

Agenda Item 9

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Ward (s) affected		Key Decision	No
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Subject	Planning Peer Review
<p>RECOMMENDATIONS</p> <p>It is recommended that:</p> <ol style="list-style-type: none"> 1. Members note the contents of the LGA Planning Peer Report; and 2. An Executive – led focused working group, comprising of 2 Conservative, 2 Liberal Democrat and 1 Independent member, including the Portfolio Holder for Planning and the Chairman of the Development Control Committee is established in order to consider the recommendations of the LGA Planning Peer Review and to develop and progress an action plan; and, 3. The Working Group reports back to the Executive with recommendations and that any recommendations which require the approval of the Council be reported to an appropriate Council meeting; and 4. Group Leaders advise the Corporate Head of Service (Democratic Services) of their nominations to the Working Group 	

<p>EXECUTIVE SUMMARY</p> <ul style="list-style-type: none"> • A Peer Review of the planning service was carried out by the Local Government Association in June this year. • Their report is a positive endorsement of the way the service runs and compliments many aspects of the service. It also makes a number of recommendations which are attached • The recommendations have not identified any explicit deficiencies in the way the service operates but instead indicate ways that the Council can continue to improve its already high levels of service. • The Council will need to agree whether to accept all or some of the recommendations and to work through the details and options behind each one, some of which could be resource intensive • To take the project forward and to ensure member support, it is proposed that an Executive led working group is established to develop and deliver an action plan

*** CORPORATE PRIORITIES**

Access to Services – Helping residents to access the services they need

Improve the way we engage with our Customers and listen to our communities

– one of the recommendations relates to how the service engages with residents

Environment - Maintaining the character and environment of Mole Valley

Enable growth in the District to support businesses and the local economy and facilitate appropriate housing development – the peer review is particularly relevant to how the Council support the local economy and development in the district. It make a number of recommendations on how we might do this

Value for Money - Delivering quality, value for money services

Continue to provide quality services to our residents, by creating additional income through making better use of **property assets** – the review refers to the need for the Council to create a narrative for the use of its assets

Invest in our staff and councillors to ensure that they are able to work effectively, make good decisions and develop the culture and capacity for innovation – the report refers to investment in training for Councillors

Where appropriate, **review the way in which we provide our services** to ensure that they are focused on what matters and delivering against our priorities. In doing this we will seek to develop a culture of innovation across the Council – the peer review is an example of such a review.

The Executive has the authority to determine the Recommendations

1.0 BACKGROUND/INTRODUCTION

1. Attached as Appendix A is the final report from the LGA on the Planning Peer Challenge (Peer Review).
2. The Peer Review took place on the 4th to 6th June 2013. The scope of the review is shown under section one of the report and this scope was agreed with group leaders. Although there were some small costs associated with the review, it is essentially a free service that the Council benefits from through its membership of the LGA. The time that is put in by experienced officers and Councillors who carry out the review is given voluntarily.
3. A great deal of preparation took place in advance of the review with a document prepared giving background information to the review team, as well as discussing some of the issues. It is important to appreciate that this is a learning exercise and as such the information provided to the reviewers is open and factual – any attempt to present a more favourable position than is the case would detract from the objectives of the review. This approach was made clear in the document provided and when briefing those people who the peer reviewers came to see.

4. As well as this information being provided to them (and the LGA also provide the team with background information on the Council and its services), officers pulled together a detailed schedule for the review team to meet with a range of people, including staff at all levels in the organisation, Residents Associations, and Parish Councils, Developers and Agents, and Councillors. Whilst members of the public were not directly involved simply due to the practicalities of how to do this, the reviewers had access to the service's complaints and compliments folders.
5. The report is a positive endorsement of the way the service runs and complimented many aspects of the service:

“The council’s planning service is performing well. It has strong performance on the determination of planning applications with a high proportion of these delegated to officers. It was in the vanguard of local government in achieving early adoption of its core strategy (2009). It has shown a commitment to work with applicants, developers and architects through pre-application advice to support development; to incorporate good design principles; and to support local businesses to remain in the district. There has been good delivery of housing, including affordable housing. It has shown good work in preserving local heritage and the environment while seeking to manage sustainable development to meet the needs of the community of Mole Valley.”
6. There are a number of recommendations that have been proposed to take forward some of the areas for consideration that the review identified. They are high level rather than specific and the detail of the recommendations, if they are accepted by the Council, will need to be worked up. In some cases this will involve officers and members across the Council. In some cases the recommendation will be delivered by work that was already planned but it will be necessary to ensure this outcome is not lost. The recommendations have not identified any explicit deficiencies in the way the service operates but instead indicate ways that the Council can continue to improve its already high levels of service.
7. In order to progress the work, it is recommended that an Executive led working group is established.

Financial Implications

There are some small scale financial implications such as possible additional member training, the cost of paperless working and possible savings from the process, development of the statement of community involvement etc. These can be accommodated within normal budgets.

Legal Implications

There are no legal implications arising directly from this report

2.0 OPTIONS

The Executive has a number of options: The Executive could:

1. note the report from the LGA and take no further action
2. note the report from the LGA and progress its recommendations through a working group

3.0 CORPORATE IMPLICATIONS

Monitoring Officer commentary

I confirm that all relevant legal implications have been taken into account

S151 Officer commentary

The s151 Officer confirms that the financial implications are minor at this stage and can be accommodated within existing budgets.

