

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 Act 1990 and secondary legislation 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.

1.The Development Plan:

a. Leeds Local Plan

- Core Strategy 2014 (amended by Selective Review in 2019)
- Site Allocations Plan (as amended 2024) (SAP)
- Aire Valley Leeds Area Action Plan
- Natural Resources and Waste Local Plan
- Saved Unitary Development Plan Review policies.

b. Neighbourhood Plans

Planning Procedure and Guidance:

- Chief Planning Officer's Delegation Scheme
- Chief Planning Officer's 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

2. Other Material Considerations

- Supplementary Planning Documents (SPD)
- Conservation Area Appraisals
- Area Design Statements
- National Policy

3. The Remitted Parts of the Leeds Site Allocations Plan was adopted in January 2024. This draws the Site Allocations Plan process to a full close, with the allocation of site EG2-37 (Barrowby Lane) for general employment. The Inspector's report concluded that the remitted part of the SAP was legally compliant and sound. Being previously located in the Green Belt, the allocation of site EG2-37 required the demonstration of Exceptional Circumstances. The Site Allocation Plan is now fully adopted and carries full weight.
4. The Local Plan Update, "Your City, Your Neighbourhood, Your Planet" the Pre-Submission Changes consultation took place from October – December 2023 with 44 responses received. This Plan focuses on delivering new planning policies to help address the climate emergency. However, two days following the close of the consultation the Government published a Written Ministerial Statement with a view to restricting Local Planning Authorities from adopting planning policies that set local energy efficiency standards which exceed building regulations. In light of comments received at consultation, the written ministerial statement and changes to regulations that govern Biodiversity net gain, as well as the new Government's announcements on matters such as renewable energy, officers are currently considering what changes are required to the Plan.
5. The LPA are also developing a more holistic update to the Local Plan in the form of the Leeds Local Plan 2040. The first scoping (regulation 18) consultation for this plan took place over the Spring of 2023 in order to establish the topics to be covered by this plan. These topics include housing, employment, minerals and waste, leisure, and tourism, as well as a range of other policy areas. This Plan is now in detailed preparation with the next stage of consultation to be focussed on Issues and Options.
6. 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

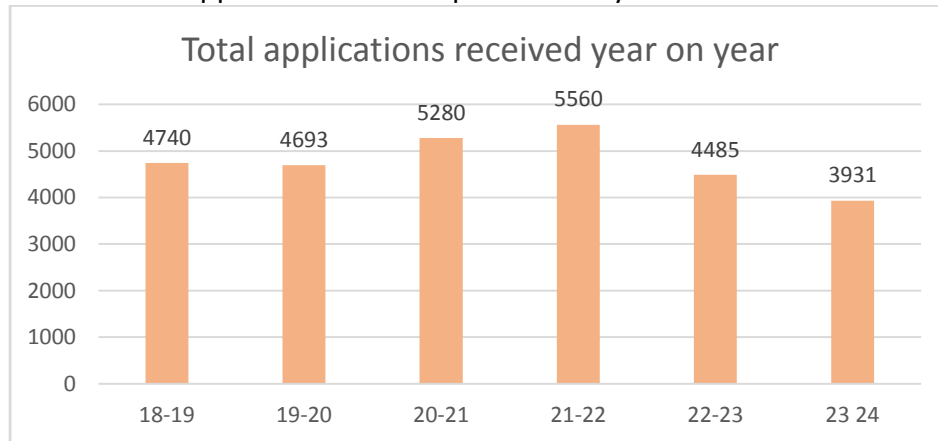
7. Full Council approved arrangements and reported to the Annual Council Meeting in May 2024 for the appointment of Committees and the delegation of council functions to officers for the 2024-25 municipal year, including approval of the Chief Planning Officer's Delegation scheme.
8. The sub-delegation 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. After approval of the officer delegation scheme at full council in May 2024, and giving effect to a full review which had taken place in Spring 2024.
9. 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.
10. 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 scrutiny is brought to bear on each proposal before it is finally determined.
11. A thorough review has been undertaken of the Chief Planning Officer's sub delegation scheme in the reporting period, with changes to strengthen decisions on tree works applications, providing greater robustness and transparency in decision making.
12. 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"*.

