

Report subject	Planning Service Improvement Update
Meeting date	23 November 2022
Status	Public Report
Executive summary	<p>This provides an update on measures being implemented to deliver a step change in the reputation and performance of the BCP Planning Service in order to support the delivery of the Big Plan and other corporate priorities. It follows a previous report on the Planning Service considered by Cabinet in April 2021 and provides a 6-month update on progress since and actions for the next 6 months. The key improvement activities underway since the last report are as follows:</p> <ul style="list-style-type: none"> • Ongoing governance by Planning Improvement Board • Appointment of interim Planning Service Director and Development Management Manager • Improved use of data to run service • Task force approach to dealing with out of time applications and reducing on hand demand • Use of outsourcing companies to deal with volumes of work needing to be determined • Validation process review • Single system and process project moving forward • Improved engagement with staff and customers • Major recruitment campaign due to start • Increased focus on Local Plan progression • Structural review to begin
Recommendations	<p>It is RECOMMENDED that Cabinet:</p> <p>(a) Note and endorse the measures underway to improve and transform the planning service</p> <p>(b) Approve the actions required for the next 6 months as set out in the report</p>

	<p>(c) Endorse the additional in-year expenditure required to deliver ongoing service improvements for this financial year as shown in the financial implication section.</p> <p>(d) Agree the proposed funding for the additional expenditure as shown in the financial implication section, with delegated authority to the Section 151 Officer to alter the final funding arrangements once the actual figures at the end of the financial year are known.</p> <p>(e) Delegate authority to the Director of Planning in consultation with the Portfolio Holder for Planning to review and deliver improvements to the process around planning application publicity.</p>
Reason for recommendations	To support the transformation of the Planning Service to support the local economy and the area's communities and delivery of the Big Plan
Portfolio Holder(s):	<p>Councillor Drew Mellor, Leader and Portfolio Holder for Finance & Transformation</p> <p>Councillor Philip Broadhead, Deputy Leader and Portfolio Holder for Development, Growth & Regeneration</p> <p>Councillor Bobbie Dove, Portfolio Holder for Community Safety & Regulatory Services</p>
Corporate Director	Kate Ryan – Chief Operations Officer
Report Authors	Colin Walker – Interim Director for Planning
Wards	Council-wide
Classification	For Information and Decision

Background

1. This paper follows an earlier report on the BCP Council planning service received by Cabinet in April 2021. The April 2021 report set out the background for the need to deliver a significant improvement in the BCP Planning Service to create an exemplar planning department fit to deliver the Council's ambitions and representative of BCP's status as the 10th largest urban authority in the country.
2. The April 2021 report provided context for the various challenges the service has been dealing with in recent times that have impacted on performance and reputation; in summary these comprise high and increasing volumes of work to process, complexities with working within a pandemic environment, holding vacancies and operating largely legacy systems and processes. These issues are well understood and form the context for the various actions that have been or need

to be put in place to re-position the planning service where all stakeholders want it to be.

3. It is recognised that the planning service and supporting staff are highly professional and dedicated and continue to work incredibly hard to maintain the planning service whilst the various structural issues and challenges are being resolved. It is also recognised that expectations from Members and external customers remain high and, in particular, that performance on planning applications should be improved at pace.
4. The focus of this paper is, therefore, to update on progress on the measures being put in place since April 2021 to improve the planning service and to identify the programme of further actions for the next six-month period.

Update on Planning Application Performance

5. The BCP performance data on planning applications decisions in time for the first two quarters of the 2021/22 monitoring period, and compared with the 2020/21 performance, is as follows:

	Q1	Q2	BCP year to date	BCP 2020/21 performance	Govt Targets
Major	67%	79%	77%	77%	60%
Minor	80%	77%	78%	74%	70%
Others	82%	80%	81%	71%	70%

6. This table shows that overall performance on planning applications remains above the Government intervention levels and is currently exceeding the 2020/21 performance position on minor and other applications. Major application performance has been maintained to match the 2020/2021 position thus far. This is a positive overall position in so far there is no imminent threat of any Government intervention and continues the trend of improvement in performance over the last 12 months.
7. However, it is important to recognise that these headline statistics continue to include a high proportion of extensions of time that is a by-product of the various challenges within the service. It is worth noting that it is not unusual for Local Planning Authorities to use extensions of time when dealing with planning applications and the Government accept their use when Councils submit their returns. This is, however, not an acceptable corporate position, primarily because timely planning decisions (i.e. within statutory time periods) are key to facilitating economic growth and investment, as well as the delivery of regeneration and housing numbers at pace. The measures discussed in this report are aimed at addressing this and moving the service to only use extensions of time on an exceptional basis and determine the majority of planning applications within the 8- or 13-week statutory timeframes.
8. As part of the wider context around the demands on the planning service it is also useful to draw attention to the increase in demand that has been experienced since

