

Annual assurance report on planning decision making and enforcement arrangements

Date: 24 September 2021

Report of: Chief Planning Officer

Report to: Corporate Governance and Audit Committee

Will the decision be open for call in? Yes No

Does the report contain confidential or exempt information? Yes No

What is this report about?

Including how it contributes to the city's and council's ambitions

- 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 for the period April 2020 to March 2021.
- Several process and system changes have been made in the reporting period as a result of the findings of the service review conducted by external consultants in Summer 2020, COVID19 and the ongoing budget and resourcing pressures faced by the service.
- Several changes reported this year are as a result of recommendations made by the Corporate Governance and Audit Committee. All changes will be subject to the cycle of internal control framework ensuring 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.
- The planning services' 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 the service is open, honest and trusted.

Recommendations

- a) Corporate Governance and Audit Committee is requested to consider this report and the assurances provided within it and the attached appendix 1, accepting that the business continuity arrangements are fit for purpose, up to date, are routinely complied with, have been effectively communicated and are monitored.

Why is the proposal being put forward?

- 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.
- 2 Attached as Appendix 1 is the annual assurance report for Development Management and Planning Enforcement functions of the Council for the period April 2020 to March 2021. 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 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.
- 4 The 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 and as such they pose little or no risk to the Council, however, work has been carried out in 2020-21 to put more robust systems and processes in place to provide greater consistency and transparency.
- 5 As identified in the assurance report to this committee in 2020, a review of the service documentation highlighted that whilst most documents are up to date and fit for purpose, there were some instances where documents had not been reviewed for some years and work is now ongoing to ensure they remain up to date and relevant. These are detailed in the table in the Review and Refine section of the main report. Due to the resource constraints and limitations posed by the COVID19 situation, further work will continue in 2021-22 to conclude the work updating all documents.

What impact will this proposal have?

Wards affected:

Have ward members been consulted?

Yes

No

- 6 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.

What consultation and engagement has taken place?

- 7 This information is presented for information and comment

What are the resource implications?

- 8 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 continued review throughout 2021-22.

What are the legal implications?

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

What are the key risks and how are they being managed?

- 10 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.

Does this proposal support the council's three Key Pillars?

Inclusive Growth

Health and Wellbeing

Climate Emergency

- 11 The Development Management service contributes to all of the Council's Best City Priorities either directly or indirectly through the delivery of high quality homes and through sustainable place-making to deliver safe, strong communities. Its work in delivering planning permissions for social housing and assisted living accommodation as well as delivering permissions for new schools, supports the Council to meet its ambitions. Through working with other Council services, Development Management also facilitates, through the legal agreement process, employment opportunities for local people. The planning process is closely tied with the health and wellbeing and climate change agendas through the implementation of the policies in the Core Strategy. Whilst there are no specific issues arising from this report, it should be emphasised however, that through the Local Plan Update, policies to tackle the scale and urgency of the Climate Emergency are being updated and refreshed.

Options, timescales and measuring success

What other options were considered?

- 12 Not applicable

How will success be measured?

- 13 There is ongoing monitoring of systems and processes to ensure they remain fit for purpose and robust.

What is the timetable for implementation?

- 14 Not applicable

Appendices

15 The annual assurance report for Development Management and Planning Enforcement functions

Background papers

16