

Define and Document

Planning policy and procedures

1. The framework for decision making in relation to planning matters in England and Wales is plan-led and is legislated by Acts of Parliament and Statutory Instruments. This requires the Local Planning Authority to prepare plans, that set out what can be built and where, as well as addressing a range of local issues through planning policies. All decisions on applications for planning permission should be made in accordance with the Development Plan unless material planning considerations indicate otherwise. The Leeds adopted Local Plan sets out the council's vision and strategy for planning the area until 2028. Planning Policy is compliant with all relevant legislation. Development Management activity is guided by legislation, the main legislation being The Town and Country Planning (Development Management Procedure) (England) Order 2015 which sets the legal framework for determining planning applications. Additionally, documented systems and processes exist which ensures that the decision making is lawful and compliant, open, and transparent.
2. The Table below describes the planning policy hierarchy and the underpinning planning procedures and guidance used to determine planning applications in Leeds.

The Leeds Local Plan:

- Core Strategy 2014 (amended by Selective Review in 2019)
- Site Allocations Plan (SAP)
- Aire Valley Leeds Area Action Plan
- Natural Resources and Waste Local Plan
- Saved Unitary Development Plan Review policies.
 - Neighbourhood Plans
 - Supplementary Planning Documents (SPD)
 - Conservation Area Appraisals
 - Area Design Statements

Planning Procedure and Guidance:

- Chief Planning Officer's Delegation Scheme
- Chief Planning Officers' Sub- Delegation Scheme
- Plans Panel Terms of Reference
- Planning Code of Good Practice
- Protocol for Public Speaking at Plans Panels
- Development Management and Enforcement and Member Communication Protocol

3. Following a legal challenge to the Site Allocations Plan (SAP), the High Court (August 2020), ordered that, 37 Green Belt sites (including one mixed use allocation), be treated as not adopted and be referred back to the Secretary of State for further examination by the Planning Inspectorate, against up-to-date evidence and national and local policy. To that end, in March 2021 the Council submitted for Examination proposed modifications to the 2019 SAP by removing 36 housing allocations and proposing that the single mixed-use (MX2-38) site be allocated for general employment (under the new reference EG2-37). This was the subject of Examination in September 2021, with consultation on proposed Main Modifications in January 2022, hearing sessions in May 2022, and further proposed Modifications in January 2023. The Council awaits the Inspector's Report.
4. In terms of planning enforcement, the National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these should be applied; it is also the framework for decision making in relation to enforcement matters. The NPPF states:
"They should consider publishing a local enforcement plan to manage enforcement proactively, in a way that is appropriate to their area. This should set out how they will monitor the implementation of planning permissions, investigate alleged cases of unauthorised development and take action where appropriate."

Roles and responsibilities

Delegated decision making

5. Full Council approved arrangements and reported to the Annual Council Meeting on 26th May 2022 for the appointment of Committees and the delegation of council functions to officers for the 2022-23 municipal year, including approval of the Chief Planning Officer's Delegation scheme.
6. The sub-delegation scheme sets out which functions have been sub-delegated by the Chief Planning Officer to other officers and any terms and conditions attached to the authority sub-delegated by the Chief Planning Officer. The Sub Delegation Scheme was last published in June 2023, following a full review in Spring 2023.
7. The sub-delegation scheme sets out which functions have been sub-delegated by the Chief Planning Officer to other officers and any terms and conditions attached to the authority sub-delegated by the Chief Planning Officer.

