Both Councils have issued annual local priorities for 2015/6 that are essentially interim positions pending adoption of Our Plan: South Hams/West Devon.

6.3 The peer team found that while there was a growing appreciation of the role of planning to shape local communities, more could be done to support all councillors to appreciate their place shaping roles and the importance of development for sustainable growth. In order for Planning Committee members to ensure that planning maximises its ability to deliver local priorities in 'Our Plan' it is important that they recognise their role as community leaders - as opposed to their ward councillor roles - when taking individual planning decisions. This is particularly the case in relation to housing and employment proposals, where local public opposition and resistant to change can be high. We were advised of at least some recent instances at Kingsbridge and Salcombe where local interests seemed to trump appropriate economic development opportunities.

6.4 It is vital for the growth of sustainable communities, especially in relation to affordable housing and local jobs, for Committee members to take a Council-wide strategic view. It is

also important for Committee members to be aware of the economic benefits that can flow from development and officers and planning agents need to furnish members with appropriate information on this so that the on-going economic benefits of development can be taken into account.

6.5 In addition, growth in business rates, council tax and New Homes Bonus will be vital to sustain local government delivery of services given the decline in Government grant and the increasing reliance on local sources of revenue for councils. Although not a material consideration in planning decision making 'per se' it will be an important strategic objective for the Councils and will inform future income generation strategies.

6.6 We were told by planning agents that there is a growing recognition among the planning specialists of the need to place weight on the benefits of development in economic terms along with a stronger recognition of the need to demonstrate that the councils are 'open for business'. The Director leadership in supporting the Compulsory Purchase Order (CPO) for the site adjoining the longstanding major strategic economic growth area at Langage, to the north of the A38 on the Plymouth fringe, has been welcomed as a tangible example of the Council supporting business growth.

6.7 However, both Councils, and especially West Devon, recognise that there remain weaknesses in their own capacity and focus on the necessary business and economic regeneration required to improve job and wage creation in the local economy. We were told for example that despite a report in 2014 on 'Facilitating Economic Growth in South Hams and West Devon' – progress on taking this issue forward has been slow.

6.8 The peer team feel that in order to deliver the emerging corporate priority of economic growth, a clearer vision, strategy and distinctive local priorities are required, backed by adequate capacity and resources to supplement the existing asset management resource. We do not want to promote the reintroduction of the traditional economic development officer approach, focusing on inward investment, but suggest additional capacity of officers with a strong commercial sense and acumen who could work with relevant growth sectors and emerging industries. Additional officer capacity could also support developing and stretching the existing asset base of the Councils, especially at South Hams which has an asset portfolio value of some £75 million.

6.9 We were encouraged by the recent progress on developing an Asset Plan and Income Generation proposals, to develop land and buildings through changes of use, new build and refurbishment. Additional capacity in this area could also support the time consuming work of building strong and flourishing partnerships with land owners, developers and investors and produce an income stream for the Councils. This would also allow a stronger focus for securing Growth Fund money through the Heart of the South West Local Enterprise Partnership. The role for the Committees and supporting community of practice lead and specialists will be to influence the spatial direction of any emerging vision and strategy and to deliver quality and timely planning advice and determination when developments are presented.

6.10. Given high ratio of house prices to incomes in both areas plus high second home ownership, with inconsistent success in securing additional affordable homes through the planning system, more needs to be done to consistently secure affordable housing in the area. The ratio of house price to incomes in both Councils is high - South Hams is 13.9 and in West Devon it is 9.9. On top of this, the Councils estimate that approximately 15 per cent of houses in South Hams are second homes while at West Devon the figure is approximately 8 per cent although there are areas such as Salcombe with a much higher figure. In 2014/5, 52 per cent (92/177) of houses built in South Hams were affordable while for the same period West Devon recorded figures of 48 per cent (56/116). This is commendable. However, in 2015/6, 24 per cent of houses built in South Hams were affordable (figures for West Devon are not available). This delivery is against an existing Local Development Plan target of 55 per cent of affordable houses on qualifying sites.

