# Melton Borough Council
## Helping people | Shaping places

# Cabinet
## 13 November 2024

# Planning Productivity Plan

| Report Author: | **Sarah Legge**, Assistant Director for Planning<br>07771 733262<br>slegge@melton.gov.uk |
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| Chief Officer Responsible: | **Caroline Bruce**, Interim Director for Growth and Regeneration<br>CBruce@melton.gov.uk |
| Lead Member/Relevant Portfolio Holder | Councillor Margaret Glancy |

| Corporate Priority: | Delivering sustainable and inclusive growth in Melton<br>Excellent Services positively impacting on our communities. |
|---|---|
| Relevant Ward Member(s): | N/A |
| Date of consultation with Ward Member(s): | N/A |
| Exempt Information: | No |

## 1 Summary

1.1 The planning service is an important, statutory function of the council, and is under severe pressure to perform. The expectations of members and the community are high, and the team are struggling to resource the competing demands of determining the number of applications on its books and remain responsive to customers.

1.2 The service is experiencing a loss of income as whilst the number of planning applications and enquiries are rising, the income is falling because these are not the major, significant applications that attract higher fees. Often smaller applications are submitted by those inexperienced in dealing with a planning service. They require further handholding, as a result of established practice, which is time consuming, resource intensive, and above and beyond the normal expectations of what is required of a planning service. This often distracts officers from their core roles and responsibilities of determining high quality submissions in the timeframe dictated by the government.

1.3 This report sets out the outline of a plan to improve the service, covering six workstreams including guidance to applicants, staff training and development, member training, digital transformation, customer service and procedure rules (including decision taking).

1.4    Whilst the normal operational functioning of the planning service is not a cabinet decision (nor is it a decision of the Planning Committee), the depth and breadth of the workstreams require member support to achieve the aspirations and required outputs of the Planning Productivity Plan.

## 2    Recommendations

**That Cabinet:**

2.1    **Recognises the importance of the service to the Council and residents of the Borough, and the significant demand and pressure on the service at present.**

2.2    **Notes the need for improvements in the planning process and supports the approach outlined in this report.**

2.3    **Delegates authority to the Interim Director for Growth and Regeneration in consultation with the Director for Corporate Services to approve a supplementary estimate of up to £150,000 to the Growth and Regeneration budget from the Regeneration and Innovation Reserve.**

## 3    Reason for Recommendations

3.1    The planning service is under pressure and that is impacting on its reputation and its ability to turn applications in a timely manner.

3.2    Changes are required to overcome the issues that are causing backlogs of planning applications and damaging the reputation of the service, and council, as a result.  If these issues are not resolved the planning service could fail and that would result in government intervention. If this happens, Melton Borough Council would lose the ability to both receive and determine planning applications and would not receive the income from them.

3.3    This is a standard improvement project that will require process, people and technology changes and will involve staff and members in order to improve customer service. It cannot be delivered without additional funding for project management, releasing capacity to deliver the project and the training, development and technology improvements required to improve the service.

## 4    Background

4.1    A number of different factors are impacting on the performance of the council's planning service and in turn these are impacting on the speed and quality of decision making. Fundamentally this has resulted in a backlog of applications, which take a substantial amount of time to assess and determine.

4.2    Following a Planning Service Review in 2021, the Planning Development Manager made significant changes to the structure of the Development Management team and its operating processes. These have proved successful, and the majority of the changes remain in place today with further incremental amendments improving processing and productivity.

4.3    Following an increase in workloads, and a number of staff changes including vacancies which have been hard to fill, a backlog has built up within development management. A number of applications have stalled and further changes are required to increase the speed of decisions being issued.

4.4    Officers are currently carrying an active caseload of between 30 and 45 Planning applications. Whilst there is no nationwide agreed 'maximum' caseload for Planning

Officers, anything above 30 is considered too large to be able to maintain effective communications, especially when a number of these are not straightforward or simple applications. To bring the caseload to an average of 30 applications, or below, would require another five FTE, and that is not affordable.

4.5 A successful growth bid to the Planning Skills Delivery Fund enabled the recruitment of an experienced temporary planning officer to work on stalled applications, but this funding is coming to an end. The development management team is also forecast to overspend in 2024/25 because whilst the number of planning applications received remains high, the fees are lower because of the types of developments proposed. This does not mean that the applications are quicker or simpler to deal with, and often they are more complex requiring more officer time and resource, but with less income. These applications must however still be determined.

4.6 Members from across the council quite rightly have high expectations about the level of service provided to applicants, communities and stakeholders, including parish councils as an example, but the level of resource does not always allow these high levels of consultation and engagement to take place.