8. The Chief Planning Officer's sub-delegation scheme ensures that decision making is undertaken at the appropriate level of seniority and experience. For example, only officers at planning team leader level and above have the authority to determine major applications. Other applications can only be signed off by officers at PO4 level and above. No officer can 'sign off' their own applications and therefore an appropriate level of external scrutiny is brought to bear on each proposal before it is finally determined.
9. A thorough review has been undertaken of the Chief Planning Officer's sub delegation scheme in the reporting period, bringing parity of job titles across the service and addressing some of the actions arising from Internal Audit review earlier in the year (see point 12 below).
10. A total of 4,800 decisions were made by the Local Planning Authority in 2022-23, this compares with 5,524 in 2021-22 and takes the service back to pre-pandemic levels of activity (4,694 decisions in 2019-20). This is due to the reduction in the number of applications submitted in the reporting period to 4,485, a 19.4% decrease in application numbers compared with the previous year. This takes the number of applications submitted in 2022-23 back to more stable pre-pandemic levels. Due to the scale of the numbers received by the planning authority and in line with best practice, most decisions are made by officers under the delegation scheme and in 2022-23, officers made 99.0% of the decisions.
11. The Chief Planning Officer is authorised to determine all planning enforcement matters in accordance with the Officer Delegation scheme and has sub-delegated this authority to appropriate officers. The Local Planning Authority should have regard to the NPPF, in particular paragraph 58 which states, "*Effective enforcement is important to maintain public confidence in the planning system. Enforcement action is discretionary, and local planning authorities should act proportionately in responding to suspected breaches of planning control*".
12. The service has in place a process for declaring conflicts of interest, whereby if an officer is allocated an application or enforcement case but has an interest, or is known to the applicant, or their representative or complainant or property owner being complained about, then officers are required to declare an interest and the application is reallocated to another officer in the interests of transparency. In 2022-23, Internal Audit conducted an Audit on the service, as well as other areas across the Council, where a conflict could influence a decision. A small number of recommendations were made to further strengthen the process. All actions have been fully implemented by the service and a protocol for the process of declaring an interest was updated and recirculated to Officers by the Chief Planning Officer in January 2023. The more robust process is monitored by Heads of Service and in the reporting period there have been no declared conflicts of interest.

Plans Panel decision making

13. All planning applications are delegated to the Chief Planning Officer under the officer delegation scheme, unless they fall into defined categories of exceptions which were detailed in a previous report in November 2019 to this Committee.
14. Such exceptions facilitate Members' right to request that an application comes to the Plans Panel for determination, and part 1a of the Officer Delegation Scheme (Council (non-executive) Functions) - Chief Planning Officer, 'Exceptions' section, sets out the circumstances when this is applicable.

Enforcement matters

15. The service has a duty to investigate all enforcement matters it receives. Enforcement matters are allocated to case officers within the service who conduct site visits, investigative and carry out meetings as appropriate. In liaison with Planning Officers as may be appropriate, Enforcement officers then make recommendations as to the course of action to pursue; this recommendation will have due regard to the NPPF and NPPG and the Council's Leeds Enforcement Plan (as encouraged by the guidance, enforcement activity will almost always seek to resolve issues first by negotiation and by working with developers/ owners to address any problems). On a small number of cases, a breach may be identified, and a decision taken that it is not expedient to pursue further. These decisions would only generally be made when the breach is very minor and causes no identified planning harm, in accordance with relevant guidance. Where no further action is recommended due to a lack of expediency, the case will fully be appraised and documented for approval by a senior officer. The Chief Planning Officer's sub-delegation scheme ensures that decision making is undertaken at the appropriate level of seniority and experience. No officer can decide their own cases and therefore, an appropriate level of external scrutiny is brought to bear on each case before it is finally decided.

Democratic Oversight

16. There exist numerous opportunities for democratic oversight of the development management and enforcement processes:

Executive Member for Sustainable development and Infrastructure	Regular briefing meetings on Planning matters, pertaining to the portfolio holder's responsibilities.
Executive Member for Sustainable development and Infrastructure and Plans Panel Chairs meetings	Informal briefings on matters relating to specific applications, process issues and strategic planning and compliance matters and provides an effective two-way communication mechanism between members and the service. Held monthly, and were continued throughout the COVID pandemic lockdown period, thus providing the continuous democratic oversight during a challenging and ever evolving situation.

Plans Panel Chairs Briefings	Regular briefings with the respective Plans Panel and Development Plan Panel Chairs.
Plans Panels	Formally appointed committees to determine planning applications in accordance with terms of reference. Arrangements enable individual members to refer planning applications to panel.
Joint Meeting of Plans Panel	An informal meeting of members of the three formally appointed Plans Panels and Development Plan Panel. Performance reports describing the work of the Planning and Sustainable Development Service including performance against Government targets; other reports are also brought to this meeting detailing arising issues or latest developments and legislative changes. This ensures that members are kept as up to date as possible with events and activities which may have an impact on decision making. One meeting was held during the reporting period in July 2022.
Executive Board	Under the Budget and Policy Framework Executive Board is responsible for plan-making activities around key stages of public consultation and making recommendations to Full Council to submit and adopt Development Plans.
Full Council	Report of the Plans Panel and the Development Plan Panel is prepared for full Council each year detailing the work and activities of the Panels. The last report went to full Council on 14 September 2022.
Development Plan Panel	Advisory Committee, which makes recommendations to both the Executive and Council regarding the Authority's Unitary Development Plan and the Local Development Framework.
Corporate Governance and Audit Committee	Oversight of system of internal control in relation to development control and enforcement.
Scrutiny Board (Infrastructure, Investment & Inclusive Growth)	Focusing on development and infrastructure functions and services to monitor progress in relation to transport, planning, regeneration, and housing growth