Risk Implications – There is risk associated with the Planning processes, both from a reputational perspective as well as the risk of decisions being challenged. The review will not eliminate these risks but should help to improve the way the unit work thereby reducing slightly the likelihood of the risk.

Equalities Implications – There are no equalities implications that arise from this report.

Employment Issues – There are no employment issues that arise from this report.

Sustainability Issues - There are no sustainability issues that arise from this report.

Consultation – During the course of the review consultation was undertaken with a wide range of users and partners of the service. As the work develops to implement the action plan further consultation on proposed measures will be required before implementation.

Communications – The review is to be made public and will be published on the LGA website as well as our own. It is already on the internal website. Will support with proactive media release, to accompany the report becoming public.

Appendix One – the LGA peer review Report



Planning Peer Challenge

Mole Valley District Council

4 – 6 June 2013

Report



1. Background and scope of the peer challenge

This report is a summary of the findings of a planning 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 oriented and are tailored to meet individual councils' needs. Indeed they are designed to complement and add value to a council's own performance and improvement focus.

The council wanted the challenge team to consider and comment upon:

- Is the council providing the relevant leadership (through officers and Members) to tackle the planning issues and challenges the council faces?
- Is planning policy as clear as it needs to be to support effective development management and Planning Committee decision-making? Is planning policy permitting different interpretations – for officers and Members - that give rise to confusion and conflict? Is the future policy direction the right one for the future needs of the district? Do officers and Members have trust and confidence in these arrangements?
- How is the council preparing for the requirements of the Localism Act, for example on neighbourhood planning, the community right to build, CIL etc. Does national policy, for example the National Planning Policy Framework (NPPF) and Localism, lead Members to interpret local policy in a different way that causes difficulty?
- How do applicants and developers view the transparency of the decision-making process at Planning Committee? How is it viewed by officers and Members? How is this viewed by town/parish councils and residents' groups? How effective is the level of engagement with the latter?
- What is the cost to the authority when decision-making goes wrong? What is the time cost for legal advice, appeal costs, senior officer time etc.?
- How do members, particularly of the Planning Committee, regard the level of planning advice and training they receive? Is this sufficient for their requirements?
- Does the council provide a good service to users? With the move away from time-bound performance measures how do users perceive the quality of the service provided? Is the council doing enough to accommodate increasingly sophisticated public involvement in specific applications and planning policies
- How effectively is the council making use of developer contributions?

These specific areas for examination are picked up under the themes and focus used for a planning peer challenge:

- Clarity and locally distinctive vision and leadership for the planning service
- Community leadership and engaging with the community
- Management and service delivery
- Partnership working both internally and externally

- Achieving outcomes

In a briefing for the peer challenge the council stated that:

“The overall aim of the exercise is to improve Members’ confidence in the planning service as well as the public perception of the planning process, recognising the constraints of the service, and the context in which it operates.”

Peers were:

- Giorgio Framaliccio, Head of Housing and Planning - Wychavon District Council
- Councillor Andrew Proctor, Leader of the Council - Broadland District Council (Conservative Member peer)
- Councillor Theresa Higgins, Chair of Planning Committee - Colchester Borough Council and Essex County Council (Liberal Democrat Member peer)
- Adam Dodgshon, Principal Consultant, Planning Advisory Service
- Gill Elliott, Advisor, LGA
- Andrew Winfield, Peer Challenge Manager, LGA.

The LGA and PAS make a significant investment in planning peer challenge delivery and are keen to ensure councils follow this up with an improvement programme. After the planning peer challenge report is finalised the following support is available to the council:

- A LGA and PAS no cost Improvement Planning day structured to meet the council’s requirements and involving members of the peer challenge team.
- A range of additional planning support – much of this at no cost – is available from PAS <http://www.pas.gov.uk/pas/core/page.do?pageld=1>
- Follow-up advice through Mona Sehgal, Principal Adviser, LGA on further support that the planning service and the council might require
- A range of other support from the LGA – some of this might be at no cost, some might be subsidised and some might be fully charged <http://www.local.gov.uk/>

The LGA may ask to meet with the council 6-12 months after the peer challenge to make an assessment of: the peer challenge recommendations; how the council acted on these; and what beneficial impact came from this.

The team appreciated the welcome and hospitality provided by Mole Valley District Council and the candour and openness in which discussions were held. The team would like to thank everybody that they met during the process for their time and contribution.

2. Executive summary and recommendations

An important feature of Mole Valley is its close proximity to the economic generators of London to the North, Gatwick Airport on the southern border and the Leatherhead interchange on the M25 motorway. Mole Valley is an area of high economic resilience and low unemployment, high housing prices, limited land availability for expansion, and with a high demand for development that needs to be managed.

A key issue for the council is to protect the environmental characteristics of the District as a valuable and irreplaceable resource, (76 per cent of the area is in the green belt, and 36 per cent is designated as an area of outstanding natural beauty). This means that the council has a duty of custodianship of the environment and this came through strongly during the peer challenge from meeting both Members and officers. At the same time the council is striving to respond to sustainable development needs and take account of the growth needs of the community. This causes clear pressures.

This issue is heightened by a council with no overall political control, currently an Independent/Conservative coalition. Political administrations of no overall control have been a common feature of the council's recent past; which has made it difficult for any administration to plan for the longer-term.

In addition to the challenges posed by the above, the district has a resident population with higher than national average levels for educational attainment and occupational classifications that are able to articulate persuasively why growth should not take place in their areas.