2019 by way of submission of planning applications. The figures below set out how many applications have been received in 2019, 2020 and 2021 (to end of August) with a % increase from the previous year shown:

- 2019 – 4,330 applications at an average of 360 per month
- 2020 – 4,359 applications at an average of 363 per month (0.83% increase from 2019)
- 2021 (to end of August) – 3,507 applications at an average of 438 per month (21% increase from 2020)

9. The increase when looked at by month between 2019 and 2021 (September to December figures do not include 2021) is shown on Figure 1 below:

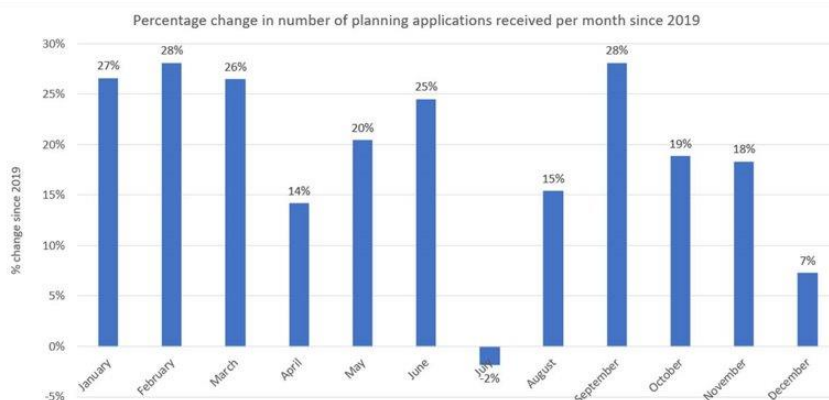


Figure 1 - % increase in planning applications in each month between 2019 and 2021

Update on Planning Service Improvement Actions between April 2021 and October 2021

10. The April 2021 paper set out a series of initial actions required to deliver the required step change in the planning service. A series of additional actions have come out of the ongoing work since April 2021, all of which are updated upon as follows:

Planning Improvement Board

11. The Planning Improvement Board continues to meet monthly, chaired by the Chief Executive and attended by the Deputy Leader and Portfolio Holder for Regeneration, Economy and Strategic Planning, Chief Operations Officer, Monitoring Officer, Interim Service Director for Planning and the Head of Planning. The Planning Improvement Board provides a clear and robust governance framework to oversee and drive the delivery of planning service improvement.

Appointment of Planning Transformation Lead / Interim Planning Director

12. A key part of the April 2021 report was to confirm plans to appoint a Planning Transformation Lead, which was subsequently enacted in June 2021. This post was then converted to the Interim Planning Director post in September 2021. This follows the placing of Planning Services within its own directorate reporting to the Chief Operations Officer in May 2021. The rationale for these changes is in recognition of the importance of the planning service to delivery of the Council's corporate ambitions as well as the area's resident and business communities.

13. The appointment of the Interim Planning Director will enable there to be a strong voice and additional strategic management capacity at the top tiers of the organisation to drive the required improvement to the planning service and champion the wider importance of planning to the area's future. The Interim Planning Director is also leading the planning service transformation programme.

Use of data to run the service

14. A key focus of the Interim Planning Director's initial actions has been to ensure the service is run using a more data driven and outcome focused approach. It is recognised that obtaining data at the present time can be challenging in view of the reliance of legacy planning systems that need consolidating. Notwithstanding this, measures have been put in place to obtain the core data required to monitor performance of planning applications. This includes:
- Weekly monitoring of the time taken to register planning applications to understand the impact the front end of the system is having on time to decision making;
 - Weekly monitoring of decisions in time to keep track of overall performance against the Government targets;
 - Weekly monitoring of officer workloads. There have been issues with many staff having unsustainable workloads that is impacting on ability to make timely decisions. A more focused approach to managing workloads is being implemented to ensure work is spread proportionately and avoid staff being overloaded wherever possible;
 - Monthly reporting of overall planning applications in the system. This provides the data to identify how many applications are in the system that are either out of time or close to coming out of time. The applications that are out of time have been identified as needing urgent resolution. The out of time applications are now being addressed as a project in order to re-set the service to determine applications within the 8 or 13 week timeframe wherever possible and remove the previous over reliance on extensions of time.
15. The service now has better data on numbers and types applications that remain within statutory timescales, and those that do not. This is a key improvement since April 2021, but the size of the out of time applications is larger than identified at that time, and will take time to deal with. This data is reported to the Planning Improvement Board each month.