Conflict of interests and ethical decision making

13. 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 was one declared conflict of interest with appropriate action taken.

Plans Panel decision making

14. All planning applications are delegated to the Chief Planning Officer under the officer delegation scheme, unless they fall into defined categories of exceptions which are detailed within the Officer delegation scheme.
15. Such exceptions facilitate Members' right to request that an application is considered by 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.
16. 3,707 decisions were made by the Local Planning Authority on major and non-major planning applications in 2023-24, a drop from previous years, due to a reduction of submitted applications across the reporting period. The reduction in application numbers comes after several years, post pandemic, of high caseloads and takes the service to more manageable workloads for officers. The chart below shows the number of submitted application over the previous six years:



17. However, in total the service receives over 7,000 applications and other submissions per year. In line with best practice, most decisions are made by officers under the delegation scheme and in 2023-24, officers made 99.0% of the decisions.

Enforcement matters

18. 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

19. 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	Monthly 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.
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	<p>An informal meeting of members of the three formally appointed Plans Panels and Development Plan Panel.</p> <p>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 September 2023.</p>
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 15 November 2023. Full Council is responsible for the adoption of all development plan documents.
Development Plan Panel	Advisory Committee, which makes recommendations to both the Executive and Council regarding the Authority's Local Plan and relevant material considerations (such as SPDs).
Corporate Governance and Audit Committee	Oversight of system of internal control in relation to development control and enforcement.
Scrutiny Board (Infrastructure, & 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.

20. 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.
21. 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>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>	<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 went to the Joint Plans Panel in September 2023 for consultation and was subsequently agreed.</p> <p>A programme of discretionary member training produced for 2023-24. Sessions were made available to all members of the Council and five sessions were offered:</p> <ul style="list-style-type: none"> • Developer contributions • Landscape planning and Trees. • Enforcement and contaminated land • Biodiversity Net Gain (BNG) • 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>	<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.</p>
Leadership	<p>Planning Services Team Leaders Meeting: Head of Development Management chairs a monthly meeting of group managers and team leaders 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 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>Chairs of Plans Panels remind members of protocols and guidance in meetings to ensure the smooth and transparent operation of meetings.</p> <p>Chairs of the Joint Plans Panel meeting encourage members to take up discretionary training and adherence to service systems and protocols</p>

<p>DM Management Catch Up: Head of Development Management holds weekly meeting 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

22. As part of the services commitment to continuous improvement and streamlining of the service to respond positively to the Council’s challenging budget position, a number of business improvements have been made; care has been taken to ensure that the robust governance framework remains in place as a result of any change programmes. 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
Cease publishing third party comments on Public Access	Service concerns raised over unwitting data breaches, breaches of individual’s privacy and consequential risk to the Council resulted in a trial of the removal of publishing online of third-party comments for six months.	Clear information on the Council’s website that a trial was taking place and process in place to deal with enquires on the trial. Clear communications with key stakeholders of the changes, processes in place to disclose comments (suitably redacted in line with GDPR) on receipt of an Environmental Information Regulations request following the change being made permanent.	Scrutiny Board, Town and Parish Council’s Executive Member, Leader, Panel Chairs	Following the trial, the evaluation and proposed next steps, which was to make the change permanent, was endorsed by the Council’s Scrutiny Board (Infrastructure and Inclusive Growth) in January 2024. Participation in the planning process remains high with the number of comments increasing by 12.5%, 10,072 in 23-24, compared with 8,813 comments in 22-23.
Roll out of Consultee Access for comments on applications	Following a successful Conference for Town and Parish Councils (TPC) in October 2023 and concerns expressed about the visibility of their own comments on planning	Clarity of what could be delivered through using Consultee Access, training for all organisations who wished to migrate onto this system, backed up with support and help guides. Training was also	Conference for Town and Parish Council and Town and Parish Council and Neighbourhood	Over half of TPC now use Consultee Access, to make their comments, which is easier for the organisations to keep track of the applications on which they are being consulted and further