This combination has led to the council in the past appearing reluctant to make difficult decisions. This is recognised by the council's management team and current administration as an issue that needs to be addressed.

The council's priorities are: access to services; maintaining the character of the environment and value for money. The planning service has a direct input into all three but is most closely associated with the environment which includes the custodian role, referred to above, along with the commitment to "enable growth in the District to support businesses and the local economy and facilitate appropriate housing development."

The council's planning service is performing well. It has strong performance on the determination of planning applications with a high proportion of these delegated to officers. It was in the vanguard of local government in achieving early adoption of its core strategy (2009). It has shown a commitment to work with applicants, developers and architects through pre-application advice to support development; to incorporate good design principles; and to support local businesses to remain in the district. There has been good delivery of housing, including affordable housing. It has shown good work in preserving local heritage and the environment while seeking to manage sustainable development to meet the needs of the community of Mole Valley.

A key piece of work for the council at the moment is the green belt review which will seek to identify green belt land that can contribute to meeting the area's future development

needs. The last review, albeit a minor review, was conducted in 1983-1984 so this is a good opportunity to assess land that might be identified to meet the requirements of:

- Future housing and affordable housing need (to include the provision of sufficient land to meet an on-going 5 year supply of housing land)
- Economic growth for Mole Valley.

These are council priorities and will be well served by review leading to the development of a Land allocations plan.

In addition the council is considering how to address a revenue budget financial gap from 2014-2015, rising cumulatively year by year. The council is investigating a range of options that will meet this gap but is clear that many of these have been already utilised on making the budget reductions of circa 30 per cent over the last three years. One important option is the council's use of assets to support local economic growth, to contribute to meeting housing need, to raise revenue receipts to bridge the financial gap and to support improved council services to Mole Valley residents. Using appropriately located council assets, to meet the objectively assessed needs of the district, will be a consideration in the review of the green belt and subsequent Land allocations plan.

To support the planning service at Mole Valley District Council to improve further, the peer challenge team has made the following recommendations. These are:

- R1: Clarify the weight that should be given to the corporate priorities of local economic growth and housing development, and establish an appropriate strategy for economic support
- R2: Develop a clear narrative that sets out the financial issues to be faced and how the use of assets, and other options, might not only address these but also provide the council with an important set of future opportunities
- R3: Develop a brief for the Employment Land Review to consider future economy options such as:
 - the economy stays as it is;
 - there is a moderate economic demand for growth;
 - there is a high economic demand for growth.

This will allow more flexibility to progress growth based on circumstances prevailing at different times during the plan period and to be able to feed into the Land Allocations process.

- R4: The council is moving into an important period of activity in taking forward the green belt review and the land allocations plan, to assist in the delivery of the current core strategy and a future review of it. This needs to incorporate other related elements, for example an Asset Management Plan/Strategy, a Local Growth Strategy, an Employment Land Review and a Housing Strategy, amongst others. This will need project planning to an overall timetable.

- R5: Continue work to gain cross-group consensus on the major issues to ensure continuity and to avoid the council being set back on key economic and community priorities with any future change of administration.
- R6: The Local Plan Working Group (LPWG) is a key vehicle for the council to progress the green belt review, the land allocations plan and the review of the core strategy. Its effectiveness would be improved by:
- providing clear terms of reference for its activity and outcomes;
 - the portfolio holder taking a leading role on the group;
 - all members being able to contribute in a co-ordinated manner;
 - and ensuring that progress is closely monitored by the Executive.
- R7: Review the Statement of Community Involvement (SCI) and link this to an enhanced Member role to promote community leadership by working with residents and partners on the green belt review and other corporate priorities and by giving Members greater engagement and involvement on pre-application submissions.
- R8: Further develop paperless working in the planning service and the use of electronic case files
- R9: Support the continuation of a shift of the Development Control service, from a purely regulatory outlook, to Development Management where the approach is more enabling to operate within a defined policy framework
- R10: Move from solely time-bound performance indicators measuring the determination times for major, minor and other applications to a more qualitative set of indicators. This would strengthen the performance management framework and provide service managers and Members with a more complete set of service output and outcome measures.
- R11: Review the size and membership of the Development Control Committee
- R12: Introduce formal Development Control Committee site visits accompanied by planning officers
- R13: Review the practices by which applications are referred to the Development Control Committee with a view to more of these being delegated to officers so that the committee can focus on larger and more significant/controversial applications
- R14: Provide the Member training and development programme with more structure and extend it to the wider membership. This should cover the LPWG, the planning training needs for the portfolio holder and the Executive so that the wider membership can gain a greater understanding of planning.
- R15: Review existing joint-working arrangements to ensure they are 'fit for purpose' in working towards satisfying the Duty to Cooperate, and ensuring a sound plan at examination. This work should include reviewing not just membership of groups, but the outcomes from these, and reporting/communication/administration arrangements.

3. Detailed findings

3.1 Vision and Leadership

Strengths

The joint administration is moving the council forward and recognises the importance of building a consensus to tackle some of the difficult decisions that the council faces and to plan for the longer-term. .

Certainly some difficult planning decisions are being made, notably the green belt review, the land allocations plan and the core strategy review. The green belt review is driven by the imperative that the council has a commitment to provide sufficient housing to meet needs as set out in its core strategy and now does not have a five year housing land supply. This places the council at risk of speculative development where, given the implications of the National Planning Policy Framework (NPPF), the council is not able to effectively control the type or location of development. These are extremely sensitive issues that the council is responding to and this demonstrates clear leadership. The council's priorities are clearly laid out and have recently been reset for 2013 – 2014. However, what will also be important is that the council shifts resources to changing priorities. This has started already with the adjustments made in property services but will need to be under review for other changes that occur.

