



**Audit Review of the Preliminary Findings Relating to a
Warehouse Development at 1 Yeomans Drive, Milton Keynes**

Milton Keynes Council

Final Report

Author: Ian Kirby

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Contact:

Ian Kirby
Director
Ian.Kirby@wearec.co

1. Introduction & Background

On 17 February 2021, CIPFA C.Co Ltd (C.Co) was formally commissioned by Milton Keynes Council to undertake an “Audit Review of the preliminary findings relating to a warehouse development at 1 Yeomans Drive, Milton Keynes.”

C.Co were advised that in June 2019, a consultant Marc Dorfman (MD/the reviewer) was commissioned to undertake an independent review of the grant of planning permission relating to a warehouse development at 1 Yeomans Drive, Milton Keynes.

An Internal Audit (IA) process had taken place and it was determined at the time that the internal audit would cease, and its working papers would be provided to MD for his review and incorporation into his work, as he determined appropriate.

MD published a Preliminary Findings report, appending the draft IA report, which was considered at the Council’s Audit Committee meeting on 1 December 2020 together with responses by MD to questions asked of his preliminary findings in advance of the meeting.

Initially, it was intended that MD’s review would be completed in three months, but this work has taken considerably longer than that and is not yet finalised.

This report represents C.Co’s full and final report and is a true and fair view based upon the evidence provided, including that from our interview with MD and our clarification meetings with the Deputy Chief Executive and the Head of Internal Audit. We would like to place, on record, our thanks to them for contributing to our review.

Our final report was sent to the Chief Executive and Chair of Audit Committee on 10 March in accordance with the Council’s terms of appointment as detailed within the ‘request for quotation’ document.

2. Scope

Helpfully and succinctly, the Council set out the scope, or terms of reference, of this audit within its request for quotation document. The audit review was to examine the work undertaken by MD, including the work of Internal Audit, and to ensure that MD's conclusions:

1. Provided sufficient facility for all stakeholders to submit any information considered relevant; and
2. Examined all necessary submissions properly; and that
3. Conclusions/recommendations are properly based on the evidence available.

Despite the scope of our review being set out in this way, the Council did indicate that should we identify any matter material to the audit, not included above, then we were encouraged to raise/clarify this with them.

The original planning decision is not in scope of this review.

This audit review centres specifically on the three scope elements above and is an examination of the process and activity undertaken by MD in reaching his preliminary findings, as published in the associated report in advance of the 1 December 2020 Audit Committee. Our examination of MD's CV and LinkedIn profile provide us with assurance that he is suitably experienced and knowledgeable to have been commissioned by the Council, through the Local Government Association (LGA), to undertake the original review. C.Co is not reviewing MD's capability, but the actions and considerations taken by him in reaching his preliminary findings.

For context, MD's three findings were:

- That the Development Control Committee's decision on 11 May 2017, regarding the warehouse at 1 Yeomans Drive, was "bona fide and proper".
- That the change of case officer was "perfectly reasonable and common across planning authorities", and
- That the process for signing off and checking planning applications is "still work in progress".

3. Summary Findings

The C.Co team reviewed and analysed all relevant, publicly available information in order to consider the timeline of activity, to understand the context of MD's activity and to develop a number of Key Lines of Enquiry (KLoE).

For ease of presentation, we have set our summary findings against the three elements of the scope; provided explanatory narrative; and provided a judgement on the extent to which we believe MD's preliminary findings accord with the statement. Our balanced judgements reflect the following:

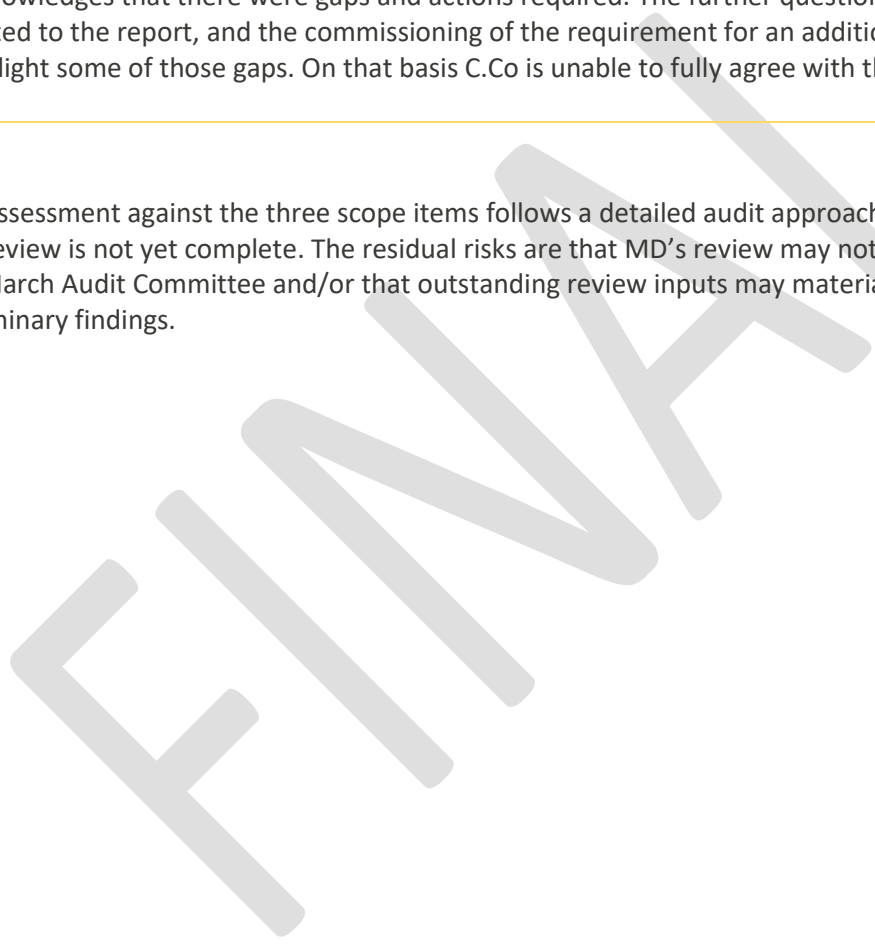
- **Agree** - indicates that the review provides evidence to support all fundamental elements of the KLoE in all material respects.
- **Partially Agree** – indicates that the review provides evidence to support the majority of fundamental elements of the KLoE but falls short of achieving all expected, material elements of expected control.
- **Disagree** – indicates that the review provides little or no evidence to support the fundamental elements of the KLoE in all material respects.

As a result of our fieldwork/testing activity, we were able to reach the following conclusions:

Scope Element	Finding
1. Provided sufficient facility for all stakeholders to submit any information considered relevant	Agree
<p>The available evidence suggests that submissions to the review, and by implication MD (the reviewer), have come from a range of stakeholders including residents, councillors and the press. The preliminary findings report identifies a range of specific questions and submissions that have been provided to the reviewer. Whilst it is unclear whether MD actively managed and promoted the access channels for submission, there can be no doubt that those who wanted to contribute to the review were able to do so. C.Co has no evidence to suggest that any interested party, group or individual has not had access to submit questions, request clarifications and/or submit evidence to the review.</p>	
2. Examined all necessary submissions properly	Partially agree
<p>MD described to C.Co a credible methodology for the assessment of individual submissions and the material value he was placing on them. However, this was anecdotal with no substantive working papers to evidence that the process described was followed. MD indicated that he was consolidating his findings into a matrix that accorded with his evaluations. The matrix, he says, will form part of his final report, but the template he shared with us after our meeting is incomplete and titled "draft @24.2.21 and 2.3.21". For information, 24th February was the date C.Co interviewed MD.</p> <p>The preliminary findings report does indicate some gaps in the work to date and we are aware that the outcome of an additional lighting review is pending.</p> <p>There is evidence through the Committee papers and a letter issued to residents that MD has considered the majority of submissions made to him. However, in the absence of documented evidence that all submissions have been fully considered and without sight of the final report, we are unable to fully agree with this statement.</p>	

3. Conclusions/recommendations are properly based on the evidence available	Partially agree
<p>Linked to our assessment of the second scope item, C.Co needed to consider whether there were outstanding submissions, at the conclusion of MD’s preliminary findings, not considered within the judgements outlined within the preliminary findings report. It is clear from the documentary evidence and the discussion with MD, that his findings are based on the majority, but not all of the evidence available at that time.</p> <p>C.Co believes that MD’s preliminary findings, particularly those related to the “bona fide” decision and the change of Planning Officer, are based upon his ‘planning’ knowledge, experience and professional judgement. However, the preliminary findings report itself acknowledges that there were gaps and actions required. The further question submissions, related to the report, and the commissioning of the requirement for an additional lighting review highlight some of those gaps. On that basis C.Co is unable to fully agree with the statement.</p>	

Our assessment against the three scope items follows a detailed audit approach and reflects that the MD review is not yet complete. The residual risks are that MD’s review may not complete in time for the March Audit Committee and/or that outstanding review inputs may materially impact his preliminary findings.