	applications, a solution was found and TPC invited to use a piece of software “Consultee Access” to enable them to have their comments live on Public Access for their communities to see what they had said about specific planning applications	provided to guide comments so they are of high quality and focus on the material planning concerns.	Forums were written to explain the new system and invite them to participate in using Consultee Access	streamlining of otherwise staff intensive processes.
Decision making on tree work applications	There was a lack of consistency in the decision processes between tree work applications and planning applications	Changes to the Chief Planning Officer sub delegation scheme, training and clear processes for staff	Legal Services, Development Management	More robust and transparent decision-making process, with appropriate level of oversight
Speaking at the Plans Panel meetings	The process for public speaking is set out in the Protocol for Public Speaking and allows, by exception more than one speaker. In these circumstances the time allotted is shared. This caused significant delays, uncertainty for potential speakers and was staff intensive to administer, risking unwitting disclosure of personal data.	To avoid the risk of breach of GDPR and to address the issue of those who do not wish to disclose their information, a new procedure has been put in place, which “front loads” the process. This process and information is communicated to potential speakers in their invitation to speak letter.	Corporate Information Governance Team	Clarity of process, reduce the risk of accidental disclosure of personal information, more robust transparent process on the ability to speak a Panel meeting.
Request for reasonable adjustments	Where the Council is asked for reasonable adjustments to be made to access services, there is a duty under the Equality Act to respond accordingly. This happens infrequently but there is sometimes a lack of clarity on	A <i>Request for reasonable adjustments Guidance Note</i> has been produced which guides officers through the steps they should take should the service be notified that a customer requires a reasonable adjustment.	Equality Team, LGO, Development Management	The document was shared at a Caseworkers meeting in 2023 and is stored on the service SharePoint site, accessible for all. The service at the same time updated its internal equality guidance, which demonstrates

	the tangible actions officers should take, causing delays, frustrations and creating an opaque process.			how the Public Sector Equality Duty should be evidenced in the consideration of planning applications.
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23. The storage of information of officer observations and photographs during site visits into a single “app” has been identified as a way of creating more robust information used for assessing planning proposals; it would streamline activity, provide a contemporaneous, reliable record. Unfortunately, this work has stalled due to resource constraints in other parts of the Council but will be prioritised for trying to move forward in 24-25.
24. Further 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.
25. Complaints about service quality or not following correct processes are investigated by the service’s Business and Systems Support Team rather than planning, policy, or enforcement officers, therefore there is a degree of independence in considering the issues. The table below shows the improving position for complaints, with fewer complaints being received in 23-24, compared with the previous year and more complaints not upheld in comparison with the previous year:

	2022-23	2023-24
Total number of complaints received	97	85
Stage 1 Not Upheld	84%	88%
Stage 2 Not upheld	76%	78%

26. 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 including changes to processes, improved communication both on the website and in customer letters and emails as well as more formalised new protocols. 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, and at both meetings any identified remedial actions or process changes are considered.

27. In terms of the Local Government and Social Care Ombudsman complaints (LGO), the service received four formal cases for investigation, an increase from two in 22-23, nine final decisions and nine open and closed cases (this is where the LGO decided not to take any action following initial enquires) during the reporting period.
28. It should be noted however that as the service received and processed almost 7700 planning related submissions and almost 1300 enforcement cases over the reporting year the number of complaints relate to a tiny proportion of this workload.
29. Under the government's special measures regime any authority with more than 10% of either major or non-major applications overturned at appeal over a specified 2 year period is at risk of designation. The latest statistics cover the period from July 2021 to June 2023 and demonstrate the robustness of decision making in Leeds, with 0% of major application decisions overturned at appeal and just 1.1% of non-major applications decisions overturned at appeal. In the reporting period there have been 237 appeals received, the majority against refusal of permission; of these 111 were householder appeals which makes up the largest proportion of appeals. The appeal headlines for appeal decisions received from the Planning Inspectorate for the reporting period are:
- 6 enforcement appeals where 83.4% were dismissed [1 split decision]
 - 163 planning appeal decisions; 121 (75.1%) dismissed.
 - 152 appeal decisions against refusal; 112 (73.7%) dismissed.
30. These high rates of dismissal, particularly for enforcement appeals, demonstrate the quality of decision making taken by the service.
31. Published analysis¹ of performance data of all English LPAs, which effectively ranks authorities on four criteria: speed of decision-making for major and for non-major applications, and quality of decision-making, for majors and non-majors and places each authority in one of six performance bands: platinum, gold, silver, bronze, satisfactory and failing. Leeds performance stands at bronze, which is an achievement for a LPA with a complex geography, volume, and complexity of applications.