Enforcement Ward Member information	Key cases list with updates on priority cases within each area, twice yearly
Corporate Leadership Team	Focussing on service specific issues which impact across other Council services.

Clearly Communicate

17. In addition to the Council’s Constitution and documented processes and systems, the decision-making framework is communicated to Members and officers through a combination of training, guidance, and leadership. Together these ensure the communication of both the rules and processes required in decision making to ensure that decisions are lawful and compliant.
18. The service places emphasis on ensuring that planning officers and Plans Panel members are up to date with current legislation, best practice, and Government’s planning reform agenda. This ensures the decision-making process is based on the most current and accurate information possible and is embedded thus:

	Officers	Members
Training	<p>Officers attendance at member training sessions</p> <p>Internal training and update sessions from internal specialist consultees e.g., on biodiversity, landscape.</p> <p>Internal training sessions on work skills such as resilience, and conflict management</p>	<p>Article 8.2.2 of the Council’s Constitution says that Members of the Plans Panels must complete all compulsory training. In order to improve the clarity of what this compulsory training comprises formal documentation of the member training offer for Planning and Sustainable Development issues was produced and has been further defined to take account of digital opportunities for member training and timescales for accessing compulsory training. This will go to the Joint Plans Panel in September 2023 for consultation.</p>

	Attendance (mostly online) at occasional external training on specific topic areas and /or changing areas of policy or legislation e.g. Biodiversity Net Gain.	<p>All Plans Panel members and substitute Plans Panel members in 2022-23 have undertaken the prescribed compulsory training.</p> <p>A programme of discretionary member training produced for 2022-23. Sessions were made available to all members of the Council and four sessions were offered:</p> <ul style="list-style-type: none"> • Affordable Housing • Carbon Reduction & Environmental Improvement • Enforcement • Conservation <p>Training materials have been made available on the Member Development SharePoint site.</p>
Guidance	<p>Learning materials from the sessions on the service SharePoint site which is accessible to all staff in the service areas.</p> <p>Learning objectives are set and monitored as part of the Personal Development Review process</p>	The Member Development -Planning site continues to be enhanced, with materials from Member training sessions and other planning related material and an improved FAQ section.
Leadership	<p>Planning Services Team Leaders Meeting: Head of Development Management chairs a monthly meeting of group managers and team leaders to discuss current or new issues and agree actions. Ensures common understanding agreement of consistent approach across teams.</p> <p>Case officer meetings: Head of Development Management provides an update of government reforms and changes that will impact on the way officers</p>	<p>The Executive Member for Infrastructure and Sustainable Development and the Plans Panel Chairs were consulted in preparing the programme of member training to ensure that topics covered were relevant and meaningful for members.</p> <p>The Executive Member for Infrastructure and Sustainable Development and the Plans Panel Chairs have been consulted on the review of key documents including the Planning Code of Good Practice, public speaking protocol and Officer Member communication protocol.</p>

	<p>work. Guest speakers provide information on planning and planning related information including those from the Policy team to ensure officers are kept up to date with regard to new, emerging or amended planning policy, including the latest position on the Site Allocations Plan, the Local Plan Update and Leeds 2040. Notes of actions or changes to process are circulated afterwards and placed on the services' SharePoint site. Meetings are approximately every two months.</p> <p>Team Meetings: Team Leaders hold regular meetings with their staff to disseminate information and identify team related issues or queries to feed back to senior managers.</p> <p>DM Management Catch Up: Head of Development Management holds weekly meetings with DM Group Managers to discuss staffing, performance, and other management issues.</p> <p>Group Manager Meetings: Group managers from across Planning and Sustainable Development meet to discuss salient matters such as consultee processes and potential improvements.</p> <p>Strategic Planning Leadership Meetings: Head of Strategic Planning Chairs monthly meetings to discuss service issues and approaches to servicing Plan Making and consultee responses.</p>	
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Effectively Embed