4. Detailed Approach

Our approach to this review follows a recognised internal audit process. Commencing with a clear terms of reference, the audit considers the type and level of testing to be completed; expected versus actual control; quality of evidence, conclusions, residual risk, recommendations and reporting.

1. Mobilisation

The review of historic and current activity commenced with a mobilisation phase. This short initial phase of the commission ensures that the review is built on solid foundations including the identification of key stakeholders, efficient and informed governance and reporting and proportionate risk management.

2. Baselining

The baselining phase of the investigation was critical to our review in determining the history of the planning decision, related Internal Audit work and subsequent review by MD. Using the specification requirements to identify areas of focus (provision for stakeholder submission; MD's proper examination of all submissions; and evidence-based conclusions/recommendations). C.Co developed Key Lines of Enquiry (KLoE), against expected controls, to inform the 'fieldwork' phase.

3. Fieldwork

In accordance with the letter of specification, the fieldwork phase largely centred upon a detailed, semi-structured interview with MD. Subsequent clarification meetings were held with the Deputy Chief Executive, in her role as the Council link person with MD, and the Head of Internal Audit in order to cover off outstanding lines of enquiry.

These interviews were used to explore, validate or dismiss our KLoE and inform our judgements as stated in the summary and detailed findings.

4. Reporting

This final report consolidates our approach, activity, findings, conclusions and recommendations and areas for further consideration. This report was sent jointly to the Chief Executive and Chair of Audit Committee, as per the specification.

5. Presentation

As part of its commission, C.Co will present its findings at the Audit Committee on 22 March 2021 and provide responses to questions submitted in advance.

5. Detailed Findings

This section sets out in more detail how C.Co used its KLoE, against the three statements of scope, to reach its audit conclusions in this matter.

1: Provided sufficient facility for all stakeholders to submit information considered to be relevant

Conclusion: Agreed.

In considering the “facility to submit information” our assessment that this was comprehensive was evidenced through the range of stakeholders that have submitted evidence, questions and sought clarification from the MD review. Stakeholders included elected Members of the Council, officers of the Council, residents, the Blakelands Residents’ Association and the local and national press. Our initial analysis was further supported by MD who indicated that he had received and considered submissions, questions and points of clarification from a considerable range of stakeholders. We know that MD included responses to a variety of stakeholders within his Preliminary Report and he shared with us a letter dated 16.9.20 in which he responded to a range of resident questions. It is not clear how extensively MD promoted the opportunity to submit relevant information, but it is clear from the Preliminary Report, the Audit Committee agenda and minutes and his feedback that stakeholders were provided with appropriate and adequate facility to submit relevant information to the review.

C.Co has no evidence to suggest that any interested party, group or individual has not had or been denied access to submit questions, requests for clarifications and/or evidence to the review. The Preliminary Report contained MD’s responses to 41 questions/queries and it is understood that MD is also planning to respond to a further 70 questions which he has received since the Preliminary Report was issued. It is understood that MD plans to include these responses in his final report to the March Audit Committee, which we have not yet seen and is not included within the scope of this audit review.

The preliminary findings report identifies a range of specific questions and submissions that have been provided to the reviewer. Whilst it is unclear whether MD actively managed and promoted the access channels for submission, there can be no doubt that those who wanted to contribute to the review were able to do so, and there is evidence that key stakeholders have done so. On this basis it is our assertion that we agree with the scope statement.

2: Examined all the necessary submissions properly

Conclusion: Partially Agreed.