¹ [The seven secrets of the councils with the best decision-making records | Planning Resource](#)

Meaningfully Monitor

32. There are a number of ways the service can demonstrate that meaningful and robust monitoring takes place and this exists on several levels; it is a statutory requirement to collect and publish performance information as well as monitoring and evaluation which takes place at a local service level. Benchmarking takes place to ensure there is a perspective about how well the service performs compared to other peer authorities which helps to identify performance gaps and areas for improvement. The monitoring framework is described below:

Activity	Process	Oversight	Escalation	Risks & Resolution
Statutory reporting	<p>Planning decisions are subject to Government scrutiny.</p> <p>Quarterly returns of PS1 and PS2 statistics dealing with volume of workload and decision timescales.</p> <p>Government’s approach to measuring the performance of authorities introduced by the <i>Growth and Infrastructure Act 2013</i>.</p> <p>Assesses local planning authorities’ performance on the speed and quality of their decisions on applications.</p> <p>Performance thresholds are set on a rolling timescale.</p> <p>The Government publishes this data as well as quarterly performance data on the gov.uk website².</p>	<p>Review of reporting shows that significant assurances can be provided to the quality and speed of decision making in Leeds as performance far exceeds the national thresholds (60% for major and 70% for non- major) for this reporting period 2023-24 with 93.9% of Majors, 89.3% of Minors and 93.2% of Others determined in time.</p> <p>Significant assurance can be provided that Leeds’s performance is currently not at risk for designation as a poorly performing local planning authority.</p>	<p>Senior Management review</p> <p>Senior Management review</p>	<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 applications not being dealt with locally, potentially bypassing local democratic processes, reducing application income and causing significant reputational damage.</p> <p>Risk that returns are incorrect and this data is used for designation of authorities to ascertain if they are poorly performing or not. Resolved</p>

² <https://www.gov.uk/government/statistical-data-sets/live-tables-on-planning-application-statistics>

Activity	Process	Oversight	Escalation	Risks & Resolution
				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 required in light of recurring upheld appeals.</p>

Activity	Process	Oversight	Escalation	Risks & Resolution
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>	Senior manager review	Areas for improvement identified through trends of complaints are shared with the planning team to reduce the risk of reoccurrence in similar subjects
		<p>Performance data is reported on a quarterly basis to the Senior Management Team for review and to identify trends or issues.</p> <p>Political oversight is provided through performance reports to the Joint Plans Panels.</p>	In service escalation to identify appropriate corrective action	As above.
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 ³ 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.

³ <https://app.powerbi.com/view?r=eyJrIjoizjkwMGUyZDctMmZlZS00ZmE2LWFKMTEtN2E4ZDc2Zjc3YjhkIiwidCI6ImJmMzQ2ODEwLTljN2Q0NDNkZS1hODcyLTl0YTJlZiM5OTVhOCJ9>

33. Whilst there is a range of ways the service robustly monitors and measures performance, it is staff intensive with information stored in a variety of mediums and channels, requiring manual extraction. A piece of work was commissioned in 23-24 to create Performance dashboards using PowerBi technology where key performance metrics, used to inform wider service decision making would be available easily and quickly with increased frequency. However, this work has not progressed significantly due to resource constraints in other areas of the Council. This will be a priority to try to move forward in 2024-25.