6.11 The reasons given for the planning system not meeting its targets for affordable housing were mainly applicant/developer challenges on the grounds of viability. It will be vital through the emerging South West Devon Joint Local Plan (see further section) and the adoption of supporting supplementary planning guidance that appropriate and realistic affordable housing requirements are set, based on the Strategic Housing Market Assessments and other relevant viability data to satisfy Planning Inspectorate requirements at 'examination' stage. The Councils will also need to be mindful of the recently adopted Housing and Planning Act 2016, in particular the Government's priority of starter homes and the implications of this for affordable housing. In due course the Councils may consider that a joint housing strategy to operate alongside the Local Plan would be beneficial to set out housing requirements, including affordable housing, and delivery mechanisms to achieve objectives.

6.12 The peer team were surprised to be told that the Councils bears the costs of viability analysis where developers do not agree to provide a policy compliant level of affordable housing. The cost to the Councils, in 2015/6, was in the range of £60-£70,000. Many Councils, ensure that developers who are promoting a development which does not comply with local policy, request a viability analysis to be paid for by the developer. This is entirely appropriate and we recommend this as an immediate action.

6.13 We are aware that at a corporate level the Councils are at the early stages of exploring a Local Authority Controlled Company and asked for our advice. While this was not the focus of our work it is relevant given its potential impact upon the effective delivery of the planning service and its move to a new delivery model. We offer the initial view that, at this time, divestment of services to such a company should only take place if there was no detriment to the Councils ability to deliver services to its own communities and that there are clear potential and actual opportunities identified. It would also be important for there to be sufficient capacity within the Councils to implement further change within proposed timescales; at present we would question whether all of these conditions exist.

## 7. Planning Policy

7.1 The peer team support collaboration with neighbouring Plymouth City Council over the development of a South West Devon Joint Local Plan. The important potential advantage will be that the three Councils will have more scope to spatially plan economic growth and housing over a larger geographical area. Given the importance of Plymouth to the sub regional area in terms of housing, economy, infrastructure and leisure, joint working on long term spatial strategies makes sense. Development of a new up to date Local Plan will overcome current weaknesses at South Hams, where the existing Local Plan extends to 2016 only, while earlier work on updating West Devon's Local Plan was suspended in 2015. Effective monitoring at both Councils was also challenging.

7.2 The Director's leadership, backed by clear political support at South Hams/West Devon was vital to securing agreement with Plymouth City Council in relation to the agreement to produce a South West Devon Joint Local Plan. Plymouth and other stakeholders felt that progress in achieving commitment and agreement to the Plan was in marked contrast to the previously slow and cumbersome experience in joint strategic planning working between the three authorities.

7.3 The terms of the Joint Collaboration Agreement provide robust joint governance arrangements with two councillors from both South Hams and West Devon appointed to the Joint Steering Group, alongside two councillors from Plymouth. The fact that the Member Steering Group is supported by a Joint Officer team, comprising the Policy Units of all three councils, means that both South Hams and West Devon will benefit from additional capacity and expertise. We feel that this is important given the relatively small policy planning team currently covering South Hams and West Devon. This will support monitoring of the Joint Local Plan which has been an issue for both Councils, especially at South Hams.

7.4 Formal joint working with neighbouring authorities also helps fulfil the statutory requirement of the Duty to Co-operate (Localism Act 2012). This helps ensure the Plan takes account of the wider area and supports a focus on issues across local government boundaries. Even though Dartmoor National Park is not a signatory to the Joint Local Plan Agreement, the Parks Authority will be engaged through the Duty to Co-operate. Given the fact that some Council's Local Plans have failed at Examination on the Duty to Co-operate grounds, formal joint working should assist the Councils to demonstrate that this requirement has been met.

7.5 The peer team consider that the Councils have set a very 'aggressive' Joint Local Plan preparation timetable which aims to approve a draft Joint Local Plan for public consultation in July 2016 with a submission to independent examination by the Planning Inspectorate in autumn/winter 2016. Part of the urgency is the need to ensure that a Local Plan is at the submission stage as quickly as possible to prevent Government intervention due to the lack of an adopted and compliant Local Plan. It is vital that the Councils work speedily to

adopt, publish and publicise a Local Development Scheme to set out clear milestones and targets to support the ambitious timescales.