When considering the 'proper' consideration/examination of submissions, C.Co is expecting to see at least the following expected controls in place:

- A consistent structured methodology
- An assessment of materiality or relevance
- A recorded decision/action

MD was able to talk through a credible process by which he analysed submissions. The process, described as a matrix, considered the 10 steps of the planning process, as outlined in the draft Internal Audit report that was published with the December Audit Committee papers, and the six themes of Technical; Officer Assessment; Decision-making; Complaints and Mistake response; Roles and responsibilities; and management and monitoring. Although, MD was clear that he was intending to include a populated version of this matrix in his final report, what was also clear is that the matrix has yet to be completed. Subsequent to the interview, MD supplied a "draft" version of the matrix, but the template is incomplete and marked as "draft @24.2.21 and 2.3.21". As the MD interview took place on 24.2.21, C.Co's concerns that his process had yet to be formalised appears well founded and, without that evidence, C.Co is unable to conclude fully that he has considered all submissions 'properly'. That said, it is also not possible for C.Co to fully conclude against this statement. There is a significant body of evidence, not least the preliminary findings report and MD's response to submitted questions, together with a letter from MD to residents, dated 16.2.20, that suggests 'proper' consideration has been given to the majority of submissions. What is not clear, in the absence of evidence, is the degree and time afforded to each of the submissions.

MD, himself, would agree that the quality of the presentation of the preliminary findings report is not what he would have wanted to deliver, and indeed make public, but in assessing proper consideration we have concerns that some of the latter considerations/responses within the report appear dismissive in tone, refer to previous answers without necessarily answering the point raised and include clear admissions that "MD has not yet considered this in detail" (PINs section 73) or was "now not looking at" matters such as environmental health. Additionally, despite responses referencing lighting considerations as having been considered as part of the review, a further lighting assessment has subsequently been commissioned.

In reaching our assessment we have taken into account that there is some evidence of the proper consideration of submissions to the reviewer, however there is an absence of documented evidence, other than the Preliminary Findings report, the letter and associated papers published as part of the Audit Committee. Similarly, we have no reason to believe that stakeholder meetings, as described by MD, did not happen but we have no documentary evidence to support this. Taking all of this into account, we cannot fully conclude that evidence has been properly examined in all instances.

3: Conclusions and recommendations are properly based on the available evidence

Conclusion: Partially Agreed.

C.Co believes that MD has the knowledge and experience to undertake his review, as evidenced by examination of his CV and LinkedIn profile. However, lack of effective project management and document management have contributed to the overall delays in finalising his review. There is evidence that he has considered the vast majority of submitted evidence and it is our assessment that his preliminary findings, including his assessment of the original planning decision as “bona fide” and the practice of changing planning officers as “reasonable and common”, is based on his professional judgement and understanding of the matter at that time. His assertion that the process for checking and signing off planning applications was a “work in progress” is drawn from his view that this is an operational matter for consideration/implementation by the Planning Improvement Board (PIB).

The PIB was established around the same time as his review was commissioned, with a broad remit to support improvement in operational planning activity, not least to address the acknowledged issue of missing conditions from the sample of application decision notices tested by Internal Audit. MD’s assertion is not unreasonable and at some point it would be prudent for the Council to review the impact of the PIB, but it is our view that a review of the PIB is not within MD’s scope.

Within MD’s Preliminary Report he stated that he had yet to consider or was no longer considering certain elements or lines of enquiry and we are aware that a further lighting review has been commissioned since the December meeting, despite the Preliminary Report arguing that all considerations, including lighting informed the original decision. We cannot predict what the lighting review or indeed his final report will bring, but without that certainty it is difficult to conclude that the reviewer’s preliminary findings, conclusions and recommendations were ‘properly based’ on all of the evidence available to him at that time.

There was no evidence of a structured approach to the review or prioritising the impact of findings. In addition and in reaching our balanced assessment, C.Co has no:

- Evidence of MD’s stated approach to reviewing the evidence using an outcomes matrix. An incomplete template has been provided to C.Co, however the volume of work to populate this template in advance of the Audit Committee and include within a final report is considered to be significant. We believe there is a risk of non-completion within the time available in advance of the March Audit Committee.
- Evidence to assess whether MD’s conclusions and recommendations reflect all of the available evidence and whether the evidence considered is reflected in his findings or has been dismissed as not relevant/material.

C.Co believe there is a significant risk that the project will not be closed down within a reasonable timeframe. Throughout the review MD has allowed scope-creep which has led to outstanding third-party reviews such as the lighting review now being an unnecessary dependency for completion. He is further unable to close down the review as he allows more tasks to be added, such as the collection and presentation operational performance information, which we consider to be operational (business as usual) in nature.

