

Audit Committee



06 July 2021

Planning Improvement Board; Background, Scope and Progress Report on Year 1 of the Interim Improvement Plan

Name of Cabinet Member	Pete Marland Portfolio Holder for Planning
Report sponsor	Tracey Aldworth Deputy Chief Executive
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Exempt / confidential / not for publication	No
Council Plan reference	Not in Council Plan
Wards affected	All wards

Executive summary

The Planning Improvement Board (PIB), chaired by the Deputy Chief Executive, was formed in 2020. It oversees improvements to the Planning Service, particularly operational processes within the Development Management (DM) function. Risks and issues within these processes were highlighted by the 1 Yeomans Drive planning application. An Interim Improvement Plan (IIP) was developed following an internal analysis of processes in 2019 and the PIB meets every 6 weeks to review performance, receive progress reports and deal with escalations arising from the IIP work. Details of progress on the IIP and its continuing evolution is included in this report.

1. Decision/s to be made

The Audit Committee is asked to note the background, scope and progress made on the Interim Improvement Plan (IIP) projects during its first year, overseen by the Planning Improvement Board (PIB).

The Committee are also asked to support the continuing evolution of the IIP for the Planning Service under the direction of the PIB and the actions it has prioritised.

2. Why is the decision needed?

The PIB and its work has been referenced during the independent review into the planning application for the warehouse at 1 Yeomans Drive, Blakelands. Examples of the work of the PIB has been requested at a previous Audit Committee meeting. On 3 September 2020 a performance report was also presented to Development Control Committee, which included an update on the establishment of the PIB and presented the IPP as an annex.

The PIB was formed in January 2020. Its purpose from its Terms of Reference is to *'Oversee and manage the implementation of the improvement plan following a number of issues identified in 2018/19 and to respond the recommendations following the Blakelands review to be issued in 2020'*. It is chaired by the Deputy Chief Executive and core members include the Director for Planning, Strategic Transport and Placemaking, the Director for Law and Governance, the Head of Planning, and the Head of Portfolio Office.

The IIP was developed over the March-July 2020 period. It considered relevant good practice guidance published by the Planning Advisory Service (PAS) which includes key principles for managing a Development Management (DM) service. Before this (May-July 2019) officers completed a toolkit analysis provided by PAS for councils seeking to understand and improve their DM services.

The projects in the IIP were initially focussed on the toolkit analysis but have evolved over time, responding to any new risks and issues. The IIP was intended to remain 'Interim' until the findings of the independent review were finalised and could be formally incorporated.

The IIP has 4 objectives:

1. Development and maintenance of robust and effective processes
2. Retention of workforce capacity and developed capability
3. Reliable IT systems that respond effectively to customer demand

4. To be recognised by stakeholders and customers as a professional and high performing service that responds effectively to feedback

A report with preliminary findings from the independent review was published in November 2020. The report addresses 41 issues/ questions (some in multiple parts) regarding the 1 Yeomans Drive warehouse development. The principal DM operational issue investigated was the omission of 14 conditions from the original Decision Notice. The preliminary findings support earlier (January 2020) MKC Internal Audit recommendations, specifically;

- Augmenting instructions and training for officers signing off decisions;
- Changing the Uniform [IT] system to include checkpoints for sign off officers (confirming they have checked Decision Notices before issuing);
- Generating reports in Uniform rather than Word so that no conditions can be lost through 'cut and paste';
- Significantly improving the Decision Sheet system following Development Control Committee (DCC), which should be used to cross check final Decision Notices.

Under Objective 1 of the Interim Improvement Plan, a comprehensive process mapping of the whole DM process took place. As a result, end to end procedures (validation to recommendation on all type of planning application, enforcement, and Section 106 negotiation), are documented in a 'Planning Handbook' for officers.

There is a separate 'sign off' guide, which contains explicit instructions to officers issuing planning decisions to read the officer report and to match conditions in Decision Notices to those on the report and the Committee Decision Sheet (where it has been a Committee Decision) that officers now compile. The procedure includes gateway checkpoints on Uniform to confirm the sign off officer has discharged these responsibilities, which can be audited.

Monthly spot checks of Decision Notices, from both Committee determined applications and officer delegated decisions, have been carried out since January 2020 and reported to the PIB. In that time no errors have been found on Decision Notices through the spot-checking process. However it should also be noted that there is always the potential for human error, which cannot be completely eradicated from the process.