19. The legacy of the pandemic continued to be felt in 2022-23 dealing with historic backlogs and it has been a challenging year with high levels of staff turnover and difficulties in replacing experienced officers via recruitment has impacted on certain teams. However, continuing to implement the recommendations made in the 2020 service reviews has led to the service to making further process and systems changes to respond positively to challenges, whilst ensuring that the robust governance framework remains in place. The case studies below demonstrate how the planning decision making processes is effectively embedded:

Case study	Challenges	Clear systems and process in place	Stakeholder engagement	Outcomes
Officer declaration of interest/ conflict of interest	Internal Audit conducted audit into areas where conflict of interest could influence a decision.	A small number of changes were made as a result of the audit investigation to reflect changes to the staffing establishment and the inclusion of enhanced signing off processes for tree work applications to give greater assurance. A more robust process for Heads of Service to record centrally any declarations of a conflict of interest which is periodically reviewed and reported. Recirculation of the conflicts of interest process to all officers.	All of Planning and Sustainable Development who have any involvement in decision making.	Audit recommendations fully complied with and there are increased assurances in the process.
Information for neighbours and applicants of proposed	Ongoing issues with backlogs and high workloads as well as reviewing the efficacy	The Householder Protocol introduced in 2020 to articulate service standards for householder type applications was reviewed in	Revised protocol sent to frequent users of the service, clear web	91% of Householder applications were determined in time in 2022-23 a significant improvement from the previous year.

householder developments	of the Householder protocol. High number of neighbour complaints on householder proposals.	2022, to cover retrospective applications in the interest of consistency and transparency for applicants and third parties alike. Clearer web information on what matters are material in planning terms and the system and processes in place for consideration of a householder application to manage customer expectations and provide clarity on the processes in place.	content on the Leeds City Council website.	Neighbour complaints have significantly reduced as service expectations are clearly articulated and understood.
Enforcement Key cases	Ward members report potential enforcement cases to the enforcement service, communicating key changes/ updates can be challenging in the context of the services' staffing resources and pace of cases.	From April 1 st a <u>list of key cases</u> is supplied to ward members and this will be updated twice a year, in line with the Local Enforcement Plan.	All elected members of Leeds City Council will have access to the list.	Greater information about progress of ongoing key cases.
Review of customer communications	Complaints arising on the same issues have been investigated and solutions found to mitigate the chance of reoccurrence on the same grounds.	Web information on the LCC website and all customer letters, site notices and other communication material with members of the public have all been reviewed to ensure they are as clearly written as possible and	The service has worked closely with the Council's web team to carefully compose the communications to ensure Plain English messaging.	Greater clarity on service levels and expectations for members of the public. Reduction in complaints on similar issues due to better information provided.

		provide clarity on service levels provided.		
Further review of engagement and communications with elected members in the development management and enforcement process	A document covering this area was created in 2016 and was further updated to reflect changes in digital delivery, current best practice but has also had regard to the resource and financial context within which the service operates.	There has been a review of the protocol which guides member involvement in the Planning process in Leeds; the updated “Development Management and Enforcement and Member Communication Protocol” was operational from June 2023.	The document was reviewed in consultation with the Executive Member for Sustainable Development and Infrastructure and the Plans Panel Chairs.	The document has been shared with all Members of the Council and is hosted on the Members Planning SharePoint site. Changes including greater emphasis on using established channels to submit comments in the most efficient way, clarity on site meetings in the interest of consistency across the service.

