

Report of Chief Planning Officer

Report to Corporate Governance and Audit Committee

Date: 21st September 2020

Subject: Annual Assurance Report on Planning Decision Making and Enforcement Arrangements

Are specific electoral wards affected? If yes, name(s) of ward(s):	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Has consultation been carried out?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Will the decision be open for call-in?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, access to information procedure rule number: Appendix number:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

Summary

1. Main issues

- An annual assurance report, providing assurances in relation to planning decision making and enforcement arrangements is required by the Corporate Governance and Audit Committee.
- Using the cycle of internal control framework, Members will be provided with assurance to the adequacy of policies and practices, measures in place to ensure that the framework is clearly communicated, embedded and monitored with appropriate escalation processes in place and is reviewed and refined to ensure continuous improvement and assurance.
- A service review as part of the Council budgetary process in July 2020, looking at efficiency savings highlighted that policies and procedures are not always consistently applied for both officer and Plans Panel decision making. Reviewing these areas will be a key action for the service going forward in 2020-21. Any changes will be subject to the cycle of internal control framework ensuring that policies and practices align with any constraints imposed as a result of the financial pressures, whilst maintaining assurance in the decision making process.

2. Best Council Plan Implications (click [here](#) for the latest version of the Best Council Plan)

- The Council's decision making framework sets out systems and processes which ensure information is shared in a clear and consistent fashion. The decision making framework seeks to ensure that Leeds City Council is open, honest and trusted.

3. Resource Implications

- There are no resource implications arising from this report; all systems and processes which are in place to meet the requirements of the decision making framework do so from within existing resources.

Recommendations

Members are requested to consider and note the positive assurances provided in this report and future steps to provide additional assurance in the process.

1. Purpose of this report

1.1. This is a cover report to the main development management and compliance assurance annual report for 1st April 2019 to 31st March 2020 which is attached.

2. Background information

2.1. An annual assurance report is requested by the Corporate Governance and Audit Committee on an annual basis which provides assurances in relation to planning decision making and enforcement arrangements.

3. Main issues

3.1. The Chief Planning Officer has responsibility to ensure that the Council's arrangements for dealing with and determining planning and compliance matters are up to date, fit for purpose, effectively communicated, routinely complied with and monitored and has internal arrangements in place to provide assurance in the decision making process and to mitigate any potential risk of challenge on the grounds of partiality or bias.

3.2. Attached as appendix 1 is the annual assurance report for development management and compliance functions of the Council. The report outlines the key internal controls and processes in place to mitigate risks and to provide assurance that systems and processes for decision making on planning decision and enforcement activity are in place.

3.3. This year the report follows a different structure, with the focus on the assurances provided and how they address this Committee's terms of reference. Members will be guided through the report using the cycle of internal control framework, which will provide the assurance to the adequacy of policies and practices, measures to ensure that the framework is clearly communicated, embedded and monitored with appropriate escalation processes in place and is reviewed and refined to ensure continuous improvement and assurance. This framework ensures compliance with statutory and other guidance.

3.4. A service review as part of the Council budgetary process in July 2020 highlighted that policies and procedures are not always consistently applied for both officer and Plans Panel decision making. The variances operate within the constraints of the statutory

and regulatory framework and relate to impacting on efficiency rather than governance. As such they pose little or no risk to the Council, but it is considered appropriate to consider these and take remedial action as appropriate. The review of these areas will be a key action for the service going forward into 2020-21.

- 3.5. Additionally a thorough review has been undertaken of the policies and documentation which underpin the statutory development management decision making process. This has highlighted that whilst most documents are up to date and fit for purpose, there are some instances where documents have not been reviewed for some years and need reviewing to ensure they remain up to date and relevant.

4. Corporate considerations

4.1. Consultation and engagement

- 4.1.1. This information is presented for information and comment

4.2. Equality and diversity / cohesion and integration

- 4.2.1. There are no specific issues arising from this report

4.3. Council policies and the Best Council Plan

- 4.3.1. The Council's values include being open, honest and trusted; spending money wisely; and working with all communities. The Planning Service adopts systems and processes which ensure information is shared in a clear and consistent fashion, to enable the people living and working in the communities of Leeds are engaged in development proposals. The protocols, systems and processes themselves are subject to continuous review to ensure that their implementation is practicable and makes best use of the Council's resources to achieve compliance with both the statutory and local planning framework.

Climate Emergency

- 4.3.2. There are no specific issues arising from this report

4.4. Resources, procurement and value for money

- 4.4.1. The systems and processes in place to meet the requirements of the decision making framework do so from within existing resources. Given the assurances made by the Chief Planning Officer it is considered that the systems and processes in place continue to represent an appropriate use of resources and good value for money. The service review conducted in July 2020 has highlighted a number of areas where there is inconsistent application of policies and procedures leading to inefficiencies, which will be subject to a review in 2020-21.

4.5. Legal implications, access to information, and call-in

- 4.5.1. There are no legal implications arising from the report. The Council's framework for planning meets the statutory requirements in relation to decision making, and regular monitoring and update of protocols and processes ensures continued compliance. There are no implications for access to information; all of the procedures and protocols are already or can be available for public inspection.

4.6. Risk management

- 4.6.1. The positive assurances set out in this report show that the development management and compliance decision making processes are fit for purpose,

embedded and routinely complied with and so there are no risks identified by this report.

5. Conclusions

5.1. This report sets out the evidence to confirm that development management decision making arrangements and compliance matters are up to date, fit for purpose, effectively communicated and routinely complied with. However, the report also highlights areas for some refinement and review of processes and procedures. Although low risk as they remain statutorily compliant, in their enhancement would enable a high level of assurance to be maintained going forward.

6. Recommendations

6.1. Members are requested to consider and note the positive assurances provided in this report and future steps to provide additional assurance in the process.

7. Background documents¹

¹ The background documents listed in this section are available to download from the council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.