The issue of generating all documents within the Uniform system (to avoid cut and paste errors) is more challenging to address operationally (for example being able to generate reports for a Committee meeting). However, a much wider ranging project addressing the digital requirements of a modern DM service is underway,

which is likely to result in significant investment in new systems that will address such issues. The first stage of this has been an audit of how the existing system is being used, which will be reported to the next meeting of the PIB.

The preliminary findings of the independent review also highlighted a concern regarding the process following the Committee decision to secure a public art contribution through the Section 106 attached to the 1 Yeomans Drive permission. A review of the Section 106 process map included in the officer Handbook confirms the requirement to return to Committee for a decision if the originally agreed Section 106 contributions are proposed to be altered.

In addition to the end to end review of processes and procedures the PIB has overseen the following work in the last 12 months;

- A restructure of the Planning Service aimed at increasing capacity and resilience, and to develop a specific resource around IT systems;
- Development of a new Enforcement Plan setting out for the public the process that will be followed in assessing breaches of planning control;
- Development and implementation of a Local Validation List, specifying information required to submit with a planning application;
- Consistent and timely monitoring of performance information.

Performance of the DM service against national and local measures in 2020/21 remained consistently high against a backdrop of increasing and sustained demand. It is likely to be more challenging in 2021/22 to maintain this level of performance as we have not been able to recruit to all posts in the new structure.

To help the Service focus on key interventions, given the day to day service demands, the current IIP was re-prioritised earlier in 2021. The following activities are planned next as a result of this prioritisation;

- Improve dissemination of process-related information to officers.
- Visually map, challenge and amend DM processes as part of ongoing continuous improvement.
- Launch a revised pre-application and Planning Performance Agreement process.
- Develop the programme of improvements for our planning IT software.
- Develop a bespoke training plan for officers and members.
- Implement a new Workforce Strategy to respond to the resources and skills required for the service.
- Ensure regular updating of Planning webpages.
- Update General Data Protection Regulation (GDPR) and Data Retention Practices.

- Review land charges processes to ensure best practice.
- Developing communications and engagement with customers and key stakeholders led by a new Customer Relations post.

There is also an action in the Council Plan to commission a Local Government Association (LGA) Peer Review of the Planning Service, in order to ensure that it is 'high quality and Trusted' (Council Plan Action 18). The work of the PIB will be a key input into that Peer Review and the PIB's work programme and priorities may change as a result of the LGA Peer Review.

3. Implications of the decision

Financial	Y	Human rights, equalities, diversity	N
Legal	Y	Policies or Council Plan	N
Communication	Y	Procurement	Y
Energy Efficiency	N	Workforce	Y

a) Financial implications

A key part of the IIP prioritised for action is the investment in new IT systems. A new system is likely to be a significant investment for the Council.

b) Legal implications

The ongoing review, challenge and development of processes and procedures is to ensure the Planning Service adheres to both the legal requirements of a local planning authority and those of data protection.

c) Other implications

Communication: The IIP will introduce changes to the service that requires communication to customers and key stakeholders.

Procurement: A procurement decision will be required in due course for new IT systems for the Service.

Workforce: The IIP includes implementing a Workforce Strategy, which has been developed with HR and the Local Government Association. Additional resources are also required on a temporary basis to support the Service until the full benefits of the Workforce Strategy can be realised.

4. Alternatives

That the PIB is discontinued and the IIP ceases to be a tool to manage change and continuous improvement in the Planning Service. As an alternative the Service would need to progress improvement projects on an 'as and when' basis, setting priorities on short term needs. This option is not recommended.

5. Timetable for implementation

The IIP is a rolling programme of improvement work for the Planning Service, with the longest projects likely to take the next 24-48 months to deliver and embed as Business as Usual (such as the new IT system).

List of annexes

None

List of background papers

Report for Milton Keynes Audit Committee, Mark Dorfman – External Planning Reviewer, 16 November 2021

Planning Improvement Board Terms of Reference, February 2020

Planning Service: Interim Improvement Plan, Development Management, July 2020

Planning Handbook, July 2020

User Guide to Issuing Decision Notices in Enterprise, 1 December 2020