Addressing the Demand in Planning Applications

16. The increased focus on using data to run the service has identified that there is a significant issue with a build up of out of time applications in the system that needs to be released as it is affecting the ability to operate a smooth workflow to process those applications that remain in time. Ensuring planning applications are processed in 8 or 13 weeks is a crucial service objective to ensure that the service is responsive to customers and can fulfil its function as a service that enables development in a timely way, whilst balancing the wider public interest. It is also critical that the current level of service complaints are reduced and customers are satisfied with the service provided.
17. A series of measures have been put in place to address the out of time applications as follows:

- Use of external providers to take and process batches of applications. This approach was identified in the April 2021 report and subsequently implemented with circa 300 applications having been or currently being processed using an external provider.
 - Appointment of an additional Development Management Manager on an interim basis for the next 6 months. This appointment is specifically focused on addressing the out of time applications over the next 6 months to enable the permanent Development Management Manager to focus on delivery of the in time and new applications.
 - Creation of a task force approach headed up by the Interim Development Management Manager that will use available resources take a targeted approach to reducing the out of time applications significantly over the next 6 months.
 - Focus on reducing the number of major planning applications in the system. It has been identified that the service was carrying too many major applications. The reasons for that are complex and are linked to the volumes of other work required on smaller scale applications. By implementing a focused approach to the out of time applications inroads have been made to reduce the amount of out of time majors since the last report. At the time of writing there are 110 major applications in the system. Continued focus on Major applications is required over the next six months to reduce this number further to a more steady state of around 50 to 60 on hand at any given time.
 - Introducing a more focused, target driven approach to the management of the service. A key issue identified has been the capacity of managers to manage the teams due the amount of other work that is ongoing. Measures are being put in place to ensure managers are given the time and space to focus solely on management tasks, which include greater emphasis on accountability and oversight of staff to meet deadlines for planning applications and related tasks. This extends from Service Manager down to Team Leader level.
18. In order to facilitate the successful delivery of the task force approach there is a need to invest in additional resources to reduce the amount of on hand applications in the system. This has resulted in the need to appoint the Interim Development Management Manager as well as increase the use of outsource providers to increase decision output.
19. Given the size and depth of the out of time applications, it is anticipated that it will take until April 2022 to clear, and progress will continue to be monitored and reported monthly to the Planning Improvement Board.

Planning Application Validation Review and Neighbour Notification

20. A review of the validation process is underway as the current operation is currently validating planning applications between 2 days and 2 weeks. This fluctuation cannot continue as it is impacting on the ability to determine planning applications within the statutory timeframes by losing time at the front end of the process. A service standard of validating all planning applications within 2 working days has been established and work underway to ensure it can be delivered on a consistent basis.
21. The review of the validation process is identifying there is a need for additional resources and streamlined processes in order to address the delays and overall

inconsistency in service delivery. It is proposed that around £100,000 is required to be spent on validation process either through adding staff into existing vacancies or use of an outsourcing service for a temporary period to create increased capacity within the team.

22. As part of the validation process review, the BCP Council Statement of Community Involvement requires planning applications to be notified by both neighbour letters and erection of a site notice. The Development Management Procedure Order places a legal obligation on the Council to do only one of those notification options whereas the Council currently does both. It is fully recognised by doing both it provides the greatest opportunity for interested parties to engage in the planning system. However, it is equally highly resource intensive to operate both neighbour letters and site notices that has the impact of slowing down the validation process and thereby contributing to the out of time application issue within the service. As part of the process of review the Council needs to move to a more efficient process of planning application publicity. It is proposed that Cabinet delegate authority to the Director of Planning in consultation with the Portfolio holder to undertake and implement this review.