20. Additionally, assurance that the processes are effectively embedded is demonstrated through the services’ performance information as demonstrated by two indicators to measure the quality of decision making- number of upheld complaints and numbers of appeals upheld.
21. Complaints about service quality or not following correct processes are investigated by the service’s Business and Systems Support Team rather than planning or enforcement officers, therefore there is a degree of independence in considering the issues. The numbers of complaints received under the Council’s complaints procedure, in 2022-23 (111) are 16% lower than those received in 2021-22 (133). In terms of the outcomes of complaints, 84% of Stage 1 complaints and 76% of Stage 2 complaints were not upheld, this compares with 72% at Stage 1 and 77% at Stage 2 for 2021-22. This is a significant improvement in performance on Stage 1 complaint outcomes. The biggest area of complaint is in “assessment of the application”, typical complaints involve customers being unhappy with the way the application was handled, perceived inaccuracies in the officer report, objectors complaining about lack of contact from the LPA. Measures wherever possible are put in place to mitigate the chance of reoccurrence on similar issues and in this context web information has been improved, customer letters written in plain English and greater clarity on what can and cannot be taken into consideration when determining a planning application is articulated and shared. A half yearly report is presented to the Planning Services Leadership team covering development management and enforcement complaints and a report also to the Senior Management Team meeting covering the whole of Planning and Sustainable Development.

22. In terms of the Local Government and Social Care Ombudsman complaints (LGO), the service received two formal cases for investigation and three final decisions during the reporting period. Two of the cases were in relation to enforcement cases where fault was found, and one was a development management case. Interventions to remedy a further enforcement complaint took place in 2022-23, where the Council was found at fault for not being clear about what type of evidence could be considered in the event of an enforcement prosecution. A review has since been undertaken in conjunction with Legal Services and the Local Enforcement Plan has been updated, to reflect the lawful use of CCTV, in line with data protection law and requirements.
23. In 2022-23, 76% of development management appeals against council decisions were dismissed, a slight improvement in performance compared with 2021-22, (75% dismissed), and also 54% of enforcement appeals were dismissed. These are high rates of dismissal, particularly for enforcement appeals, helping to demonstrate the quality of decision making with regard to refusals of permission.
24. Members of this Committee will be aware of the Government's 'special measures' regime, where local planning authorities can be designated as "Poorly-Performing" and subject to intervention, if they fail to meet criteria for quality of decision-making, allowing developers to submit applications directly to the Planning Inspectorate. Any authority that has more than 10% of either major or non-major applications overturned at appeal over a specified two-year period is at risk of this designation.
25. Based on the latest data available¹, 24 months up to the end of March 2022, shows that Leeds performance stands at 0% for major applications and 1% of non-major applications overturned at appeals, well below the 10% threshold above which special measures would apply.
26. During 2022-23 there has been one Judicial Review which relates to, *TV Harrison CIC v Leeds City Council* [2022] EWHC 1675. Mr Justice Eyre found the decision unlawful and quashed the planning permission to build 61 affordable dwellings on a longstanding sports field after finding that a planning officer's report failed to correctly mention an older Unitary Development Plan (UDP) policy, that specifically protects playing fields.
27. The Council first became the subject of proceedings in relation to Wortley Recreation Ground in 2020, after TV Harrison CIC, a community interest company, challenged its refusal to list the field as an asset of community value. In January 2022, the High Court found that the decision not to list the field was unlawful and quashed the decision. In October 2021, the Council granted outline planning permission for an affordable housing development on the field. TV Harrison CIC then challenged the planning decision on four grounds. Only one ground was successful; the judge found that the Council had failed address UDP policy N6 and so failed to have regard to the provisions of the development plan and erred in law.

¹ [Live tables on planning application statistics - GOV.UK \(www.gov.uk\)](https://www.gov.uk)

Activity	Process	Oversight	Escalation	Risks & Resolution
				they are poorly performing or not. Resolved by better oversight processes to be developed.
Government Monitoring	Government assessment of appeals performance	Significant assurance can be provided that Leeds performance not at risk for designation as a poorly performing planning authority.	Senior Management review	<p>Where an authority is designated as underperforming, applicants have the option of submitting their applications directly to the Planning Inspectorate for determination. This risks application not being dealt with locally, potentially bypassing local democratic processes, reducing application income, and causing significant reputational damage.</p> <p>Planning appeals and quality of decision making, where performance drops below the expected level, the service will examine appeal decisions and take corrective action, or attach different weight, as appropriate where a change of stance is perhaps</p>