Refine and Review

34. 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 and the need to be able to respond to future Government planning reform. 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 12.4% 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.
35. The procedural changes made at the end of 2020-21 for condition discharge applications and Householder applications through the introduction of the Conditions Protocol and Householder Applications Protocol has improved performance further and has also had the anticipated positive effect impacting on the quality of those submissions from applicants, as described below:



Householder applications in time

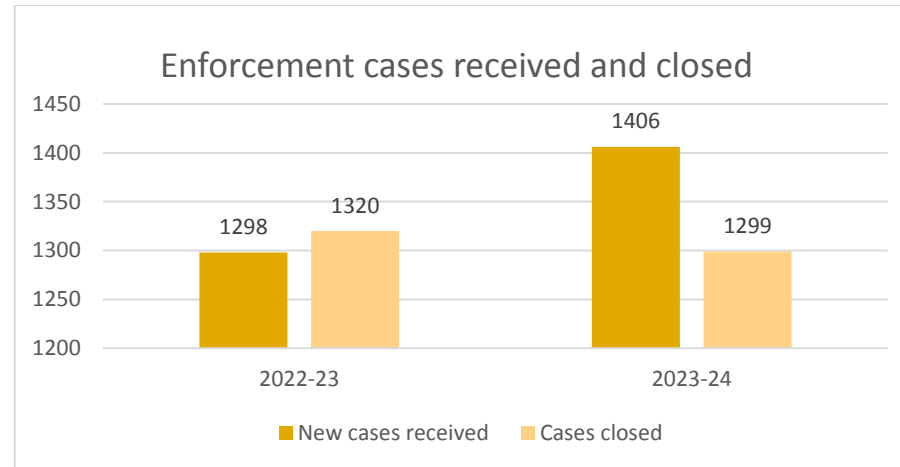
- Improved performance:
- 84.29% in 2018-19
- 88.58% in 2019-20
- 85.36% in 2020-21
- 93.77% in 2023-24



Discharge of applications in time

- Improved performance:
- 71.72% in 2018-19
- 74.79% in 2019-20
- 85.36% in 2020-21
- 93.77% in 2023-24

36. Planning Enforcement remains a challenge in terms of the number of new cases received and number of cases closed in comparison with the previous year as demonstrated in the chart below:



37. Enforcement activity in terms of number of cases being closed has improved, with 40% being closed in under 13 weeks, compared with 38.2% in 23-24.
38. The Local Enforcement Plans (LEP) sets out how enforcement activity is carried out in Leeds and has had a light touch review in 23-24. It follows best practice and provides assurance in the decision-making processes. However, each case is considered on its own merits and in line with Government guidance formal enforcement action is taken as a last resort and consequently some cases take a long time to be resolved, 41.6% of open cases are over 12 months old.
39. The service has carried out a high level of enforcement action where it was necessary; Leeds City Council takes more formal enforcement action than any of the other core cities. However, this is only one dimension of the work of the service, the work resolving of the cases by negotiation or by the submission of a formal planning application is also fundamental with formal action only taken as a last resort. A challenge to the service with such a high caseload is that in just over 35% of reported cases there is no breach of planning control; investigating such matters takes up a significant proportion of officer time which could be allocated to cases where there is a breach requiring formal action and investigation. Review work in assessing in what more can be done to signpost members of the public to the government’s permitted development guidance and to streamline activity so that resources can be directed to ensure that the most significant breaches of control are addressed expediently, is currently ongoing; this review work will dovetail with some improvement work on the outcomes of cases where it was found that it is not expedient to take action as often these are the cases that generate complaints about the decision and further work is

in the pipeline for reviewing letters to reporters which clearly demonstrate the reasons for taking a particular course of action, in accordance with the LEP.