7.6 The additional capacity and expertise from working with Plymouth, supported by the commissioning of private sector consultants for specialist areas, provides additional support to meet this timescale. However, with such a timetable there are significant risks for all three Councils if they do not deliver what they intend and promise. Full officer and member capacity needs to be in place and assured by management and political leaders to ensure all this work can be completed on time.

7.7 The peer team feel that in order to meet the aims of getting the Joint Plan to submission stage and to build stronger awareness and ownership of the emerging Joint Local Plan, it is vital that South Hams and West Devon improve their communication with all councillors, Parish and Town Councils, statutory consultees and planning agents. Despite efforts by the Councils to communicate this, we found that some councillors, most Town and Parish Councils and agents were unaware of the agreement to produce a Joint Local Plan; and especially the urgent timetable to achieve this. It is important for the Councils to update information on their websites, especially under the 'Our Plan' newsletters as we found that information in relation to the Joint Local Plan did not reflect the up to date situation.

7.8 In developing the Joint Local Plan it is vital that all South Hams and West Devon Councillors are regularly engaged to ensure the widest political ownership of hard choices about the location and pattern of growth, supporting infrastructure and areas of environmental protection. For example, it will be important for adequate debate and realistic expectations to be set in relation to challenging local housing issues such as affordable housing, second homes and retirement demographics. We feel that similarly high levels of political engagement are required so that Councillors may fulfil their roles as community champions of the Plan to encourage and build local interest and involvement. Ensuring that Town and Parish Councils and local organisations are supported in playing a full part in the Plan's development is important to build local credibility. Both Councils have existing processes to engage with Town and Parish Councils and these should be built on to meet the needs and timescales for Local Plan production. Other opportunities may include 'themed parish conferences' which have worked well in other Council areas.

7.9 We are aware that both Councils have offered strong commitment to 35 Town and Parish councils to support the progress of Neighbourhood Plans with a number at an advanced draft stage. However, expertise has been lost in recent staff changes and Town and Parish Councils told us that this is holding back progress which in some instances is denting local confidence in the process. Some South Hams and West Devon Councillors and some Town and Parish Councils also told us about a building tension between progress of Neighbourhood Plans and development of the new South West Devon Joint Local Plan. As part of improved engagement with Town and Parish Councils realistic discussions need to take place about the priority and capacity that can be provided to support Neighbourhood Plans in the light of tight timescales and resources required by the

Joint Local Plan. Improved engagement can also assist in achieving clarity of understanding on the relative roles of neighbourhood and strategic policies in the light of the emerging Joint Local Plan.

## **8. Customer and Community Access**

8.1 The peer team recognise that the main drivers of the T18 programme include improving customer, community and public access to the planning service. We found that the main transformational principles of citizen centred delivery, easier public/customer access and self-service set out a clear statement of customer focus in strategy and delivery. These ambitions are backed by clear strategic intent in the form of a Customer First Strategy and IT Strategy with a single IT platform across both councils that offers clear potential for improvement in DM service delivery. For example, the new ways of working aim to deliver benefits including:

- increased visibility of the progress of a planning application – customer advisers, applicants and planning agents will be able to follow progress of an application electronically;
- applicants or planning agents will be able to receive automatic updates through a preferred method of contact (text messages, e mail, letter); and
- fully paperless capability.

8.2 The Councils' officer structure to deliver T18 demonstrates a good focus on customer access at a senior managerial level. In order to provide political oversight, South Hams has aligned Cabinet member responsibilities to T18 while at West Devon a member lead for Customer First is championing channel shift, to provide easier and more efficient customer access. We were encouraged to see that members and officers are willing to find solutions that respond to customer needs. For example, the piloting of the reinstatement of a duty planner service at Okehampton.

8.3 The peer team met with a range of group managers, community of practice leads, specialists and case managers and witnessed a developing team approach. This is encouraging and offers the potential to the Councils to realise the wider non-financial benefits of T18, such as service delivery 'centred on the citizen' and 'removal of service silos'. Understandably, in light of shift to an entirely new operating model, when speaking to a range of staff we found varying levels of commitment and enthusiasm for T18; although we consider that the vast majority of staff we met are committed to making the new operating model work.