Whilst it is recognised that MD is keen to complete a thorough review, it is considered by C.Co that working to an unapproved work brief creates additional contract risk to all parties and potential cost to the Council.

Given the above and, in particular, the lack of evidence available C.Co is unable to fully agree with the scope statement.

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6. Further Considerations

In providing a clear terms of reference, centred around the three scope items, the Council was clear that if C.Co identified further consideration(s), material to the audit, then we were encouraged to raise it. C.Co has never previously undertaken work for the Council and it would be difficult to generalise based on an isolated review conducted over a three-week period. However, we have included some general items of good practice that we believe would have strengthened the governance of the MD review and, perhaps made it easier for us to audit MD's review actions up to his Preliminary Findings Report.

The further considerations are provided in the table in section 8 and can be summarised as follows:

Terms of Reference

C.Co has acknowledged the clear, succinct terms of reference provided to it for the conduct of this review and would advocate this as an example as good practice. MD's review would have benefited from having a clear scope and a structured governance methodology for considering exceptions and variations to that scope, together with structured regular reporting.

Rounded Knowledge and Skills

In this review it is not the professional ability of the reviewer that has contributed to the lack of evidence and the delays to the production of the final report, it is the skills to project manage based on risk, time, quality and cost. While professional capability would always be a primary requisite, the process for appointments should not diminish or overlook the requirements for other contributory skills.

Stakeholder Management

Developing or requiring a risk-based stakeholder management plan is good practice within most projects. Our view, based solely on this review, is that the capture of evidence, the treatment of that evidence and additional requests could have been better managed through a clear plan of 'interested' parties and the tracking of interactions with them.

Independence

As an independent reviewer, C.Co, like MD, has been left alone to direct and undertake its work without interference, direction or obstruction. However, although we would never advocate interference with the content or findings of an independent review, holding to account for delivery within timescale and to cost is not unreasonable and is seen as good governance. Similarly, it is incumbent upon the 'independent' to raise and seek resolution/mitigation of identified risks and issues including those associated with scope and deadlines.

Risk-based Review Decisions

The decision to review, or perhaps more pertinently to MD's review, continue to review should be considered in the context of value for public money, the contribution to the mitigation of risk and contribution to priorities. There is a question of when is good, good enough? The MD review took almost 18 months to reach the Preliminary Report stage. MD, to his credit, appears reluctant to

draw the review to a close without “seeing it through to the end” – it is not clear to us when that end will be.

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7. Recommendations

Recommendations/Management Actions

Our recommendations are focused on providing a means to appropriately finalise MD's review:

Ref	Recommendation	Owner	Impact	Timescale
R1	Document and manage the remaining project scope in order to provide clarity on outstanding tasks/actions and bring the review to an appropriate conclusion.	MD & DCX	High	Short-term
R2	<p>The arrangements for “business as usual” activity should be clarified and managed separately to the project. In this project, the provision of the suite of performance statistics/KPIs is seen as more relevant for the Performance Improvement Board and not part of the MD's review. The risk is further scope creep and further delays.</p> <ul style="list-style-type: none"> ○ Any changes to scope to be agreed with all parties and communicated to key stakeholders, and managed, as such. ○ Key project roles to be set out in project documentation, including the Council lead and the reviewer. 	MD & DCX	Medium	Short to Medium-term
R3	Complete response to questions and clarifications for inclusion in both the assessment matrix and the final report to Audit Committee	MD	High	Short-term
R4	Reconsider the offer and use of additional administrative support to assist the reviewer and facilitate the closure of the review	MD & DCX	Medium	Short-term
R5	Consider a review of the impact of the Planning Improvement Board and its impact on performance of the Planning Service.	Council	Medium	Short to Medium-term

8. Further Considerations

Further Considerations

Accepting that C.Co considered this one project in isolation, we helpfully suggest that future projects of this nature take account of the following:

Ref	Further Considerations	Owner
FC1	The scope of future commissions should be documented and managed in accordance with best practice project management procedures, including the approval of changes to scope and project roles/resources.	MK Council
FC2	Resources appointed for any project should have all of the requisite core skills for the project, including core project management skills. If this is not possible and/ or appropriate then the Council should provide the appropriate support to supplement the agreed resource(s).	MK Council
FC3	Stakeholder management plan to be agreed and implemented as part of good project management. <ul style="list-style-type: none"> o All appropriate requests from key stakeholders, including requests for assurance, to be considered and feedback to be provided in the appropriate format and timescales. 	MK Council
FC4	Whilst the Council's approach in distancing itself from the work of independent reviewers is commendable, there is an opportunity, without influencing the content, to consider the timeliness, wider quality and potential impacts of reports published by it or on its behalf.	MK Council
FC5	All reviews, and the continuation of them, should be risk-based and support key decisions, to demonstrate effective use of public money and Council decision making.	MK Council

9. Our Summary Evidence

Review Assessment Basis:

C.Co offers a ‘true and fair’ view based upon the evidence provided and offers a judgement on the extent to which we believe MD’s preliminary findings accord with the three scope statements, as follows:

- **Agree** - indicates that the review provides evidence to support all fundamental elements of the KLoE in all material respects.
- **Partially Agree** – indicates that the review provides evidence to support the majority of fundamental elements of the KLoE but falls short of achieving all expected, material elements of expected control.
- **Disagree** – indicates that the review provides little or no evidence to support the fundamental elements of the KLoE in all material respects.

Our extensive working papers and the basis of our balanced judgement for each KLoE is summarised in the table below. Our final, balanced assessment for each KLoE is contained within the grey highlighted column.

KLOE Ref	C.Co Review Key Findings	C.Co Review Assessment		
		<i>Does the Work Undertaken by the Reviewer support, or otherwise, the assertion of the KLoE?</i>		
		Agree	Partially Agree	Disagree
1	Provided sufficient facility for all stakeholders to submit information considered to be relevant			
	<p>The terms of reference for the review and the requirement for stakeholders to submit information to the reviewer, appear to be clear to MD.</p> <p>He referenced the 30 July 2019 Audit Committee for his commission. His understanding that his terms of reference were clear, as set out in:</p>	<p>Agree.</p> <p>This conclusion is supported by the review as follows:</p> <ul style="list-style-type: none"> • MD reported that submissions were received and considered from a range of stakeholders. 	<ul style="list-style-type: none"> • Whilst MD reports responses to email, meetings, there is no evidence to confirm effective project control of stakeholder feedback and review of submissions, discussions and emails. • MD stated that the meetings with the DCX are more opportunities 	<ul style="list-style-type: none"> • There is an absence of core project documentation, including project plan, stakeholder management plan and submission tracker. • There is an absence of stakeholder meeting notes; reliance being placed by MD on the responses to questions



KLOE Ref	C.Co Review Key Findings	C.Co Review Assessment		
		Does the Work Undertaken by the Reviewer support, or otherwise, the assertion of the KLoE?		
		Agree	Partially Agree	Disagree
	<ul style="list-style-type: none"> Annex A the 'fit for purpose' nature of development management; and Annex B specifically the identified errors in planning process linked to Blakelands and 1 Yeomans Drive. <p>However, he acknowledged that the original scope has evolved somewhat from the above and there is no evidence that scope change/variation has been managed in a transparent/methodical way. As an illustration of the evolution of scope, MD was keen to point out that he had recently supplied a performance management framework type questionnaire to assess current performance within the Development Management service, with the intention of including some data in the final report. C.Co questioned the rationale for doing this when it was not within the agreed scope of the exercise. It could open up an additional line of questioning from stakeholders and would have little, if any, relevance to the original planning decision.</p> <p>MD set out his positive working relationship with the Deputy Chief Executive (DCX), set around regular 'progress' sessions. Our understanding was that notes for these meetings were, at one time, completed by MD, but that latterly this had ceased.</p>	<ul style="list-style-type: none"> He also reports that he received and had responded to a significant volume of correspondence. The original scope arose from consultation between the Council and residents to allow the review to incorporate what they would expect to see from the review. MD claims to have met on 6-12 occasions with representatives of the Blakelands Residents Association and that he has received a significant volume of correspondence specifically from residents that forms part of his review. Therefore, in considering the "facility to submit information" our assessment that this was comprehensive was supported by MD who evidenced that he had received and considered submissions, questions and points of clarification from a range of stakeholders including: 	<p>to request information and for DCX to unlock MD's barriers.</p> <ul style="list-style-type: none"> MD stated that he had flexibility around the review scope, as the Council do not want to impede or interfere with his independence. The lack of a documented scope and changes to this scope, provide a limited evidence base for subsequent scope elements. 	<p>in the report to the Audit Committee.</p> <ul style="list-style-type: none"> MD claimed not to have seen or taken account explicitly of the 5 Key Assurances (involvement of residents; no stones left unturned; current and former officers to input without fear; and the continuation of the judicial review) requested by the Blakelands Residents Association at the outset and as agreed by the Audit Committee.