Activity	Process	Oversight	Escalation	Risks & Resolution
				required in light of recurring upheld appeals.
Service reporting	<p>The service collects a range of information and data to monitor its own performance and to take corrective action wherever necessary.</p> <p>This enables identification of high-risk areas where corrective action can be taken as appropriate, for example examining speed of decision making where there has been a downturn in performance.</p> <p>No statutory targets for enforcement decision making, however the quality of decision making can be seen in the same way as the quality of planning decision making by the consideration of enforcement appeals which are subsequently upheld at appeal.</p>	<p>Continuous monitoring in service of individual officer caseloads as well as overall service performance allows for swift resolution of issues early on and use of escalation processes as appropriate.</p> <p>Customer complaints information is recorded, and a quarterly report is presented to the Leadership Team.</p> <p>Performance data is reported on a quarterly basis to the Senior Management Team for review and to identify trends or issues. Based on the latest data available³, it is noted that LCC compares very favourably with the appeal rate of the Core Cities; Leeds performance on quality of decisions (% non-major applications overturned at appeal) stands at 1.0%, only three Core Cities performance have better performance between 0.5%-0.6% overturned at appeal</p>	<p>Senior manager review</p> <p>In service escalation to identify appropriate corrective action</p>	<p>Areas for improvement identified through trends of complaints are shared with the planning team to reduce the risk of reoccurrence n similar subjects</p> <p>As above.</p>

³ [Planning Inspectorate Quarterly and Annual Volume Statistics - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

Activity	Process	Oversight	Escalation	Risks & Resolution
		Political oversight is provided through twice yearly performance reports to the Joint Plans Panels.		
Benchmarking	Core Cities benchmarking to ensure that performance is comparable with similar authorities which helps to highlight any service anomalies or emerging trends; this assists the service to highlight risks and act as appropriate.	The Government ⁴ publishes determination of planning applications and quality of decision-making data.	Head of Development Management to take corrective action as appropriate	It is important for Leeds's performance to be comparable to peer authorities, e.g., Core Cities. When performance is significantly different an investigation into the issues can be initiated.

Refine and Review

29. Numerous system and process changes have been put in place as a result of the impacts largely arising from the challenging budget position and limitations on resourcing levels faced by the service as well as the findings of the Service reviews conducted in 2020. These drivers have led for the need to rethink, review, and refine service delivery and processes to ensure that there is a proportionate approach, deploying resources at the correct level in the interest of efficiency and value for money as well as being responsive to service, legislative, budget, and other challenges. Planning application submissions fell by 16.5% compared with the same period the previous year; this means that the number of applications being received has now returned to more manageable pre- pandemic levels; however, challenges still remain. As noted above, the process changes made at the end of 2020-21 for conditions discharge applications has improved further from the position reported last time, from 58% to 75% of decisions made in time, as well as the quality of those submissions from applicants improving as a consequence. Householder applications determined in time now stands at 95%, with the Householder Protocol now firmly embedded across the service, providing clarity on customer expectations and consistency in decision making. The number of revised plans submitted has

⁴ <https://app.powerbi.com/view?r=eyJrljoiZjkwMGUyZDctMmZlZS00ZmE2LWFKMTEtN2E4ZDc2Zjc3YjhhkliwidCI6ImJmMzQ2ODEwLTljN2Q0NDNkZS1hODcyLTI0YTJlZiM5OTVhOCJ9>

reduced further by another 15% compared with the previous year, where it fell by over 30%, suggesting more 'right first-time' submissions; this allows more time to be spent on value-adding activities rather than administrative tasks.

30. There has been some progress moving to self-service wherever possible; for example, a new *Community Infrastructure Levy (CIL) Status Checker* app is now available on the Leeds City Council website. This facilitates 24-7 access for solicitors, search companies and other interested parties, to check the status of a site/development in terms of CIL liability, outstanding payments or compliance. The service previously received approximately 12 queries per week and now receives none, saving significant staff time to deal with other necessary duties such as CIL and Section 106 income monitoring and collection. Enforcement notices served after 1 April 2023 are now available, via self-service on Public Access, with work planned place historical notices online.
31. The overall numbers of complaints received during the year has reduced by 16.5% from the same period the previous year. Complaints and service requests for information on similar subjects are also decreasing due to the improved web information and other customer communications.
32. The Local Government and Social Care Ombudsman found fault in a small number of planning cases during the year. As a result, systems and processes changes have been made in the interests of good governance and transparency and to mitigate the chance of reoccurrence, these included:
 - Update of the Local Enforcement Plan on the circumstances when CCTV can be used as evidence in investigations.
 - New process ensuring applicants provide a summary of the material changes in minor material amendment applications.
33. Planning Enforcement remains a challenge in terms of the number of new cases received, 1,298 in the reporting period. However, enforcement activity in terms of number of cases being resolved has improved, with 42% of cases being closed on or before day 91 in comparison with 22-23 where 36.5% were resolved in that time period. Nevertheless, whilst the situation remains challenging there is significant assurance provided in the processes and systems in place for the efficient and effective operation of the LPA, with consistent high-quality decision making.
34. A key piece of work for 2022-23 was the commissioning with Corporate IDS the creation of in real time performance dashboards; these dashboards will be key for the service in being able to respond in an agile way to any workload peaks or drops in performance. This work is now underway.
35. *The Levelling Up and Regeneration Bill* published in May 2022 proposes some very significant changes for the planning sector which will have implications for the running of the service going forward. Whilst the Bill has already received some criticism nationally, for a lack of detail of the changes and an accusation of 'centralising the planning system', the service is trying to anticipate some of the changes and is already

