

## PRE-SCRUTINY: PLANNING PERFORMANCE AND CUSTOMER EXPERIENCE REVIEW

Summary: This report discusses matters of planning performance and customer experience and sets out the context, an overview of identified issues and a proposed way forward in addressing any perceived issues relating to performance.

Options considered: Options considered within this report are as follows:

1. Do nothing – the Council accepts there are no issues of performance that need to be addressed.
2. Request that the Director for Place and Climate Change undertakes a Planning Service Improvement Plan.

Conclusions: It is recommended that Overview & Scrutiny Committee supports the production of a Planning Service Improvement Plan (PSIP) for referral to the O&S Committee meeting on 14<sup>th</sup> September 2022.

Recommendations: **The Overview and Scrutiny Committee are asked to consider the matters raised within this report and to support the production of a draft Planning Service Improvement Plan for subsequent review by Overview and Scrutiny Committee in September 2022.**

Reasons for Recommendations: To ensure that an appropriate plan is in place setting out expectations and solutions to identified planning performance issues and so that the objectives of the Council are achieved.

### LIST OF BACKGROUND PAPERS AS REQUIRED BY LAW

*(Papers relied on to write the report, which do not contain exempt information and which are not published elsewhere)*

None
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Cabinet Member(s) Cllr J Toye, Cabinet Portfolio holder for Planning	Ward(s) affected: All
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## 1. Introduction

- 1.1 During 2021, the Overview and Scrutiny Committee considered that the Planning Service should be subject to a performance review, following perceived concerns over the speed of decision making, communications between stakeholders and Members and difficulties in obtaining information in relation to planning obligations (S106 contributions). It has also been suggested that insufficient focus and/or cross-service priority has been attached to business related proposals.
- 1.2 Given the Council had committed to a senior management restructure, the decision was taken to defer such a review until such a time that a Director for Place and Climate Change had been appointed, and then provided with sufficient time to assess the situation and report back to Overview and Scrutiny Committee.
- 1.3 The recruitment for the new Director was successful and an appointment made in late summer of 2021. As such, the review process can begin and this report details the options available, an overview of the perceived areas of concern and makes appropriate recommendation.

## 2. Overview – Identification of performance issues

- 2.1 This report considers the identified planning performance issues and provides a clear plan of action in addressing these concerns.

### ***Speed of decision making***

- 2.2 The first identified issue related to concerns over the speed of decision making, specifically around the determination of planning applications over the past 12 months.
- 2.3 Undoubtedly a combination of factors can be attributed to any drops in perceived performance failings over the past 18-24 month. Factors include the Covid-19 pandemic, a number of long-term staff absences across key positions, the installation of a new computer software which necessitated a complete shutdown and transfer of data etc. for an extended period and general recruitment issues – all of which have had a significant effect on performance.
- 2.4 To date, the current year has also seen a significant increase in workload and the number of applications received. The total number of applications received and determined over recent years is as detailed below:

<b>Year</b>	<b>Applications received</b>	<b>Applications determined</b>
2018/19	3141	3052
2019/20	3051	3087
2020/21	2997	2823
2021/22 (to date)	2999	3031

*Table 1 – Application received/determined during financial years from 2018*

- 2.5 NNDC, similar to most other Councils, also had to rapidly adapt to new ways of working, which clearly contributed to a dip in speed of decision making and

presented new challenges in terms of communications. The pandemic did not significantly reduce the number of applications received but did increase the complexity as to how these would be managed.

- 2.6 Detailed performance updates are presented to the Council's Development Committee on a regular basis, so there is no intention to repeat that level of statistical information within this report. However, as an indicator of performance, the following information is relevant:

Type of Applications	% Of applications determined within statutory timescales (including agreed Extensions of Time)			
	Jan-Mar 21	Apr-Jun 21	Jul-Sep 21	Oct-Dec 21
Major	50%	75%	100%	100%
Non-Major	76%	56%	63%	80%

Table 2 – Speed of decision making between January 2021 – December 2021

- 2.7 As is evidenced in Table 2, speed of decision making was lower than required during the early part of last year, however, performance has improved significantly over the latter part of the year, and this upward trend is increasing into early 2022. There are many variables to assess when considering 'performance' but ultimately the Council is measured by its key performance indicators. In this regard, NNDC is now performing well and above statutory targets. While there will be always be incidences of delays in the completion of planning obligations (S106 agreements), ordinarily agreements are entered into to extend the statutory time for completion.

### ***Communication with stakeholders and Members***

- 2.8 Some concern has been raised over the timeliness of communications between officers and stakeholders. Examples provided include failure of officers in returning telephone calls to applicants/agents (and Members); delays in requesting revised information leading to delays in determination and a general lack of guidance being provided to applicants in addressing identified issues.
- 2.9 These examples are mainly anecdotal, but evidence does exist, through a number of complaints received in relation to this matter, to suggest that this is recognised as a service failing over the past 12-18 months.
- 2.10 In general, around 10% of all calls received by the Customer Services team relate to Planning matters. Of these, nearly 90% are answered within 1 ½ minutes, so customers are able to contact the Council to discuss planning enquiries.
- 2.11 In addition, it has been suggested that officers could have been more proactive in promoting pre-application exhibitions and consultation events by developers. In this regard it should be noted that the local planning authority is unable to insist on such developer actions and therefore no control exists to require pre-application exhibitions or consultation events to be undertaken, although the local planning authority would consider such methods to be good practice.