4.7 Changes are required to deal with the root causes of the delays, and associated issues, and this report outlines those. Further work will be needed to develop a full project plan, with clear outcomes and responsibility for delivery.

## 5    Main Considerations

5.1 Despite the changes delivered since 2021, the workload for the development team remains high. The largest part of the team's work is not the major applications with the large fees, it is the smaller applications and prior notifications where there is little fee earning opportunity, but various complexities. These applications are often submitted by those with a lack of experience in dealing with the requirements of a planning submission. This leads to officers spending an excessive amount of time at the validation stage, and then through further amendments to overcome design, highways, ecology, neighbour or other concerns during the eight or 13 week timeframe, which is then often exceeded.

5.2 The continuation of high workloads is having a negative impact on customer service and targets that form part of government returns. The welfare of the team is being impacted and frustration is being expressed by members and the community.

5.3 It is important to note that the council has a competent and well-functioning development management team, but it is not possible for them to perform at the level that they want, and that the council expects, with the resource and processes they currently have. An end-to-end change is required starting with the advice that is available at pre-application stages through to validation, consultation, assessment and on to officer or committee determination.

5.4 The Interim Director for Growth and Regeneration is new to this council and has been able to take a fresh look at the planning service and assess its performance against other examples of good practice. The Planning Advisory Service, part of the Local Government Association, is a trusted resource, and this has provided rich information in support of an informal review.

5.5 As a result of this review, a number of issues have been highlighted and these will need to be addressed through the Planning Productivity Plan (PPP) alongside other issues that the development team have identified as being necessary to streamline the operational processes.

5.6     The issues that the Plan seeks to address include:

- The appropriate, and resourced, level of non-statutory consultation and engagement with communities, ward councillors, parishes and other stakeholders;

- Streamlining the planning process so that applicants have access to guidance and advice which reduces the need to speak with a planning officer, and a process that supports swift determination (not necessarily approval) for straightforward applications;

- Improving the quality of applications to support swifter determination;

- The recruitment and retention of skilled planning officers who are supported through continuous professional development and feel valued and motivated;

- Visibility of planning performance for all members of the council;

- How ward councillors are supported to represent the views of their constituents without compromising the proper function of the planning committee;

- Effective operation of the planning committee and associated pre-meetings and so on;

- Support to members of the planning committee so that they can effectively discharge their individual and collective responsibilities.

5.7     Six draft workstreams have been created which will form the initial basis of the Planning Productivity Plan. As outlined earlier in this report further work will be needed to develop a full project plan, with clear outcomes and responsibility for delivery. The project will develop as time goes on and the project plan is likely to evolve as further activities arise.

5.8     As part of the project planning, effective governance structures will be created that will include a project board with appropriate input from the relevant Portfolio Holder and oversight of the Chair of the Planning Committee.

5.8.1   **Workstream 1: Application processing and guidance to applicants**

**Deliverables**

- A local validation list and online guide

- Guidance note for agents & applicants to explain how applications will be processed

- Process guides for planning staff so that invalid applications are rejected promptly and valid applications move forward punctually, with amendments limited so that applications are not with an officer for a prolonged period of time and are withdrawn or refused within the target determination period.

- Review the pre-application process and fee payment schedule learning from best practice.

- Review the use of Planning Performance Agreements for larger and/or complex schemes.

- Guidance note for members on the application process which clearly sets out what they can expect from the planning service as ward councillor and/or member of the planning committee. This will include practical issues, such as when and how planning officers will support them in their role, and what they can expect from officers and developers/agents in engagement, consultation and workshops.

**Benefits**

- Improved member satisfaction

- Improved staff morale

- Effective processes

- Improved customer certainty and satisfaction

- Speedier decision making

**Risks**

- More applications found invalid and returned to applicants / agents

- Less back and forth support to agents and applicants with the potential for fewer opportunities to improve an application prior to determination.

- The proposed structured approach to member interactions will require leadership support to manage expectations and the overall objectives of the planning productivity plan.

- It is possible that more planning appeals will be submitted following refusal of permission where applications either do not contain sufficient information to be determined, or are lacking in quality. It is considered that this would be relatively time-limited however whilst new processes bed in and applicants / agents understand the new ways of working.


5.8.2   **Workstream 2: Staff training and development**

**Deliverables**

- A review of the structure of the planning team to provide confidence that the structure best supports service delivery.

- A full analysis of staff skills and strengths, including a gap analysis to inform personal development plans (PDPs). This will include the training requirements for the service, and will be incorporated into the organisational development programme.

- A staff retention and recruitment review, to ensure that the career grade is working effectively and that opportunities for apprenticeships and talent management are exploited.

- Regular opportunities for continuous professional development, showcasing and team building.