Senior officers and Members understand how planning has a direct involvement and relevance for all three council priorities. Not surprisingly, the environment is one of these with 76 per cent of the district area in green belt. This is an important issue for residents and for elected Members. The peer challenge team understood that for many Members there was a feeling they had a protectionist and custodian role to look after the environment.

What is also clear is that sustainable development to meet the economic growth and housing needs of residents, now and in the future, is an important role for planning and property services but one that can be difficult when it can be seen to be set against the protectionist role of the environment. "Mole Valley traditionally has been an area of high market demand and subject to intense pressure for development."

The council's managerial leadership is providing clear council direction and this is aligned to a priority on communication that is setting out clearly why the council's priorities are as they are and what this may mean for the future. Staff told the peer challenge team that they felt the Chief Executive and management team provide clear lines of communication to them on council priorities and working plans for the future. This was felt to be a refreshingly open style that was valued.

What is also clear and important is that the management team is investing time to support the Executive and other political groups on the council to provide them with a complete understanding of issues and instil confidence that officers and Members are working together on these.

This is building on what are generally positive officer and Member working relations. This is important as it is a key relationship that needs to be based on dialogue and trust. The Chief Executive is encouraging senior managers to work closely with Members. For example, managers are encouraged to provide briefing papers for their portfolio holders to ensure that they have all the information needed on current issues.

Areas for consideration

One issue that will be important to clarify is how the priority for housing growth sits alongside other forms of growth, for example the creation of jobs. From a number of internal interviews this was not clear and there were also different views on what the priority should be. Certainly, until recently, it is acknowledged that the council priority was housing, but the council also has a priority to support economic growth and there are other factors such as the debate over Gatwick Airport which will challenge this priority.

The reason for this lack of clarity appears to go back to the core strategy. The evidence base includes an Employment Land Review (2008) which indicates that there is sufficient employment land for economic development (B1-B8) for the short- and medium-term to 2026. The current economy is comparatively buoyant with an unemployment rate of only 1.4 per cent. On the face of it this appears to confirm that housing is more of a priority.

However, the core strategy sets out a new housing requirement of 3,760 units from 2006-2026. During the period 2006-2009 1,017 new homes were completed so a significant quantity of the housing target has been built in the early part of the plan period. Housing is also important for the council to access New Homes Bonus which is valued at £754k for the current financial year.

The Employment Land Review is to be brought up to date. This will enable an important corporate priority to be linked to a review that sets out the need for land to support economic growth. (Paragraph 158 of the NPPF states that “Local planning authorities should ensure that their assessment of and strategies for housing, employment and other uses are integrated.”) It might be useful for the brief for the Employment Land Review to include the consideration of a range of options such as: the economy stays as it is; there is a moderate economic demand for growth; there is a high economic demand for growth. This would allow more flexibility to progress growth based on circumstances prevailing at different times during the plan period. The view of the peer challenge team is that economic growth and housing are both important and that it is not possible to have one without the other. To clarify this within the council will be important as currently there is uncertainty and some differences of view that could be damaging.

The council was in the local government vanguard when its core strategy was adopted in 2009. Much of the evidence base to support this was produced some time earlier and it is certainly the case the national economy has changed greatly in that time with the subsequent credit crunch and public spending cuts. For this reason the council’s intention to review its core strategy/Local Plan is a sound one as the current strategy arguably needs to catch up with a new set of development priorities.

As part of this review the council recognises the need to develop a strategy for growing the local economy and has it in mind to do this while the review is taking place so that these key spatial and economic strategies can be aligned.

The council's housing strategy (East Surrey Housing Strategy 2009-2013) and Housing Needs Study (2007) need to be updated and this might be beneficially conducted during the forthcoming period of green belt review and production of the land allocations plan. This could include specific issues for the council, for example supporting the needs of an ageing population (22 per cent of households are pensioner, the highest in Surrey and higher than the national average of 16 per cent), work required to update sheltered housing stock and work with Surrey County Council on future extra care housing provision. It could also reinforce the current priority on affordable housing. This work would also need to be aware of what neighbouring authorities might be planning to review their housing needs.

The council is embarking on an important period of activity in taking forward the green belt review and the land allocations plan, leading to a new Local Plan. This needs to incorporate other related elements, for example an Asset Management Plan/Strategy, a Local Growth Strategy, an Employment Land Review and a Housing Strategy, amongst others. This will need project planning so that resources are applied to deliver this important policy framework, within a clearly laid out timetable and with allocated officer and Member leads.

There is unquestionably a serious financial gap for the council to address from 2014-2015 onwards, estimated at £359k in 2014-2015 rising cumulatively per annum to circa £1.2m by 2017-2018. This could be even higher with the Comprehensive Spending Review scheduled for June 2013 to impact on 2015-2016. This financial gap represents a large proportion of the council budget which, for the current financial year, is £9.67m.