KLOE Ref	C.Co Review Key Findings	C.Co Review Assessment		
		Does the Work Undertaken by the Reviewer support, or otherwise, the assertion of the KLoE?		
		Agree	Partially Agree	Disagree
	MD set out that he had met on a number of occasions with representatives of the Blakelands Residents Association and referenced a significant volume of email correspondence he received.	<p>Councillors, officers, residents and the local and national press.</p> <ul style="list-style-type: none"> Channels for stakeholders to submit evidence, questions and clarifications clearly exist and responses are included within Audit Committee reports and reviewer to residents' correspondence. 		
2.	Examined all the necessary submissions properly			
	<p>MD was questioned on how he reached his assessment of what was significant about the submissions, or not, and how they contributed to his overall judgements.</p> <p>MD was keen to say that his methodology centred around the 10 Steps within the Council's stated planning process, cross-referenced/assessed against the 6 Key Themes of Technical; Officer Assessment; Decision-making; Complaints and Mistake response; Roles and responsibilities; and management and monitoring.</p> <p>MD takes full responsibility for the decision to write, circulate and submit the Preliminary Findings</p>	<ul style="list-style-type: none"> When questioned, MD reports that the methodology applied in the review was against the 10 Steps of the Planning Process and the 6 Key Themes. He reported that he has a matrix assessment of all submissions that he intends to finalise and include within his Final Report. Responses to the 41 separate issues raised were included in the report to the AC on 1 December 2020. Regular progress meetings between MD and the Council's 	<p>Partially Agree.</p> <p>This assertion is supported by the following findings:</p> <ul style="list-style-type: none"> Whilst MD claims to have used a matrix to assess all the submissions to him and that he intends to finalise it and include within his final report. MD has supplied a "draft" version of the matrix. However, the template is not populated and is part-titled as "draft @24.2.21 and 2.3.21". 	<ul style="list-style-type: none"> There is little evidence that the review of submissions was based on a consistent, evidence-based approach and the process of assessment appears to have been conducted at pace to deliver the Preliminary Report issued on 16/11/2020 for consideration by the Committee on 01/12/2020. This does not seem to provide sufficient opportunity for MD's appropriate and full consideration of the matters



KLOE Ref	C.Co Review Key Findings	C.Co Review Assessment		
		Does the Work Undertaken by the Reviewer support, or otherwise, the assertion of the KLoE?		
		Agree	Partially Agree	Disagree
	<p>Report. He acknowledges its quality, in terms of style and typographical error, and, despite the fact that it may have led to additional consultation, that it has arguably worsened the situation in respect of the credibility of his review and of him as a professional.</p> <p>MD has admitted to being swamped by the volume of submissions yet despite this now claims to be on top of everything with no indication, other than his lateness in considering the lighting review, that he has missed or avoided dealing with any submissions.</p>	<p>link officer (DCX) have continued on a regular basis.</p>	<ul style="list-style-type: none"> • Our meeting with MD took place on 24.2.21 and our concern is that in completing the collation of evidence retrospectively, that there is a risk it will not be complete and he will be unable to evidence ‘proper’ consideration. • An additional c70 stakeholder questions, subsequent to the December Committee are being considered by MD. MD reports to have been swamped with the volume of submissions and C.Co sees his ability to complete this in time for the March Committee as a risk. 	<p>raised. There were 41 questions in the report, but it appears that those toward the end of the report are referenced back to earlier paragraphs and some clearly indicate a failure to yet consider or “not now considering”.</p> <ul style="list-style-type: none"> • There is no confirmation of how MD examined the evidence and his conclusions. We are reliant on his professional knowledge and experience with little evidence of how he applied it.