developing a digital planning strategy which will use automation – where possible and the latest technology to drive efficiencies and provide a better and quicker customer experience; this includes for both development management and plan making. The service is working with the Department for Levelling Up, Housing and Communities (DLUHC), Core Cities, Practitioners Groups, and a number of other Local Planning Authorities, sharing best practice in light of the forthcoming changes.

36. A suite of documentation exists to embed and communicate systems, processes, and control in place within the planning service to ensure that statutory requirements are met and to ensure there is high quality consistent decision making in Leeds. Many of these documents cover the services’ Constitutional provisions. As part of the service responsiveness to change, these documents are subject a programme for systematic review to ensure that they remain an accurate reflection of arrangements and are up to date and fit for purpose:

Document	Purpose	Monitored	Review date	Review	Accountability and oversight
Officer Delegation Scheme (Council Functions)	Sets out authority for Chief Planning Officer to discharge council functions.	Corporately	Reviewed Spring 2023	Reviewed by service in consultation with the Executive Member for Infrastructure and Climate and Plans Panel Chairs.	Full Council
Officer Delegation Scheme (Executive Functions)	Sets out authority for Chief Planning Officer to discharge executive functions.	Corporately	Reviewed Spring 2023	Reviewed annually with executive arrangements.	Leader of Council
Chief Planning Officer sub-delegation scheme	Sets out authority for officers of suitable experience and seniority to discharge council and executive functions. The CPO has sub-delegated some or all of those	Corporately	Reviewed Spring 2023	Refreshed annually following renewal of delegations at annual Council meeting.	Chief Planning Officer

Document	Purpose	Monitored	Review date	Review	Accountability and oversight
	functions to officers of suitable experience and seniority.				
Plans Panel terms of reference	Sets out authority and remit for Area Plans Panels, the City Plans Panel and Development Plans Panels.	Corporately Plans Panel decisions are made in accordance with the terms of reference of each Panel.	Annual	As part of the Annual Meeting of Council	Full Council
Local Plan	<p>Sets out a vision and a framework for the future development of an area, addressing needs and opportunities in relation to housing, the economy, community facilities and infrastructure. Guides decisions about individual development proposals.</p> <p>The Authority Monitoring Report monitors the implementation of planning policies in terms of planning decisions.</p> <p>The Policies Map illustrates geographically the policies in the plan.</p>	<p>The Local Plan is kept up to date by reviewing the policies within it to see if they need to be updated.</p> <p>Annually and reported to Council and Government</p>	A review of existing policies is undertaken every 5 years for each document.		Development Plans Panel, Full Council

Document	Purpose	Monitored	Review date	Review	Accountability and oversight
	Site Allocations Plan identifies sites for housing, employment, retail, and greenspace to ensure that enough land is available in appropriate locations to meet the growth targets set out in the Core Strategy.	Following a High Court order, the Site Allocations Plan has been remitted back to the Secretary of State and the Council awaits the Inspector's Report.	The Inspector is currently considering the soundness of the Plan (in relation to the remitted sites), following Examination hearing sessions. The service will respond to the outcome.		
Planning Code of Good Practice, part 5(g) of the Constitution	To provide practical and supportive advice to Plans Panel Members when dealing with planning matters, keeping decisions safe and mitigating the risk of possible legal challenge.	There have been no reported complaints or issues in relation to the operation of the Code in this reporting period.	Last reviewed and amended May 2018.	Reviewed in Spring 2022-23 and to be discussed in consultation with Joint Plans Panel September 2023.	The Chief Planning Officer is authorised to approve the Code in consultation with the Joint meeting of Plans Panels. The Executive Member for Infrastructure and Climate and Plans