Despite the council successfully making savings in recent years (£4m+ from 2011-2012 to 2013-14) there can be no guarantee that the further savings required can be made by efficiencies alone. The council is aware that it needs to consider a range of possible options. One being actively developed is the council's use of its assets. However, the peer challenge team found within the council some misunderstanding and some scepticism on why this was necessary. This is due, in large part, to the council not describing what the short- and medium-term financial pressures are and how the use of assets can:

- Offset the looming financial gap
- Represent effective use of public money to maintain services
- May be used to enhance the council's offer on public services
- Support local economic growth and housing, both of which are council priorities.

This internal misunderstanding needs to be clarified by developing a council narrative that sets out the financial issues and how the use of assets, and other options, might not only address this but also provide the council with an important set of future opportunities.

For example, the council is openly developing options around the council's civic offices, with potentially using part of the current site to address housing need, while realising a capital receipt to support council finances to bridge the imminent financial gap.

The council is rightly aware that a programme to use its own assets could be criticised as compromising the environment, along with the council being the land owner and determining its own application for development. This does need to be managed carefully to ensure that the use of assets coincides with the planning policy framework, that there are absolute walls of separation from a decision of the Executive and the determination of the application by the Development Control Committee. Most importantly there is a need for the clear narrative, mentioned above, that provides a distinct rationale for this course of action and why such use of assets is in the public interest.

Some of the planning related priorities, for example local economic growth and housing will require longer-term delivery. To ensure council continuity it will be important to continue to work to gain cross-group consensus so that a future change of administration avoids the council being set back on key community priorities.

The Local Plan Working Group (LPWG) will be a key vehicle for the council to progress the green belt review, the land allocations plan and the review of the core strategy. However, the work of the peer challenge team found that its role was not clear and its leadership and effectiveness could be improved. Ways of doing this include giving the group a clear brief to work to, the portfolio holder taking a leading role on the group, allowing all members to contribute in a co-ordinated manner and ensuring that progress is closely monitored by the Executive. The work of the group could be linked to community engagement so that the sensitive considerations of future sustainable development can involve local communities more.

3.2 Community leadership and engagement

Strengths

The council's website was highly regarded by all external partners that the team met. One described it as an "exemplar" and another that information was kept up to date that enabled applicants to be aware of an application's progress. The webcasting of the DC Committee was also valued as it saved travelling for those who might otherwise want to attend the committee.

Neighbourhood planning is progressing well and the council is fully behind these plans. The council is working well with local communities and clearly recognises the importance of supporting these initiatives so that they can be successful. This is particularly so that the outcomes of this work can fit alongside the broader council-wide review of the green belt and to ensure that there is sufficient land, in the right places, to meet future housing requirements. Planning staff were described as being exceptionally supportive.

The work with the Bookham Residents' Association led to a successful joint application to become a second wave front runner pilot and is now empowering residents to carry out their own green belt review, demonstrating community empowerment as intended by Localism. Three other Neighbourhood Plans are up and running at Ockley, Westcott and Ashted. The work of the council in this area constitutes notable practice and the LGA and PAS propose to arrange for this to be written up as a case study to share with the sector.

The council is making a full and resource intensive commitment to engaging with communities on the green belt review and land allocations plan by meeting on a community by community basis. This is involving parish councils, residents and interest groups and involves input from Members and Surrey County Council.

The commitment to customer support is strong with many applicants, residents, partners, developers, architects, agents etc. telling the team of their good working relations with the service. As part of this the duty officer provision and planning information service is valued. The impression left with the team was that the service being provided to customers was good and valued.

The Customer Service Unit (CSU), which was established four years ago, is helping to deliver a high quality front-line service, and has helped to gain efficiencies to mitigate other cost and service reductions elsewhere. It has helped to remove some day-to-day enquiries from the planning teams, leaving the more complicated matters to be dealt with by planners or the planning support team. Where regular users of the service have needed to contact the planning team direct, rather than going through the CSU, direct dial numbers have been given out.

Areas for consideration

Despite the above the team believes that there is scope to enhance the Member role to promote stronger community leadership, particularly to cultivate and support the interface with parish councils and resident groups. This is an important development area to empower non-executive Members to achieve a productive and fulfilling role, other than by just being a member of a council committee. This could be linked to a review of the composition of the DC Committee which is discussed later.

Pre-application advice is provided by the council and this is valued by applicants, agents and developers. However, there is currently very limited Member involvement in the pre-application stage and it is an area that could be developed, in particular in line with comments above on enhancing Members' community leadership role. For example, Enfield Council makes use of Planning Panels to provide an early discussion with residents and Members on applications that may be controversial leading to agreed changes for the formal application. This has led to improved development, for example better design elements; site layout changes to accommodate off-street parking, enhancement of green space etc. The demonstrable benefits are greater community involvement and an improved form of development on controversial applications.

On occasion greater use could be made of the CSU by those people, including Members, who bypass the service unit. Also, although there are regular meetings between Planning and the CSU a review of these working arrangements, now over four years old, would be beneficial.

3.3 Management, service delivery and service to users

Strengths

The basic programme, phasing and timeframe for the green belt review and land allocations plan has been developed by the LPWG. However, the timetable had not been shared widely, which will be rectified when this is presented to Cabinet on 25 June and Members and officers will be clear on to key milestones.

From the review work on site it appeared that teams within planning work well together and it was evident from talking to partner organisations, residents and applicants that Policy and Development Control officers are highly regarded for the service they provide and their efforts to make the customer experience positive.