Single Planning System and Process

23. It has previously been identified that the operation of three separate teams each with its own ICT system and related process is highly inefficient and a key constraint to delivering a step change in service improvement. Since April 2021 the Council has moved the single system project forward and work is underway to accelerate and implement the project, with the objective of identifying a single operating process by 2 January 2022.
24. The key outputs of this for our external customers and stakeholders will be a more consistent approach to service delivery, improved consistency of pre-application advice and decision making. It will also, in time, result in more rapid application processing.

Engagement

25. A key action from the April 2021 report was the recognition of the need for better communication with the various stakeholders that engage in the planning service. In response, the Interim Planning Director has undertaken a series of focused engagement exercises with senior officers, councillor workshops, staff and customers to further identify issues that are affecting the service as well as how stakeholders want the service to operate in the future. Some of the additional issues that have been identified through this process that need to be focussed on are as follows:
 - Improved communications at all levels
 - Better online information on planning application status/progress
 - Clear Planning Protocol clarifying how the service will approach service delivery on planning applications, how it will approach negotiations/amendments and what is expected from applicants/agents
 - Improved pre-application service
 - Consistency of decision making and outcomes across the service
26. The Agents and Developers Forum has continued and is welcomed by the participants as it provides a forum to provide services updates and receive

feedback on current customer experiences of the service. This will continue for the foreseeable future.

27. A planning E-bulletin will be going out bi-monthly to provide updates on the various transformation actions, general planning information as well as celebrate the successes and positive outcomes for the area the planning service continues to deliver. A key aim for the coming months will be to increase the circulation of the E-bulletin so it reaches as many parts of the area's communities as possible.
28. Monthly staff briefings have been introduced to keep the teams informed of the transformation project, generate further ideas and listen to feedback with the aim of ensuring all staff feel part of the transformation programme.
29. Weekly service manager meetings have been implemented in order to improve communications and management capacity. In addition, there are now monthly individual focus group meetings (led by the Interim Director plus Head of Planning) with the five service areas of:
 - a. Development Management
 - b. Conservation and Trees
 - c. Local Plans
 - d. Enforcement
 - e. Planning research and GIS
30. These changes are improving communications as well as implementing a more effective performance management culture.

Recruitment

31. Approvals have been secured to undertake a significant recruitment campaign to fill the various vacant posts and deliver the Smarter Structures planning structure. The campaign is seeking to fill 29 posts across the planning teams, which once filled will enable workloads to be more manageable, drive improvements in planning application performance and support delivery of key corporate projects such as the Local Plan. The recruitment campaign is due to commence in November 2021 and is expected to be completed by the end of 2021.

Strategic Planning and Placeshaping

32. The Local Plan is one of the most important strategic documents as it balances how BCP as a place will grow and thrive, whilst maintaining the things that make it special as a place. It is important that it fully reflects the ambitions within the Big Plan, as well as being facilitate investment via a variety of methods, including the Council's Urban Regeneration Company (URC). It is recognised that the Local Plan team needs to be strengthened to deliver a Plan of the scale and depth required, and the current recruitment drive will assist that. But there is an urgent need to bring additional skills and experience into the Team now, and this will be implemented via a combination of agency staff, and external support.
33. Additional support to the Local Plan team in relation to timetabling and robustness of the evidence base has been sought from the Planning Advisory Service (linked to and funded by MHCLG). At the time of writing the details of this support, and any likely costs involved have yet to be established, but Cabinet will be updated accordingly.

34. A series of workstreams are underway on strategic planning and placeshaping. Of particular significance, the Local Plan further Issues and Options consultation will start soon. This is a positive move forward after a hiatus in progress during 2020. Notwithstanding this, a review of the Local Plan timetable is underway to set out a clear and realistic route to adoption including consideration of the resources required.
35. The Design Brief project set in the April 2021 report has been progressed on two of the key areas identified. The work on these two areas should be moved forward significantly by the end of the year to enable further discussions to happen in respect of facilitating their delivery.
36. It has also been identified that there is a need for a more in depth piece of work to be undertaken in respect of overall place vision and delivery to form a crucial part of the Local Place evidence base to understand the potential for meeting development challenges in an ambitious but area-sensitive way. A request has been made for additional funding for this work through the planning budget growth bid that is being considered separately through the MTPF process.