Document	Purpose	Monitored	Review date	Review	Accountability and oversight
					Panel Chairs will also be consulted.
Public speaking protocol, part 5(h) of the Council's Constitution	Protocol provides the framework for allowing opportunities for public speaking on applications at the Panel meetings and at the pre-application and position statement stages.	Continuous monitoring to ensure compliance with the protocol and where Chair's discretion is used, this information is recorded.	November 2021	Reviewed 2022-23 and to be discussed in consultation with Joint Plans Panel September 2023.	The Chief Planning Officer is authorised to amend the Protocol in consultation with the Joint meeting of the Plans Panels.
Development Management, Enforcement and Member Communication Protocol	Document describing the consistent approaches to Officer- Member communication about planning applications.	Review conducted arising from a number of key drivers including: technological developments, learning from the outcomes of complaints, reduced resource base and need for clearly documented process.	Reviewed and circulated to all Members June 2023.	Two years	Executive Member for Infrastructure and Climate and Plans Panel Chairs.
Leeds Enforcement Plan	The Plan outlines the key considerations for the planning enforcement service in Leeds and sets out the main procedures and principles the service will adopt to	Continuous monitoring to ensure compliance, performance information reported twice yearly.	Reviewed in Spring 2022.	Update published July 2022.	Executive Member for Sustainable Development and Infrastructure and Plans Panel Chairs.

Document	Purpose	Monitored	Review date	Review	Accountability and oversight
	regulate development and its priorities for investigation.				
Householder Protocol	Setting out the level of service that applicants can expect and clearly describes the planning process the application will go through.	In service	Reviewed in April 2022	Reviewed and deemed fit for purpose. Subject to annual light touch review.	Executive Member for Sustainable Development and Infrastructure, Chief Planning Officer.
Protocol for enforcement on Council owner land or property	Describing the proportionate escalation process for dealing with potential breaches on Council owned property and land.	In service Introduced in April 2021.	Reviewed in April 2022.	Reviewed and deemed fit for purpose. Subject to annual light touch review.	Executive Member for Sustainable Development and Infrastructure, Chief Planning Officer.
Officer declaration of interests	In addition to the Council's process for higher graded posts to declare an interest the service also has a process for officers where they are able to declare a conflict of interest on applications where they may have a personal interest	Monitoring of declarations on continual basis and process in place to record such declarations.	Process reviewed in September 2022 and protocol circulated to all officers.	Subject to annual review.	Chief Planning Officer.
Safe working Practices Note for Development Management and Enforcement	Provide a safe but consistent decision-making framework for all officers particularly when working alone or on site.	To be reviewed Summer 2022 and presented at caseworkers meeting Autumn 2022.	September 2022.	Subject to periodic review as processes and working practices change.	Head of Development Management

Statement of Assurance

37. Having undertaken the review of the system of internal control for Development Management and Enforcement activity outlined in this statement, the Chief Planning Officer is satisfied that the arrangements are up to date and fit for purpose, that they are communicated and embedded and that they are routinely complied with.
38. The Chief Planning Officer however has identified the following opportunities for enhancement of the system of internal control for Development Management and Enforcement activity and will implement these over the course of the 2023- 24 municipal year:

Define and Document	Continue the process of reviewing the suite of documents within which Development Management and Enforcement operates.
Clearly Communicate	Caseworkers meeting is a valuable meeting for disseminating new processes, best practices as well as a learning opportunity. These meetings from Autumn 2023 will be recorded on Teams and shared afterwards with Officers on the service's SharePoint site for those unable to attend at the time. This is to fully augment the notes which follow the meeting in the interests of greater communication. Further work making planning language as accessible as possible, review all customer communications, includes web pages.
Effectively Embed	There are no proposed amendments in respect of effectively embedding the system of internal control.
Meaningfully Monitor	Further progress the acquisition of a dashboard with Corporate IDS for Development Management and Enforcement performance information. New programme of half yearly performance reports on customer complaints to the service Senior Management Team.
Review and Refine	Review of Validation checklist in Autumn 2023.