40. Further work will also be undertaken with Elected Members, where statistics show that around 50% of reported cases are not breaches. To support Members, training will be provided so Members have the skills and knowledge to take an initial look at the permission, conditions, construction management plans and so on to identify in broad terms if there is a breach, or not, before making a formal report. Also, reports from Members come through in a variety of channels, with different levels of information. Work is ongoing to standardise the information requirements and channel in order to be able register and being a possible investigation. This again will streamline the process and allow the service to focus activity on those cases where a breach has occurred.
41. As noted above the overall number of complaints received during the year has reduced by 12.4% from the same period the previous year. Service requests for information on similar subjects are also decreasing due to the improved web information, other customer communications and business improvement put in place.
42. During the reporting period, the LGO found the Council at fault in a small number of cases. Where fault is found, wherever possible the service responds with business changes to mitigate the chance of recurrence and to clearly articulate the changes to the case officers. The following changes have been made as a result of the LGO decisions:
 - Updated an internal equality guidance note and reasonable adjustments process note, as described above.
 - Condition Discharge Protocol and Process note prepared in relation to the consideration and evidencing consultee comments on planning applications.
 - Reminder to officers of the importance of robust case notes, officer reports to show clear unambiguous referencing to issues as part of their consideration of applications and checking the planning history.
43. Following a number of incidents at the Plans Panel meetings recently which raised concerns amongst panel members and officers about security and behaviour and meetings the services' Plans Panel risk assessment has been updated. Additional control measures have now been put in place to identify alternative egress, additional physical security measures and a statement from the Chair at the start of the meeting setting out the process and stating members should not be approached by the public, applicants or agents at the end of the items. There will also be some Member training on the new measures.
44. Additionally, work to develop practical measures for officers to manage aggressive and vexatious behaviour from members of the public, in person, in email or on the telephone is underway. This dovetails with the new Corporate Violence and Aggression Policy and will provide operationally specific information for Planning and Sustainable Development officers. The service will not tolerate aggressive and intimidatory behaviour towards officers and the new processes will set this out transparently.

45. 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 to a programme for systematic review to ensure that they remain an accurate reflection of arrangements are fit for purpose; these are all up to date:

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 functions to officers of suitable experience and seniority.	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
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>Site Allocations Plan identifies sites for housing, employment, retail and greenspace to ensure that enough land is available in appropriate</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.	The Remitted Parts of the Leeds Site Allocations Plan was adopted in January 2024. This draws the Site Allocations Plan process to a full close	Development Plans Panel, Full Council

Document	Purpose	Monitored	Review date	Review	Accountability and oversight
	locations to meet the growth targets set out in the Core Strategy.				
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.	Reviewed in Spring 2023	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 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.	Reviewed in Spring 2023	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	Reviewed and circulated to all Members June 2023.	Two years	Executive Member for Infrastructure and Climate and Plans Panel Chairs.

Document	Purpose	Monitored	Review date	Review	Accountability and oversight
		complaints, reduced resource base and need for clearly documented process.			
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 regulate development and its priorities for investigation.	Continuous monitoring to ensure compliance, performance information reported twice yearly.	Reviewed in Spring 2024.	Update published July 2022.	Executive Member for Sustainable Development and Infrastructure and Plans Panel Chairs.
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 November 2023	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 2023.	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	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.

Document	Purpose	Monitored	Review date	Review	Accountability and oversight
	on applications where they may have a personal interest		Shared with new officers on induction		
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
Infrastructure Funding Statement	Statutory requirement to produce an annual account of developer contribution monies received by the Council and spent by the Council and Parish Councils in relation to Community Infrastructure Levy, in the interests of accountability and transparency	Produced annually and, by law has to be published on the Council website by December	Annually between August to December	Review only in terms of ascertaining the most efficient way of producing the document as relies on information from numerous stakeholders, internal and external to the Council	Chief Planning Officer
Local Validation checklist	Documents and information to support planning applications which must be submitted to make an application valid	Statutory requirement to review every two years in order to be lawful	February 2024	Internal review carried out and determined the checklist remained up to date and fit for purpose	Head of Development Management

Statement of Assurance

46. 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.
47. 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 2024- 25 municipal year:

Define and Document	Creation of new protocols which formalise the application processes and clearly articulate these to customers.
Clearly Communicate	Understanding of what a breach of planning control is and what is not and share this learning with Members and members of the public, so they are able to ascertain prior to having to put in a formal report if there is a potential breach or not. Develop and share a process for Members to submit an enforcement report in the most efficient way. Improved enforcement web content on the service's processes and procedures and improved, fit for purpose functionality to deliver interactive services to facilitate easy submission of reports of potential breaches.
Effectively Embed	Embed the use of the "app" for site visits to ensure effective record keeping and audit trail.
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 enforcement communications to customers to clearly articulate how decisions have been reached in accordance with the LEP.