

<b>18 March 2024</b>		<b>ITEM: 10</b> <b>Decision 110721</b>
<b>Cabinet</b>		
<b>LGA Planning Advisory Service Peer Review – Action Plan</b>		
<b>Wards and communities affected:</b> All	<b>Key Decision:</b> No	
<b>Report of: Cllr Andrew Jefferies, Leader of the Council</b>		
<b>Accountable Director:</b> Claire Demmel, Exec Director of Place		
<b>This report is</b> Public		
<b>Date of notice given of exempt or confidential report:</b> N/A		
<b>Version:</b> Final		

## Executive Summary

In October and November 2023, the Local Government Association’s (LGA) Planning Advisory Service (PAS) undertook a Peer Review of the Council’s Planning Service. Their report on the review was published by the Council in January 2024.

PAS is an LGA programme funded primarily by a grant from the Department of Levelling Up, Housing and Communities (DLUHC). Its principal mission to ensure that local planning authorities (LPAs) are continuously improving in their execution and delivery of planning services.

The aims of the review were developed following initial conversations and correspondence with Thurrock Council as well as consideration of background documents. They were to:

- help the planning service respond to the changing organisational priorities within the Council and develop into a class leading offer that plays a leading role in delivering the Council’s growth ambitions;
- provide a comprehensive “health check” of core planning functions in terms of performance, capacity, and organisational arrangements, including an analysis of development management work over recent years; and
- look in detail at culture and behaviours in the service, working with both officers and elected members to see how these can be developed to address change, meet challenges, and empower officers in their work

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The review set out 11 recommendations for service improvement that are set out in the body of this report. The report asks cabinet to commit to implement each of the recommendations and to agree a draft action plan for their implementation.

## **Commissioner Comment:**

### **1. Recommendation(s)**

- 1.1 That Cabinet notes the recommendations from the LGA Planning Advisory Service Peer Review of the planning service; commits to implement them and delegates authority to the Executive Director of Place, in consultation with the Chief Finance Officer and Leader of the Council to take actions necessary to develop and assess options for implementation and to approve and implement the chosen options.**
- 1.2 That Cabinet approves the draft action plan for implementation of the recommendations in the LGA Planning Advisory Service Peer Review of the planning service, set out in Appendix 1 of this report, and asks that updates on the implementation are provided to Place Overview & Scrutiny and Cabinet quarterly.**

### **2. Introduction and Background**

- 2.1** In October and November 2023, the Local Government Association's (LGA) Planning Advisory Service (PAS) undertook a Peer Review of the Council's Planning Service. Their report on the review was published by the Council in January 2024.

PAS is an LGA programme funded primarily by a grant from the Department of Levelling Up, Housing and Communities (DLUHC). Its principal mission to ensure that local planning authorities (LPAs) are continuously improving in their execution and delivery of planning services.

- 2.2** Peer reviews, often referred to as peer challenges, are delivered by experienced elected councillors and officer peers. The make-up of the peer team reflected the focus of the peer review and peers were selected based on their relevant expertise.

The peers were:

- Paul Barnard, Service Director of Strategic Planning and Infrastructure, Plymouth City Council
- Councillor David Brackenbury, Executive Member for Growth and Regeneration, North Northants Council
- Councillor Mike McCusker, Lead Member for Planning, Transport and Sustainable Development, Salford City Council
- Artemis Christophi, Head of Planning and Transformation, Lichfield District Council
- Garreth Bruff, Peer Review Manager and Principal Consultant, LGA/PAS

- 2.3** The aims of the review were developed following initial conversations and correspondence with Thurrock Council as well as consideration of background documents. They were to:

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- help the planning service respond to the changing organisational priorities within the Council and develop into a class leading offer that plays a leading role in delivering the Council's growth ambitions;
- provide a comprehensive "health check" of core planning functions in terms of performance, capacity, and organisational arrangements, including an analysis of development management work over recent years; and
- look in detail at culture and behaviours in the service, working with both officers and elected members to see how these can be developed to address change, meet challenges and empower officers in their work

2.4 These aims and the issues they raised were examined by the Peer Team across five key themes, which are common to all peer reviews and form the structure for this feedback report. They are:

- **Vision and leadership** – how Thurrock Council and the planning service demonstrate leadership to integrate planning within corporate working to support delivery of corporate objectives.
- **Performance and management** – the effective use of skills and resources to achieve value for money, and the effectiveness of processes (and the roles of officers and members) in decision making on development proposals.
- **Community engagement** – how the planning service understands its community leadership role and community aspirations and uses planning to help deliver them.
- **Partnership engagement** – how the planning service works with partners to balance priorities and resources to deliver agreed priorities.
- **Achieving outcomes** – how well the service leverages national and local planning policy to deliver the sustainable development and planning outcomes its community requires.