8.4 Staff told us that the Councils' investment in technology has significantly enhanced their ability to work agilely and has improved their on-site efficiency. Many also felt they benefitted from working from home and that they were more productive. Staff valued the



ability to work more flexibly and this provides potential for working closer to communities as the Councils' Customer Service approach matures.

8.5 However, despite these emerging strengths the Councils are aware that the effect of implementing the T18 transformation project has had an adverse impact on the customer service element of DM. We consistently heard messages from planning agents, Planning Committee members, other Councillors and Town and Parish Councils of poor customer service which has undoubtedly damaged the service's reputation and standing. Internal staff and senior managers are acutely aware of this feedback and concerns about IT progress and Customer Services in DM have been reported to Overview and Scrutiny Panels. The main concerns appear to be :

- an inability of customers to obtain easy access to a member of staff who can speak to them about the progress of their application;
- slow validation and processing times;
- a loss of experienced and expert staff and a large quick exit of planning knowledge under the T18 rationalisation;
- a lack of ongoing and regular engagement with planning agents and a limited understanding and appreciation of the costs to their business of poor customer service;
- the sharing of only limited information to Town and Parish Councils about the significant changes to DM operational delivery and lack of feedback when officers recommend against their comments; and
- a poor digital interface and quality of information on the websites including limited self-service and poor labelling of plans.

8.6 In order to rebuild trust and confidence it is vital that directors and senior managers, political leaders, portfolio holders and other senior members provide strong, clear and effective leadership to a time limited DM improvement plan with a strong focus on customer services. Paramount among key priorities include working with the IT partner to deliver urgent and essential improvements to the web sites. We are aware that matters have escalated to the need for the Head of Paid Service to have weekly phone calls with the IT partner in an attempt to trouble shoot and gain assurance of improvement actions and timescales.

8.7 We understand that the IT partner is due to attend a joint Overview and Scrutiny Committee in late May 2016 and we suggest that early engagement between the Director, senior staff and senior politicians and the IT partner would be beneficial in reaching some positive outcomes. We feel there may be benefits to the involvement of customers and stakeholders in an appropriately managed setting to help the contractors more appreciate the actual needs of customers, so these can be better reflected in the design of the customer interfaces.

8.8 'Failure demand', currently puts excessive pressure on staff and managers and creates significant frustration for planning agents, applicants and stakeholders. Providing better opportunities for users of the DM service to speak more easily to staff would provide reassurance and rebuild trust. The peer team recognise that this would mean a financial adjustment but we consider that a slightly longer payback time on investment on T18 is worthwhile to deliver increased customer satisfaction and an improved local reputation.

8.9 Planning agents told us that there had been little or no formal group communication since the last agent's forum in October 2015. Since then T18 has commenced and there has been a significant escalation of customer concerns. We would recommend that the reintroduction of an early planning agents meeting is another priority with thought given to the agenda and management of the meeting to ensure constructive dialogue. These forums should then meet on a regular basis thereafter – probably quarterly. A quick win may be advising planning agents of the revised Schemes of Delegation which they appeared to be unaware of.

## **9. Development Management Performance**

9.1 The peer team noted a mixed but improving picture in performance on the speed of deciding planning applications. We appreciate that this is a single measure but as the Government can designate Councils, where speed on certain planning applications falls below set thresholds, it is an important consideration for the DM service and Planning Committees. Both Councils have benefitted from a clearer performance management and team focus on deciding the most important major applications and performance at both councils, but especially West Devon, has improved. With both councils approving well over 90 per cent of major applications in agreed timescales in 2015/16, performance in this area is much improved.

9.2 Recent monthly performance figures for deciding non major applications are improving significantly following a period of very poor performance. This period of poor performance was partly linked to a consequence of consistently high workloads coupled with the initial implementation of T18 that saw a significant churn in staff at different levels, IT downtime and slow validation.