- Mentoring and buddy schemes using peers from other local authorities where possible.

**Benefits**

- Improved staff morale and motivation

- Valued staff

**Risks**

- Potential for additional expenditure to support career grades and staff development.

- Ongoing funding to support appropriate continuing professional development.


5.8.3   **Workstream 3: Member training and development**

**Deliverables**

- High quality training programme designed for the planning committee, with officer inclusion, delivered by the Planning Advisory Service (or another reputable organisation) over 6 to 12 months.

- Development and support for the chair (and vice-chair) of the planning committee.
- Observation of planning committee and feedback by external expert(s).

**Benefits**

- Well-running committee
- Good decision taking
- Appropriate behaviours
- Improved staff morale

**Risks**

- Potential that best practice approach changes the nature of member engagement and participation that will need to be modelled and supported by lead members and the senior leadership team.

### 5.8.4 Workstream 4: Technology and digital transformation

**Deliverables**

- Training on Uniform/IDOX for the planning and enforcement team
- High quality one-page performance dashboard using Power BI or similar
- Website content updates to enable greater levels of customer self-service and wider transparency of performance data.

**Benefits**

- Greater efficiency and use of officer time
- Improved customer satisfaction
- Supports digital by default

**Risks**

- None

### 5.8.5 Workstream 5: Customer service

**Deliverables**

- Additional capacity in the duty planning role (until such time that it is no longer required), coupled with improved web content for self-service.
- Revise the pre-application process.
- Give agents regular updates (using technology as the default).
- Gain feedback from applicants through a customer questionnaire and use the results as part of the continuous improvement process.
- Host regular agents' forums.
- Work with customer service colleagues to improve the percentage of enquiries dealt with at the first point of contact.

**Benefits**

- Improved customer satisfaction
- Increased efficiency and productivity

**Risks**

- None

5.8.6 **Workstream 6: Decision making including Procedure Order rules**

**Deliverables**

- Review the size and membership of the planning committee with a view to reducing numbers

- Introduce the standard voting equipment at planning committee meetings

- Review the role of the ward councillor(s) at committee so that they recuse themselves from decision making

- Amend the agenda to remove the questions for clarification sections

- Benchmark the triggers requiring a committee decision including the number of objections and prior notifications/discharge of conditions

- Effective pre-meetings and support to members of the planning committee in advance of committee

- Effective strategic meeting with the chair of planning to consider the management of upcoming applications

- Refine reasons for refusal process at committee meetings

- Review the call-in procedures and corresponding documentation

- Review the scheme of delegation for approval of Statements of Common Ground (outside of planning application / appeal processes)

**Benefits**

- Effective committee meetings

- Sound decision making

- Speedier decision making

- Fewer overturns at appeal

- Increased opportunity for ward councillors to advocate for their communities

**Risks**

- Political difficulties in reducing the number of members on the Planning Committee

5.9 Delivery of the Planning Productivity Plan will require resource that is not currently available within the planning team or council, including a project manager who will co-ordinate and report on progress and be responsible for some delivery alongside leads for individual workstreams. Existing staff will need to be freed up to work on the Plan, including managers within the service. Additional funding will be required for this, and £150k is estimated to be needed although the budget has yet to be worked up.

5.10 The most appropriate source of funding is a supplementary estimate to be funded from the Regeneration and Innovation Reserve. This reserve is estimated to have an unallocated balance of £296k leaving a balance of £146k after funding this request.

5.11    This funding will not resolve the forecast overspend in the development management team and that will remain a pressure on the Council's finances. This is subject to further work which is being led by the Director in consultation with colleagues. The plan will however seek to streamline processes, which will in turn create efficiencies and reduce backlogs.

5.12    The newly appointed Director of Place & Prosperity will join the council in the new calendar year, and she will be consulted during the development of the project plan to ensure that she is in agreement with the approach.

## 6    Options Considered

6.1    The other options considered are as follows:

- **Do nothing**

This is not an option as members of the team are already at capacity and feeling the pressure. The level of customer service is also falling due to the significant increase in competing demands. Members have concerns which cannot be addressed if this option is taken.

- **Shared resources**

Policy officers could be transferred into the development management service on a temporary basis, but this would require training and would also have an impact on the delivery of the Melton Local Plan Update. The deadlines for the submission of the Local Plan Update are already challenging and would be severely impacted by this option.

A shared service option could be explored but this would take a significant amount of time to arrange, and the challenges are immediate. It is not currently recommended.

- **Employ further consultants or temporary staff**

The level of funding required to eliminate the backlog entirely would be unaffordable and would not eliminate the root cause of the backlog.

## 7    Consultation

7.1    Planning is a core, statutory and important function for the council. There are many internal and external stakeholders. Engagement with stakeholders will be a critical success factor as the project develops.