The council's performance on appeals has improved recently. The area of appeals was one that the peer challenge team was asked to give attention to. However, the number of Member overturns of officer recommendations is unexceptional when compared to other planning authorities. This is not to propose complacency as there should always be attention to the number of appeals, the costs to the organisation of successful appeals and the resource cost of defending appeals. Similarly planning services should reflect on appeal decisions, as the Development Control Committee does, to ensure that the service and the council can derive learning for future benefit.

The planning service has been engaged in a number of initiatives to improve working processes, practices and systems so that efficiency gains can be obtained and assist in defraying the impact of council and service funding cuts. Examples of this include Rapid Improvement Events and the restructure to create the Customer Service Unit to deal with all front-end customer enquiries.

Areas for consideration

The Development Control Committee is large with 19 of the council's 41 Members sitting on it. In addition there are 12 substitutes which means that up to 75 per cent of the council's membership could sit on the committee. The external perception includes an over-large decision making body with some high level ward representation (for example 3 Members from the same ward sit on the committee). It can be argued that a larger committee provides more comprehensive ward Member involvement on planning matters but the perception can be that this is more about parochial ward interests overly influencing decisions that should be determined on planning grounds and the sustainable development needs of the district.

Many other planning committees have a smaller composition (11-15) which assists quicker decision making. If the council were to move to a smaller committee then an issue would be what role would be assumed by the non-executive Members who are no longer involved in decision making. The strategic move could be to develop more fully the Scrutiny function and the LPWG role and, in particular, to develop the community leadership role described above. The sensitivity of planning and sustainable development for Mole Valley means that there is a critically important interface to be developed with parish councils, residents' associations and residents to link to the work of the council.

Much of this work is taking place now with the green belt review but the role of elected Members in this will be essential and on-going.

Members of the DC Committee told the team that they can feel slightly remote from the council's officer structure. This could also be a symptom of the Executive model where non-executive Members can feel less involved. Where this is an issue the challenge for the council is to develop the non-executive Member role. For DC Committee Members this could involve Member briefings prior to committee meetings (at present the Chairman has a briefing on the Monday before the committee meeting – could this be extended to other members), post-committee debriefs with officers to discuss what went well and what could be improved, and formal committee site visits.

On the latter the current accepted practice is for Members to visit sites under their own arrangements and usually unaccompanied. This does expose these Members to some risk where they might be engaged by interested parties to an application. The team recommends that instead the council investigates how it might organise site visits, in a cost effective way that is convenient for Members, to all or some of the application sites prior to the committee meeting. This would involve – especially if the committee were of a smaller size – a minibus to transport Members with an officer(s) to discuss the site, the proposal, planning issues, the views of residents and others etc. This would have a practical benefit of all Members being party to the visit and would develop committee and officer cohesion of a team working together, as well as positive public perception of a committee that is seen to be taking the time to consider the proposal.

The council has good levels of delegation with circa 93 per cent of applications being determined by officers. However, there is an opportunity to increase this and thereby make more effective use of the DC Committee to consider and determine larger and more significant applications. This would require a review of the scheme of delegation in particular the means of referral by parish councils and whether the threshold (related to the number of objections received or the size of the development) should be adjusted. At the same time it might consider whether residents' associations should have the same rights of referral as parish councils.

All Members on the DC Committee are required to undergo planning training before they may sit on the committee. However, the programme of Member training and development programme would benefit from more structure so that it covers dealing with planning applications, legal considerations, the committee process, how objections are handled, policy development and its role in determining applications. The team found that there was no formal basic training requirement, just that members had some training. This means that members of the Committee and those substituting may only have limited planning expertise before taking a decision.

For example, some Members are experiencing uncertainty on understanding predetermination and predisposition and where they stand if they speak on an application prior to it being considered by committee. Similarly there is uncertainty on their role in weighing up policy in making a decision. It may also be worth considering visiting other councils and observing their approach to conducting a planning committee. These are all areas that lend themselves to targeted development to provide greater Member confidence.

This could also be usefully extended to the wider membership. For example, the LPWG undergo no planning training yet they are involved in some of the council's most important work in developing a spatial policy framework to support future sustainable development. Similarly there are different planning training needs for the portfolio holder and the Executive and for the wider membership to have a greater understanding of planning, which for residents is a highly sensitive issue. This training and development could be linked to formulating a Member Development Charter for the council.

The current Development Control service description is dated and presents an impression of a regulatory and controlling service. Instead modern planning services describe themselves as Development Management. This approach is more enabling than controlling, supports an 'end to end' process, and recognises the importance of planning to enable sustainable development, even though this must operate within a defined policy framework and the particular constraints that are specific to Mole Valley. The peer team picked up that the mindset of the service was to continue to shift to development management. The council is recommended to consider this shift and to provide support to enable this to become understood and embedded.

As mentioned above the planning service has been involved in a good programme of process improvement that has given service efficiencies. This is being mainly led by the Support Manager working with IT and GIS officers. However, this can be improved further. For example, the current programme has only partly measured the benefits obtained from changes in processes and practices. The future programme should set out a structured programme that is achievable and sets out desired and, later, achieved outcomes.

Other areas that should be picked up under this programme are IT issues where systems (APAS and document management systems) are not working together and were described as "clunky". The council is weighing up the cost of system investment/improvement against future options, such as Surrey Data warehousing. This could be a specific strand within the improvement programme involving planning officers and IT. Finally, the service is currently operating with both paper and electronic systems related to the management of planning applications. It has made some significant improvements over the past few years to reduce the volumes of paper, but it is believed it can go further. The council is recommended to investigate the options and working practices for using electronic files only and reducing the use of paper even further.