KLOE Ref	C.Co Review Key Findings	C.Co Review Assessment		
		Does the Work Undertaken by the Reviewer support, or otherwise, the assertion of the KLOE?		
		Agree	Partially Agree	Disagree
3.	Preliminary conclusions and recommendations were properly based on the available evidence			
	<p>MD discussed his ability, or otherwise, to conclude his final report in time for the March Audit Committee. He stated that he did not feel this was possible.</p> <p>He has, on behalf of the Council, commissioned a third-party supplier to conduct a lighting review that may or not impact the outcome of the original planning decision and his own preliminary findings.</p> <p>When pushed on whether a 'subject to' final report would be appropriate, given the length of time the review had taken and the degree of personal investment MD had made into the process, MD was keen to stress that he wanted to see the review through to a conclusion, but would consider this form of action.</p> <p>From the outside, it would appear, that the review has got away from MD and that the delays to the production of the final report are an attempt to get the perfect outcome, which is unlikely. Whether actual or perceived, MD clearly believes that he takes the bulk of the responsibility for the review being where it is. The Council, through the progress meetings and the information placed in the public</p>	<ul style="list-style-type: none"> • MD is keen to stress that he wanted to see the review through to a conclusion, which would be based on all evidence. • He agreed that he would consider including a reference to "subject to" in his report, which refers to the outstanding lighting review, in order to bring the review to a conclusion. • Whilst MD is aware of the importance of evidence, he has not adopted a structured approach to its review and relevance. 	<p>Partially Agree.</p> <p>This assertion is supported as follows:</p> <ul style="list-style-type: none"> • The Preliminary Findings report, together with his letter to residents dated 16.9.20 demonstrate the breadth of questions and submissions that were considered by MD in reaching his conclusions, the vast majority of which we believe support the conclusions he reached, including that the original decision was "bona fide". • His professional knowledge and judgement lead him to consider the change of case officer, mid-application, to be "reasonable and common practice". C.Co is not in a position to challenge that assertion and the examples cited of where he has come across this are taken as fair. 	<ul style="list-style-type: none"> • MD stated that he was "promised" an electronic document repository for his review as part of the Council's administrative support. He reports that this did not materialise. • He did not maintain an evidence tracker so is not able to demonstrate full consideration of the matters raised. • Although MD has suitable knowledge and experience to undertake this review, the review has been impacted by a failure to apply basic project management tools and techniques such as stakeholder mapping, variance governance and highlight reporting. • He did not take up the Council's offer of additional administrative capacity to support his review.



KLOE Ref	C.Co Review Key Findings	C.Co Review Assessment		
		Does the Work Undertaken by the Reviewer support, or otherwise, the assertion of the KLoE?		
		Agree	Partially Agree	Disagree
	<p>domain by the reviewer, was aware of the impact on MD’s personal well-being and had offered to provide additional administrative support in order to help him finalise the review. MD has not taken up this offer and is instead using a trusted acquaintance to test assumptions.</p>		<ul style="list-style-type: none"> • The “in progress” nature of planning procedure is a matter for the Service and the Planning Improvement Board, MD’s assertion in respect of this is not unreasonable. • However, despite evidence of lighting considerations forming part of the original decision – the validity, presumably, of and reliance on that evidence has led to the commissioning of a further ‘lighting review’. • MD reports being “swamped” by the feedback around the project. More effective tracking tools are required to maintain better control of the feedback, the evidence and the material assessment of it. • The lack of a clear project brief and scope has created the environment whereby MD feels unable to “say no” to additional requests for clarification. He has also added unnecessary actions to hi review such as suite of KPIs for the planning service. 	<ul style="list-style-type: none"> • MD’s stated approach to reviewing the evidence and creating a matrix of outcomes is in the form of a draft unpopulated template. The matrix cannot be relied upon as supporting the preliminary findings.



KLOE Ref	C.Co Review Key Findings	C.Co Review Assessment		
		<i>Does the Work Undertaken by the Reviewer support, or otherwise, the assertion of the KLoE?</i>		
		Agree	Partially Agree	Disagree
			<ul style="list-style-type: none"> His ability to close down the project will be impacted by his inability to recognise that he is not fully responsible for the output of third-party activity, such as the lighting specialist, and that a perfect outcome may not be possible. 	

FINAL