7.2    To get to this stage, key members have been consulted, notably the Leader, the Portfolio Holder and the Chair of Planning. Their engagement has considerably shaped the Plan.

## 8    Next Steps – Implementation and Communication

| Time | Action | Involved Parties |
|---|---|---|
| November/December 2024 | Session with planning committee to brief on the productivity plan to inform and engage | Planning Committee and officers. |
| November 2024 | All member bulletin to inform and engage | All members. |
| November 2024 | Project kick off meeting and formal start of delivery | Entire project team |

| November 2024 to October 2026 | Project delivery with some changes visible by March 2025 | Various to enact the plan(s) |
|---|---|---|
| Comprehensive communications and stakeholder plans will be agreed as part of project delivery | | |

## 9 Financial Implications

9.1 Delivery of the Planning Productivity Plan will take resource that is not currently available within the planning team or council, including a project manager who will co-ordinate and report on progress and be responsible for some delivery alongside leads for individual workstreams. Existing staff will need to be freed up to work on the Plan, including managers within the service, and there are no direct financial implications from that. Additional funding will be required although the project plan needs to be drawn up which will clarify the finances required. It is estimated that approximately £150k is required and therefore delegated authority is requested to access the reserves once a robust budget has been compiled.

9.2 This funding will not resolve the forecast overspend in the development management team and this will continue to be a pressure on the Council's finances unless expenditure is reduced or planning income increases either through higher value applications or an increase in fees. Tackling the overspend is subject to further work which is being led by the director in consultation with colleagues.

**Financial Implications reviewed by: Director for Corporate Services**

## 10 Legal and Governance Implications

10.1 The development and implementation of all projects, including improvement projects, is delegated to officers within the council's scheme of delegation and in accordance with the constitution.

10.2 Cabinet is asked to note and support the approach set out in this report because of its importance, however no formal approval is required other than for drawing on general reserves. The decision in relation to funding is not a matter reserved to the Planning Committee, but their support and involvement is key to success.

10.3 Cabinet are authorised to draw on general reserves up to an overall limit of £200k in any one year.

10.4 Delivery of the project will follow standard governance processes, using the council's project and programme methodology and reporting requirements, with the Director and Assistant Director as accountable officers. It should be noted that any changes to the current arrangements for discharge of planning functions or the procedure rules must be approved by the Planning Committee or Full Council as appropriate.

**Legal Implications reviewed by: Monitoring Officer.**

## 11 Equality and Safeguarding Implications

11.1 There are no equality or safeguarding implications from this report.

## 12 Data Protection Implications

12.1 A Data Protection Impact Assessment (DPIA) has not been completed because there are no risks to the rights and freedoms of individuals arising directly from this report.

## 13 Community Safety Implications

13.1 There are no community safety implications as a result of this decision.

## 14 Environmental and Climate Change Implications

14.1 The planning function protects and enhances the natural and built environment, seeks to protect heritage and conservation areas and to impact positively on the climate emergency.

14.2 There are no direct environmental or climate change implications as a result of this decision.

## 15 Other Implications (where significant)

15.1 Not applicable.

## 16 Risk & Mitigation

| Risk No | Risk Description | Likelihood | Impact | Risk |
|---|---|---|---|---|
| 1 | The project does not deliver the improvements set out in the Planning Productivity Plan | Low | Critical | Medium Risk |
| 2 | Retention and recruitment issues impact further on performance | Low | Critical | Medium Risk |
| 3 | Stakeholders do not buy into the changes that are required | Low | Critical | Medium Risk |
| 4 | The planning service continues to operate at a cost to the Council putting pressure on the Council's finances | Significant | Critical | Medium Risk |

| | | Impact / Consequences | | | |
|---|---|---|---|---|---|
| | | Negligible | Marginal | Critical | Catastrophic |
| | Score/ definition | 1 | 2 | 3 | 4 |
| Likelihood | 6 Very High | | | | |
| | 5 High | | | | |
| | 4 Significant | | | 4 | |
| | 3 Low | | | 1, 2, 3 | |
| | 2 Very Low | | | | |
| | 1 Almost impossible | | | | |

| Risk No | Mitigation |
|---------|-----------|
| 1 | Regular review of outcomes to ensure that they are delivering the required improvements and the support of external advisors and experts such as the Planning Advisory Service. |
| 2 | Fast-tracking the staffing elements of the Plan. |
| 3 | Robust stakeholder and communication plans including member and senior leadership. |
| 4 | Continue to look to ways to reduce the net cost of the planning service through efficiency and income generation |

# 17   Background Papers

17.1   None

# 18   Appendices

18.1   None