The staff resources for development control have been reduced in recent years and this has led to heavy caseloads for DC and enforcement staff. The planning service budget has been cut significantly in recent years from £1.456m in 2009/10 to £968k in 2012/13, a reduction of nearly 34 per cent and staff numbers reduced from 55 FTE to 40 FTE. An example of the effect of this is enforcement becoming more reactive. The team has 1 FTE related to planning enforcement work and has no compliance officers since the post was removed from the structure when the former post holder left the organisation. This is considered to be an issue as there is little proactive monitoring of compliance with conditions on site that have provided problems. Instead the service is concerned with large-scale enforcement issues, which must take priority, and reacting to issues that arise. The council may wish to consider the resourcing of this part of the service.

It will clearly be important for the service to monitor work demand and resources that are deployed. This would be supported by the planning benchmarking that is available from

CIPFA/PAS. This understanding of resource use would not just be to ensure performance levels and quality of determinations but to provide a guarantee of service resilience which would provide a reassurance of service protection of the environment – a council priority and of particular interest for Members. Ensuring that the team is appropriately resourced will enable the council to move towards a development management approach and, along with carefully considered decision making processes and reports, reduce the prospect of judicial reviews of its decisions and provide greater confidence about its decision making when they are.

It was noted that the team found it difficult to backfill resources given maternity / paternity leave and other circumstances. One way of managing this could be by a more effective use of current resources. For example, could technical staff be trained to cover straightforward householder applications during service peaks? Could policy staff be flexed to assist development control? Consideration of these and other options might create more capacity and enable staff to extend their skill/experience range.

Finally, the current set of indicators is entirely time-bound measuring the determination times for major, minor and other applications and reinforces the service drive to determine applications in time. This should be re-balanced so that a more qualitative set of indicators could also be utilised. This would strengthen the performance management framework and provide service managers and Members with a more complete set of service output and outcome measures.

3.4 Partnership working

Strengths

The joint role of Interim Chief Executive at Mole Valley with that of a Strategic Director position at Surrey County Council is beneficial for the council as it is aligning the district to some of the issues being taken forward by the county council, for example on strategic involvement with Local Enterprise Partnerships (LEPs), transport infrastructure programmes, school places expansion etc.

Strategic issues are also being progressed by the county-wide partnerships that include: The Surrey Policy Group (currently chaired by Mole Valley); the Surrey Planning Officers Association, which has developed an innovative programme (MIDAS) for monitoring and invoicing for S106 and planning gain; and the Chief Executive's sub-group of southern Surrey councils.

Similar positive outcomes have been achieved from joint working, including a joint Sustainability Appraisal (SA) with East Surrey authorities (Epsom and Ewell, Reigate and Banstead, Tandridge and Elmbridge), who share the same SA objectives as Mole Valley. This joint working also allows them to input base information to the SA as they revise or progress their plans, so that all authorities have access to the latest information instantly. There has been a joint response across this group to a Mayor of London consultation paper. The council has also worked on a joint Strategic Housing Market Assessment (SHMA) within the South London HMA authorities of Royal Borough of Kingston, Merton, Epsom and Ewell and Elmbridge.

Similarly the council has re-engaged with the Gatwick Diamond, which is a key UK business location, 35 minutes from London, with Gatwick Airport at its heart. The location hosts the headquarters of advanced manufacturing, environmental technologies, aviation, financial and professional services as well as innovative small companies. It is a business led economic partnership whose aim is to create the right conditions for sustainable economic growth and comprises public and private sector partners.

The council has good arrangements for policy communications, particularly via its website to provide information and updates on plan stages and how/when partners and residents might get involved.

The Developer Forum for agents and developers is an annual event and is viewed positively by partners as being very useful for updates, networking and face-to-face contact with planning officers. This is reinforced by good relations with developers/agents; with one comment that, "Mole Valley is one of the best around here. Especially the officers...really, really helpful". This is confirmed by the council's co-ordinated feedback from agents, architects and developers that show overall positive views on the service provided.

MVDC and Police developed the first SPD in Surrey to Design Out Crime. This is being used as a model by other authorities.

Areas for consideration

The duty to cooperate with London authorities is a potential stumbling block. The current failure of the latter to consider their own green belt review means that housing needs could leapfrog London borough boundaries into neighbouring districts, including Mole Valley.

Similarly the duty to cooperate presents an opportunity for the council. The current review of the green belt, land allocations plan and core strategy will require liaison with Surrey districts and boroughs to understand the demands outside the district.

Finally, there are significant opportunities for shared services or joint working arrangements that have barely been explored. There was discussion with Waverley Borough Council on working together on major applications but this was discontinued. All councils are increasingly and actively considering how to drive greater value from services provided. Discussions could cover the back office services that are commonly looked at for shared provision, for example payroll, HR, IT, revenues and benefits etc. but could be extended to Building Control, joint work on major applications and specialist planning areas and others.

3.5 Achieving outcomes

Strengths

The council has gained considerable value from its pre-application work in securing investment into the district, development which is designed to fit with existing build and has been important for sustaining the local economy. This strong record of delivery extends to the new Waitrose in Dorking that took account of the new development in a setting of listed

buildings. The Parsons Mead development of a former school site in Ashted led to 93 housing units, including 28 affordable and agreed community benefits.