### ***Provision of Information***

- 2.12 A main concern reported has been the difficulties for stakeholders in obtaining information relating to planning obligations. This has been a longstanding issue due to the complexities and cross-service nature of this work. This matter is also an outstanding Audit recommendation requiring a resolution.
- 2.13 In this regard, the Council is in the process of implementing a new system and software package that will allow for an improved process with a more transparent management of planning obligations from the point of receipt, allocation and expenditure of monies received. It is anticipated that this new system will be in place later this year.

### ***Planning and Sustainable Growth interests***

- 2.14 Discussions have indicated that there is concern as to whether sufficient focus and/or cross-service priority is attached to job creating / business related proposals. The suggestion is that in balancing considerations, this aspect could have been given more weight in relation to some planning proposals.
- 2.15 This concern is recognised, and since the matter has been raised, the Council has brought together the Planning and Sustainable Growth teams under the single Director as part of the management restructure. Both Assistant Directors are working with the Director in aligning interests and are ensuring the appropriate sharing of information and expertise, so that commercial opportunities that benefit North Norfolk are realised.
- 2.16 Furthermore, active steps are being taken to address the number of outstanding applications with a renewed focus on improving determination times for such applications, notwithstanding the fact that major commercial proposals often present complex and competing issues that require proper scrutiny and assessment from statutory consultees and the public alike.
- 2.17 Finally, an office reorganisation is currently being actioned that will physically house both teams within a shared area, thus further reducing the potential for any silo working and to encourage dialogue, teamworking and cohesion between the different service areas.

### ***Conclusions***

- 2.18 In terms of addressing the matters detailed above, there are two main options available.
- 2.19 Option A – Do nothing. This option would be appropriate if the Committee considers the perception of poor service delivery is without merit. In this circumstance, no further specific action beyond day-to-day management would be necessary.
- 2.20 Option B – Undertake a Planning Service Improvement Plan to specifically address the issues identified above and in order to generally enhance service delivery. This would be carried out by the Director for Place and Climate Change, with assistance and input from the Assistant Director - Planning.
- 2.21 Given that performance and customer service should always aspire to be as efficient and effective as possible, and that any aspiration to be a top

performing local planning authority would need to see a noticeable change to performance, Option B is recommended.

### **3. Corporate Plan Objectives**

- 3.1 The Council's Corporate Plan contains six key themes, these being Local Homes for Local Need; Climate, Coast and the Environment; Boosting Business Sustainability and Growth; Financial Sustainability and Growth, Customer Focus and Quality of Life. The work of the Planning service relates to all six themes and therefore it is imperative that the service is performing to the best of its ability if all six themes and their objectives are to be realised.

### **4. Medium Term Financial Strategy**

- 4.1 There are no direct implications for the MTFs as a result of this report.

### **5. Financial and Resource Implications**

- 5.1 The delivery of service improvements is dependent on sufficient resources being in place. At this stage, there are no direct financial or resource implications.

### **6. Legal Implications**

- 6.1 There are no legal implications in relation to this report.

### **7. Risks**

- 7.1 Failure to deliver an effective Planning service can have significant customer impacts. The majority of the impacts will be positive, however, the increased focus on speed of decision may also result in complaints to the Council, for example from applicants if the Council is unwilling to continue to accept ongoing revisions to application details. This will impact directly on timescales and agents and consultees may complain since the Council is now adhering to clear timescales for responses to ensure that all customers are treated equitably. A balance will need to be struck to minimize this risk and its impacts.

### **8. Sustainability**

- 8.1 Sustainability is a fundamental to town and country planning. Where in the UK planning system is designed to enable the protection and enhancement of the natural and built environment. When operating as required, the planning service has the potential to contribute significantly towards achieving sustainability.

### **9. Climate / Carbon impact**

- 9.1 This report has no climate change or carbon impact implications.

### **10. Equality and Diversity**

10.1 There are no equality and diversity implications directly resulting from the recommendations or options considered in this report.

**11. Section 17 Crime and Disorder considerations**

11.1 This report raises no matters of concern in relation to crime and disorder.

**12. Recommendations**

12.1 In order to address any concerns and instigate best practice as part of normal service delivery, a Planning Service Improvement Plan is recommended. The proposed Plan will look to set out the necessary steps for a sustained and continued upward performance trend with a target of being within the top 25% of local planning authorities within the next 24 months. The Plan would also include measures to ensure S106 agreements are dealt with more expediently. Furthermore, the Plan will address the matter of communications by setting clear protocols (alongside the NNDC Customer Service Policy requirements) and expectations aimed at improving communications with stakeholders, customers, Members and internal colleagues. Moreover, the Plan can further improve mechanisms for ensuring business related proposals receive sufficient focus and directorate priority. When implemented, these factors will then lead to an enhanced customer experience for users of the planning service.

12.2 It is recommended that the Overview & Scrutiny Committee support the production of a draft Planning Service Improvement Plan for presentation back to Overview and Scrutiny Committee in September 2022, having first consulted with the Portfolio Holder for Planning on its content.