Structural Review

37. The Planning service has been through a restructure process as a result of the Smarter Structures initiative, and the vacancies resulting are in the process of being recruited, as stated earlier in this report. The structural review was relatively “light touch”.
38. Given the scale of the Council’s ambitions and the potential for the URC to unlock further growth, it is important that the Planning service is able to contribute and facilitate the delivery of that vision. This means that the service needs to be stronger in terms of Local Plan and place making, with a much stronger emphasis on economic viability issues, investment potential, and how this fits into policy development. The Development Management team needs to be better placed to facilitate timely decisions, with greater emphasis on operating within set targets and management of performance.
39. To that end, it is recognised that strong and experienced management is needed to deliver this step change, and this needs to be reflected in the ways that the service is organised. Also, the service needs to operate in a more business-like manner, with a clear eye on costs and income, as well as a much stronger approach toward delivering measurable efficiencies.
40. It is proposed that whilst the agreed Smarter Structures structure continues to be implemented, a further review takes place to reflect the above requirements. This review will have scope to look at the whole Planning service structure, with initial proposals being shared with the Planning Improvement Board by end of 2021.

Actions and Targets for the next six months November 2021 to April 2022

41. The planning improvement programme will continue to require time and resources to drive the required changes. In order to maintain momentum with the planning service improvement programme, the key actions and delivery targets being set for the next six months are as follows:

Action	Target Completion Date
Address the out of time applications	By April 2022, with month-on-month reduction achieved from October 2021

Ensure new applications are processed mainly within the statutory timeframes	From November 2021
Review of Planning service structure to Planning Improvement Board	End of December 21
Complete review of validation process to set out interventions required to achieve consistent 48-hour planning application validation	By December 2021
Complete recruitment drive	By January 2022
Complete Local Plan programme review and re-establish timeframe	By January 2022
Produce new Service Plan for Planning focused on delivering and maintaining the step change in the planning service	By January 2022
Further focused engagement with members and other key stakeholders to be able to measure the success of the improvement programme	By January 2022
Review of pre-application services to encourage greater use to drive more applications being 'right first time'	By January 2022
Implement single planning system and reorganise teams in line with Smarter Structures	By April 2022

Options Appraisal

42. The alternative option is to not continue with the planning service transformation. There are no obvious advantages to this but many disadvantages.

Summary of financial implications

43. In the Council budget set and approved in February 2021 an additional £250k was allocated to Planning to address service development during 2021/22. These funds have been used to outsource some planning work, and employ interim and agency staff to facilitate transformation of the service.
44. The Local Plan work identified within the report will be covered by drawing down £140k from the Local Development Plan reserve which is specifically set aside for this statutory purpose.
45. The further initiatives identified in this report require investment of £334k as outlined in the table below. The additional investment will be used to fund agency staff, interim management support and further invest in outsourcing providers to deal with the volume of work. The figures represent a worst case scenario, if the

current recruitment drive is successful the pressure in on the staffing budget will be less as dependency on agency support reduces.

Activity	Budget	In-year requirement	Difference
	£'000	£'000	£'000
Staff – In-year requirement includes use of agency staff	£906	£1,140	£234
Business Support (Planning)	£0	£100	£100
Total			£334

46. It is suggested to fund the additional investment need from the following sources.

Funding source	£'000
Additional fee income	50
Other Earmarked Planning Reserves	260
In year non-income, non-staff savings	24
Total funding	334

47. By funding the required investment as shown in the table above there is no in-year pressure on the council's budget. All figures are best estimates at this time and the actual year end outturn may vary from this so it is recommended that the final funding of the investment activity is delegated to the Section 151 Officer who will consider the most appropriate sources based on the actual position.
48. A growth bid has been submitted through the MTPF to secure further resources for the 2022/23 period onwards to continue to address the challenges in the service but also to ensure the Planning Department is set up to facilitate the work of the Urban Regeneration Company and other key strategic developments.

Summary of legal implications

49. None identified

Summary of human resources implications

50. None identified at this stage.

Summary of sustainability impact

51. None identified.

Summary of public health implications

52. None identified

Summary of equality implications

53. No specific impacts identified. Maintaining an open, accessible and efficient planning system will enable all members of the community to engage and be offered the same levels of service. It is recognised that changing the approach to notification have equalities implications. At this stage an in-principle decision is sought on the basis of the efficiencies that would be derived by making the proposed change. More detailed work on the equalities implications will be undertaken if the in principle decision is agreed.

Summary of risk assessment

54. There are risks associated with a planning service not meeting Government thresholds for decision making. If performance falls below these thresholds, then the Council can be designated by Government and have local decision making powers directed to the Planning Inspectorate. BCP Council are not close to this position but highlights the importance of maintaining a high standard of performance.

Background papers

None

Appendices

None