The work with Johnston Sweepers shows the value of council intervention that facilitated a major employer to stay in the district through high level council support of its business expansion needs. This involved Members and residents and led to the retention of 250 manufacturing jobs in Dorking against the threat of overseas deployment.

The Mullins building restoration in Dorking highlighted council approved work to bring back into use a Grade II listed building with historical connections to the Pilgrim Fathers. Good design is always important and this has been incorporated into development by: the production of area character appraisals for the five main built up areas of Ashted, Bookham, Fetcham, Dorking and Leatherhead; a design guide SPD; and the strength of pre-application work.

Good work has been delivered through the council's commitment to the provision of affordable housing that has been financially supported by the council, working closely with housing associations. An example of high quality eco-friendly affordable housing is the development at Winfield Grove in the village of Newdigate, a rural exception site within the green belt to build 12 homes achieving 57 per cent of the village's identified affordable housing need. This was achieved through effective partnership working between the council and Mole Valley Housing Association, Surrey Community Action, the landowner and Newdigate Parish Council.

Finally, the S106 arrangements are supervised by good monitoring arrangements that lead to good outcomes and have a clear link to local need. The council operates a Planning Infrastructure Contribution (PIC) that provides a reserve for infrastructure improvements, for example a paving scheme in West Street, Dorking and schemes in Leatherhead. Some of this is passported to local communities for them to use for local need for example village halls and centres, improving cricket facilities, tree replanting, play scheme improvements etc. The move to the Community Infrastructure Levy (CIL) from 2015 is progressing well with a charging schedule published and adoption scheduled for March 2014.

Areas for consideration

The development pressures for the council were encapsulated by two quotes. First, "it is difficult to build anything in Mole Valley" and second, "that's the way it should be".

This illustrates a very real tension for the council. It is unquestionably the case that the district enjoys a high level of green belt that provides a high quality environment for residents. Protecting and maintaining the environment is one of the council's priorities and it is therefore not surprising that many elected Members have a strong protectionist outlook to the environment.

At the same time planning has a responsibility to provide a policy framework to enable decisions to be made on planning applications that contribute to the future sustainable growth of the economy and housing. The question for the peer challenge team was whether the council is presenting itself as 'open for growth' or no growth. The latter can be seen as the prevailing view held by a number of Members and staff. The peer challenge team do not believe that this position is sustainable – the core strategy sets out the

projected economic growth and housing needs that require to be accommodated – and believe that this position needs to be rebalanced.

Related to this is the perceived – by external partners – lack of openness and transparency of the LPWG. The brief of this group is to advise the Executive but it should not be isolated from the concerns of growth in the wider community, which the council is separately engaging with communities upon. Other planning authorities have arrangements whereby the equivalent LPWG makes arrangements for interaction and communication with interested external partners and residents.

There is also a perception of Members being over-influenced by public opinion. It is entirely understandable how this might occur with elections by thirds, an administration of no overall control, and the potential jeopardy to Members who are seen to vote against strongly held local views. The council needs to avoid these situations of Members being isolated on local issues and can be protected more. This could involve: corporate communications on contentious applications; clarity on Members' ability to express a view that fully understands the concepts of predetermination and predisposition; setting out the bearing of the policy framework on decision making; and setting out the role of the Development Control Committee to be broadly consistent with this framework.

The team were told that this perception of over-influence by public opinion is often held by developers and housing associations and contributes toward their frustration. This is important as they can often select which areas and with which local authorities they will work. If they were to go elsewhere then the loss would include the positive investment that might have been made and the housing that might have contributed towards the local demand and need.

Finally, a Development Control Committee meeting was attended by the peer challenge team while working on-site. The committee voted not to approve two applications against officer recommendations. One of these seems highly likely to be appealed. The team felt that a different decision might have arisen if the committee had allowed officer input and interaction at an earlier stage of the debate. Instead the committee moved in a direction to vote against and this appeared to gain a groundswell so that when planning officer input was allowed it was impossible to turn the direction the committee was already heading. The key lesson from this is for committee procedures to be adapted to allow an earlier entrance for senior planning officer advice to the committee.

Planning Advisory Service - recommended support

The Planning Advisory Service (PAS) offers a wealth of information, tools and activities. Information is available at: <http://www.pas.gov.uk/pas/core/page.do?pageId=1>. PAS will engage with Mole Valley District Council to discuss further relevant support activities.

Core Strategy

PAS can offer a discussion on potential support on updating the council's planning policy

Local Plans checklist PAS has updated the soundness self-assessment, and the plan making legal compliance checklists. These documents should help you to work through the soundness and legal requirements from the Act, Regulations, and NPPF.

<http://www.pas.gov.uk/pas/core/page.do?pagelId=109568>

PAS/CIPFA Benchmark Club

The PAS/CIPFA Benchmark supports councils to actively respond to the new pressures on their service. It provides a consistent framework for all kinds of authorities to measure themselves within a confidential club environment. Participation in the club will be key to unlocking further PAS help and support for service improvement.

<http://www.pas.gov.uk/pas/core/page.do?pagelId=108851>

Planning Committee and Member support

Councillor briefings <http://www.pas.gov.uk/pas/core/page.do?pagelId=714986#contents-6>

Probity in Planning Guide

PAS has published a guide reflecting the changes in the Localism Act around probity in planning for councillors. This guide will help councillors to understand roles and responsibilities, and how to make sure they can be an effective councillor without getting into 'probity' difficulties.

<http://www.pas.gov.uk/pas/core/page.do?pagelId=296410>



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