2.5 At Thurrock's request, PAS also carried out a more detailed consideration of development management work in the planning service over recent years. This looked at issues like officer caseloads, speed of decision making, delegation rates, extensions of time, member decision making and overturns, etc as well as how these compare to similar authorities.

2.6 Peer reviews are improvement focused and it is important to stress that the review of Thurrock's planning service was not an inspection or inquiry. The process is not designed to provide an in-depth or technical assessment of all plans and proposals or to undertake a forensic analysis of every aspect of service. The peer team used their experience and knowledge of local government to reflect on the information presented to them by Thurrock as well as by people they met and the things they saw, reviewing this through a strategic lens to focus on the most important issues for the planning service.

2.7 The peer team prepared by reviewing a range of documents and information to ensure they were familiar with the planning service and the challenges it is facing. The team then carried

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out the core of the review onsite over 3.5 days in late October/early November. As well as in-person meetings, some meetings were held virtually during and after the onsite review to reach as many people as possible. In total, the team gathered information and views from over 100 people. All the information collected was on a non-attributable basis to inform their report and recommendations.

2.8 The key recommendations from the review are: -

**R1 Urgently develop a new Vision for Thurrock and a new Corporate Plan with clear strategic priorities to address the silo working by all departments and achieve the stated aim of One Council: One Voice.** The development of a Vision and corporate plan need to be actively supported by the planning service and should form the basis of an engagement programme to embed this into future departmental business planning.

**R2 Urgently develop and agree a stronger corporate narrative, with the planning service helping to shape a strong communications strategy around:**

- the necessity and benefits of growth,
- the role of planning and pivotal role of the Local Plan in shaping this, and
- securing balanced communities for the longer-term future of all citizens.

**R3 Urgently progress the Local Plan by continuing to ensure sufficient resources are allocated to taking it through to adoption.** This should include:

- stronger internal processes - to secure cross-party ownership in order to deliver the huge opportunity for growth in Thurrock (including a plan development cross party working group led by senior members)
- political leadership and guidance - to ensure the Local Plan addresses the growth ambitions and creates the political environment necessary to ensure the Local Plan is agreed and delivered by the Council.
- managerial leadership and stronger project management – with a clearer focus on the steps needed to produce the plan in line with the current timetable, re-assuring all partners of a realistic programme and proportionate evidence base. Further PAS support is offered on this.

**R4 Ensure the new Local Plan is promoted corporately and politically as the primary tool to drive housing and regeneration delivery in Thurrock.** Political leaders from all parties should ensure that all members understand that the Local Plan is the delivery tool for future growth in Thurrock.

**R5 Urgently recruit to the Chief Planning Officer post on a permanent basis with a view to that postholder implementing a restructure of the Planning Service.** This should focus on:

- Putting the business support staff that currently sit in the Public Realm Directorate under the Chief Planning Officer.
- The appointment of an Infrastructure Planning Officer to oversee the management, monitoring and collection of Section 106 funding and address recommendations of the PAS review in 2021 (potential for funding through a levy on S106 contributions).

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- Embedding a development team approach to progress and deliver large strategically important major developments.
- The creation of a Planning Delivery Team (with the potential for external funding) to accelerate planning proposals in the Freeport.
- Developing a recruitment and retention strategy including career graded posts and pathways for development from planning apprentices upwards.
- Formalising a proper staff appraisal process and ensuring every officer has a performance and development plan

#### **R6 Produce a detailed action plan to improve the operation of Development Services.**

This should include:

- The creation of a housing trajectory and delivery action plan immediately to address the lack of a 5-year land supply and failing Housing Delivery Test. This must be embedded in the Local Plan to provide further certainty and should be a Key Performance Indicator monitored by the Senior Leadership Team.
- The preparation of a Development Management Manual to provide clear guidance to officers and consistency of approach in dealing with applications.
- Address the backlog of planning applications and enforcement.
- Embed a performance management culture within the Planning Department including lessons from benchmarking and good practice case studies.

#### **R7 Alongside modernising and improving the service, a full resource review is needed.**

There are resource deficiencies in some parts of the service, but existing staff need to be used more effectively to avoid bringing in new resources to an inefficient system. Some areas of need are more obvious than others:

- The lack of seniors, the “middle layer” of the DM team is very thin and needs to be addressed.
- The lack of a dedicated delivery team for supporting strategically important schemes
- Enforcement, if the Council agree this is a priority, an authority the size of Thurrock would need a larger team including one Principal/Team Leader.