9.3 It is important that this recent performance uplift in speed of processing is sustained, especially when additional resources to support validation rates are withdrawn. The service has responded to the poor performance levels and consequent risk of designation by deploying more focussed performance management, more stable staff resources and improving capacity and process, including using additional resources to speed up validation. It has also used the tool of extension of time agreements to ensure that targets are met. However, there is increased resistance to this from agents and long term reliance on time extensions risks further erosion of trust and working relationships with developers. Given the reduction in staff resources to deliver the DM service under T18, plus major concerns about customer focus, we recommend that the director and community of

practice lead, working with the Portfolio Holder and Hub lead, continue to monitor resources and performance closely.

9.4 Overall, planning appeal results for the last three years for both Councils remain relatively static in terms of appeals successfully defended and appeal costs against the Councils are low. South Hams' appeal performance hovers round 66 per cent of appeals successfully defended which is consistent with the national average. However, performance at West Devon has tended to be lower and in 2015/16 the Council lost just over half of planning appeals made against its decisions. We did not have time to examine in detail the appeal decisions but the DM service is aware that joint working with West Devon Planning and Licensing Committee members needs to identify any trends and lessons to improve on these results. Earlier we recommended more detailed reporting of performance statistics and appeal results and relevant learning from experience needs to form part of this.

9.5 The peer team recognise that the T18 model offers the potential for specialists to more clearly focus on matters of significance and judgement and that silo working between the professions has started to break down which has performance benefits. However, at the present time, we found that officer and managerial attention was focussed on dealing with the T18 process to the detriment of being able to focus on vision, outcome and added value. While we recognise the vital need to embed the T18 model and to tackle existing IT and customer care issues, it is important that the very process of dealing with planning applications does not overwhelm the capacity for planning to add value to developments and deliver outcomes that are consistent with the corporate objectives. To achieve this we recommend that as part of performance reporting for DM, a balanced score card/performance dashboard approach is used encompass quality, value/productivity and customer care as three important themes. In order to make the performance information as helpful and understandable to a wide audience a range of presentation techniques, such as strong pictorial content and charts as opposed to long narrative should be explored.

9.6 The Councils are aware of a very significant decline in the take up of their paid for pre application offer. The total number of requests between both Councils peaked at 1061 in 2014 declining to under half of that (487) in 2015; with the more acute fall at South Hams. Planning agents told us that their lack of confidence in the pre application service including slow responses, inconsistent advice and poor value for money had caused them to significantly scale back their use of the service. Planning agents advised that in place of submitting requests for pre application advice, they would submit planning applications, often expecting to get a refusal and then use the officer's report and the reasons for refusal as the pre application advice to submit a second application that sought to tackle the initial reasons for refusal. This "work-around" by agents adds significantly to workload and costs. Moreover, councillors have expressed a desire to have the opportunity to be involved in managed pre-applications as part of their community leadership role.

9.7 The peer team consider pre application advice as an essential part of a good quality DM service and the steep decline in usage reduces the opportunity of the Councils to influence both development and associated community benefits where major schemes are involved. A worthwhile pre-applications service will provide a supplementary income stream to cover its cost. On top of this, we strongly recommend, as part of any early meeting with Planning Agents and as part of an improvement priority, that the Councils redefine and actively promote and deliver improved and more targeted pre application offer to their customers.

## 10. Further Support

PAS would be happy to discuss with South Hams and West Devon on developing a package of further support (paid for at cost). Specifically, we recommend exploring PAS support around:

- Mentoring for the Committee Chair
- Training for the Planning Committee
- Critical friend review of the emerging plan and NPPF compatibility of the suite of DPDs

There are also tools and materials available on the [PAS website](#) which can be downloaded and used for free. Some of these are listed here.

**DM tools:** PAS has produced a suite of materials which should help with various aspects of the DM process. The councils have already had access to support for their DM service from PAS, particularly in relation to the DM challenge kit. The resources below are available to download and use.

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- [Pre-app processes](#): PAS has a number of pre-application resources available to download and use.
- [Conditions](#): PAS has produced a best practice not on applying and discharging conditions
- [Project managing major applications](#): PAS has produced a new note about handling major applications
- [Using S106s – standard templates etc](#)



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