#### **R8 Improve the efficiency and effectiveness of the Planning Committee.** This should:

- Refresh the constitution in line with the best practice available (e.g. see PAS website) and ensure this is adhered to in decision making.
- Review the decision-making process in relation to Member decisions to overturn officer recommendations, reducing deferrals and the number of times schemes return to Committee.
- Create a Member and officer training programme to ensure the Committee has a strategic focus – including a review of the length of reports and presentations, behaviours, and skills.
- Prepare a clearer briefing and introduction from the Committee Chair, setting out the constitutional role and “rules” which members should respect in the form of a script.
- Political leaders from all parties should ensure that Members with the appropriate skills and behaviours are appointed to the Committee and commit to future training.
- Ensure Senior officers are present at each and every Committee meeting, including senior legal representation.

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**R9 Agree and communicate a set of cultural behaviours across the Council that seek to build trust and confidence among officers and Members and partners.** With support from the LGA and PAS these should provide a collective agreement of how the behaviours will translate into actions.

**R10 Work with officers and Members to co-design a targeted and structured planning training programme for elected members.** With RTPI/PAS advice, this should provide members with of the planning committee with a clearer understanding of the planning balance and the skills and confidence they need as well as upskill local ward members on their own role in the planning process.

**R11 Support all of the organisational changes above by streamlining the planning function to meet the challenges of customer focus and responsiveness to local needs.** This means a faster pace of decision making, especially on discharge of conditions and reserved matters, greater utilisation of IT, agile working combined with regular “team days” together in the office as well as an ability for applicants to contact case officers.

- 2.9 Some actions identified in the recommendations were already in hand or have been actioned since.
- 2.10 An Extraordinary meeting of Council on 6<sup>th</sup> December approved consultation on Local Plan – Initial Proposals (Regulation 18) and Stantec have been appointed to undertake a full review of the resourcing and delivery of the Local Plan.
- 2.11 A permanent Chief Planning Officer has been appointed and is expected to start later in the spring.
- 2.12 Additional training has been organised and held for Planning Committee members and senior officers and legal representation are present in the room at committee meetings.
- 2.13 A draft implementation plan is attached and will be developed further once the Chief Planning Officer is in post.

### **3. Issues, Options and Analysis of Options**

- 3.1 The Leader of the Council and the Chief Executive have previously committed to implement the recommendations.
- 3.2 The draft action plan sets out how we intend to develop detailed options for implementation.
- 3.3 It is likely that implementation of some of the recommendations will have financial and legal implications and any restructuring will have staffing implications. These will be fully assessed to inform any decisions taken under the delegations sought in the recommendations.

### **4. Reasons for Recommendation**

- 4.1 The Leader of the Council has previously committed to implement all recommendations and to share an action plan and regular updates on the implementation with all members.

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4.2 Development of detailed options for implementation will require further work and input from the new Chief Planning Officer. Delegating decisions regarding the

**5. Consultation (including Overview and Scrutiny, if applicable)**

5.1 The PAS peer review report has been published on the Council's website.

**6. Impact on corporate policies, priorities, performance, and community impact**

6.1 There are no implications arising from this report.

**7. Implications**

**7.1 Financial**

Implications verified by: **Laura Last**  
**Finance Manager**

**29 February 2024**

The implementation of some of these recommendations will have financial implications. These will be fully assessed and detailed finance implications will be included in the future decision reports.

**7.2 Legal**

Implications verified by: **Jayne Middleton-Albooye**  
**Interim Head of Legal Services**

**8 March 2024**

Any restructuring as a result of implementation of the recommendations will have staffing implications, and legal advice will be given as required. Some recommendations may require additional governance processes to be followed before final approvals, for example any changes to the Constitution

**7.3 Diversity and Equality**

Implications verified by: **Rebecca Lee**  
**Team Manager – Community Development & Equalities**

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Where applicable, Community Equality Impact Assessments will be produced for all options to inform any decisions taken under the delegations sought in the recommendations.

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#### 7.4 **Risks**

A risk assessment will inform any decisions taken under the delegations sought in the recommendations.

#### 7.5 **Other implications** (where significant) – i.e. Staff, Health Inequalities, Sustainability, Crime and Disorder, or Impact on Looked After Children

It is likely that implementation of some of the options will have staffing implications. These will be fully assessed to inform any decisions taken under the delegations sought in the recommendations.

#### 8. **Background papers used in preparing the report** (including their location on the Council's website or identification whether any are exempt or protected by copyright):

- N/A

#### 9. **Appendices to the report**

- Draft Implementation Action Plan

#### **Report Author:**

Mark Bradbury

Director of Place

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