

Review of the Planning Service – Merthyr Tydfil County Borough Council

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Summary report

What we reviewed and why

- 1 Our objective for this audit was to gain assurance as to whether the Planning Service has proper arrangements to deliver value for money in its use of resources.
- 2 Our findings are based on document reviews, Planning Committee meeting observations and interviews with elected members and officers. The evidence we used to inform our findings is limited to these sources.
- 3 We looked at Development Control, Planning Enforcement and Planning Policy. We did not look at Building Control Services or individual planning decisions.
- 4 We set out to answer the question '**Does the Planning Service demonstrate proper arrangements to secure value for money in the use of its resources?**'
- 5 We did this by exploring the following questions:
 - Is the Planning Service supporting the Council in delivery of its Well-being Objectives?
 - Does the Planning Service have objectives aligned to corporate strategic priorities?
 - Does the Planning Service have clearly defined roles and responsibilities which are adhered to?
 - Does the Council review and monitor performance and the effectiveness of arrangements for the Planning Service?
- 6 **Appendix 1** sets out the detailed questions we set out to answer along with the audit criteria we used to arrive at our findings.
- 7 We undertook the review during the period December 2024 to February 2025.

What we found

- 8 Our review sought to answer the question: **Does the Planning Service demonstrate proper arrangements to secure value for money in the use of its resources?**
- 9 Overall, we found that: **There are weaknesses in the oversight and governance of the Planning Service and as a result, there is a lack of awareness of how the service supports the delivery of the Council's objectives.**

Detailed report

The Planning Service lacks a comprehensive service plan to shape its delivery and set out how it is supporting the Council to meet its objectives

- 10 The Council has not developed a comprehensive and useable Planning and Building Control Service Plan (Service Plan). The current Service Plan is sparsely populated and lacks relevant detail. The Service Plan should outline:
- how activities will help the Council achieve the Corporate Well-being objectives;
 - key priorities and how the service will manage budgets and resources to deliver them;
 - milestones or targets to measure the performance of the service; and
 - risks and challenges and how these will be addressed.
- 11 There is a lack of clarity and assurance for staff, Councillors and the public about how the Planning service contributes to the Corporate Well-being Plan 2023-28. (**Recommendation 1**). It is not clear how the Council is linking operational, directorate and strategic arrangements through a 'golden thread'. There is no reference in the Council's Corporate Well-being Plan to the Planning Service, its work, or wider directorate to show how the service is helping the Council achieve its objectives.
- 12 This is a missed opportunity to outline the work which is being undertaken by the Planning Service. This could include how the service works to improve biodiversity on planning developments which contributes to the Clean and Green Well-being Objective.

Teams are well supported and clear about their roles and responsibilities, but limited workforce planning creates risks to their future resilience

- 13 We found that the Planning service is delivered by a cohesive and capable team who work well together. The team demonstrate good awareness of current pressures facing the service. The Development Control and Planning Policy teams are clear on their operational roles and responsibilities.
- 14 There is a clear digital process for receiving planning applications into the service. Staff feel current caseloads are manageable, and the team are agile enough to move applications around to balance workload. The Council's digital system ensures the team have good oversight of the progress of applications.

- 15 There is a supportive culture within the Planning Service. This is underpinned by:
- regular face to face communication.
 - weekly team meetings where there are open and frank discussions about planning applications. Planning appeal decisions are used as a basis for discussion in team meetings as learning opportunities.
 - open discussions about capacity so that staff can get help from the wider team where necessary.
 - monthly one to ones for staff in Development Control, Enforcement and Technicians. During these meetings, planning applications and training are discussed.
 - access to training and support. A small training budget is available. Staff felt they could access training to further their professional development if required. Staff are encouraged to attend webinars and training courses.
 - a collaborative approach to work with staff in other Local Planning Authorities to share best practice and ask questions.
 - an annual review of objectives for staff and six-monthly interim reviews. However, there is no mechanism for assessing the individual or collective impact of the staff's activity
- 16 The Planning Service undertook a recent restructure which we heard has created a supportive working environment. However, the Council has missed opportunities to demonstrate its skills mix and resilience. For example, the Neighbourhood Services Directorate has a workforce plan which includes Development Control and Planning Policy. The Plan has been developed within the corporate template, but it is incomplete and lacks relevant detail. It includes details on staff demographics including retirement age, but significant parts of the capability assessment section are blank. This should show key duties against each job role, whether the individual has critical skills that would pose a risk to the service if they left, and steps to prepare for succession planning. This may be about identifying training or upskilling required.
- 17 Arrangements for understanding demand and capacity within Planning Policy are more robust. The current Local Development Plan (LDP) was adopted in January 2020 and work begins in 2026 to start the Replacement LDP. Budget has been set aside to account for the increase in predicted demand. The Council has set up an LDP working group which has a clear term of reference.

The Planning, Regulatory and Licensing Committee is not always acting in a transparent way

- 18 The Council has an up-to-date and comprehensive Planning Code of Conduct. This includes the role and conduct of members, how and when applications can be discussed and what relevant planning considerations are. This is a useful

document, but it exists within the Council's constitution and is not actively used and referred to at Planning committee meetings.

- 19 The current Terms of Reference for the Planning, Regulatory and Licensing Committee (the Planning Committee) does not clearly define the scope, objectives and responsibilities of the committee. The Council would benefit from developing the current Terms of Reference based on the Planning Code of Conduct for the Planning Committee which informs roles and responsibilities and discussion at committee. **(Recommendation 2)**
- 20 The Council has a clear scheme of delegation within the Council's constitution. This sets out what planning decisions can be made by officers, and which decisions need to go to the Planning Committee.
- 21 In line with the constitution, Councillors can request in writing within the 21-day consultation period that a delegated planning application should be considered by the Planning Committee. But there is no minimum material planning reason which needs to be met for this to happen. This risks any number of future planning applications being called into Committee for consideration without a minimum relevant planning reason. This would not be an appropriate use of the Planning, Regulatory and Licensing Committee's time which exists to consider strategically important applications.
- 22 From our committee observations, we have some concerns that not all decisions are made in a transparent way and are not in line with the Council's Planning Code of Conduct¹:
 - when differences of opinion occur between officers and members, it has become standard practice to adjourn the meeting and for members to discuss the merits of the application in private before returning to the meeting to make a decision.
 - the Planning Committee does not always give clear planning reasons for why it is refusing an application.
 - the reasons are not always clearly set out and recorded in meeting minutes.
 - some decisions are not made until a subsequent meeting. This is confusing to the public and applicants. This has been the case in several Houses of Multiple Occupation (HMOs) application discussions.
- 23 Discussions of planning applications should be openly discussed and accurately recorded. **(Recommendation 3)** Acting and taking decisions openly is one of the seven Nolan principles².
- 24 We also observed several committee discussions on HMO applications where the discussion centred on areas that were not material from a planning perspective. At the time of our review, the committee had not approved a single HMO application.

¹ Current constitution (June 2024) states that 'agreement shall be reached at the meeting on the planning reasons for that decision'.

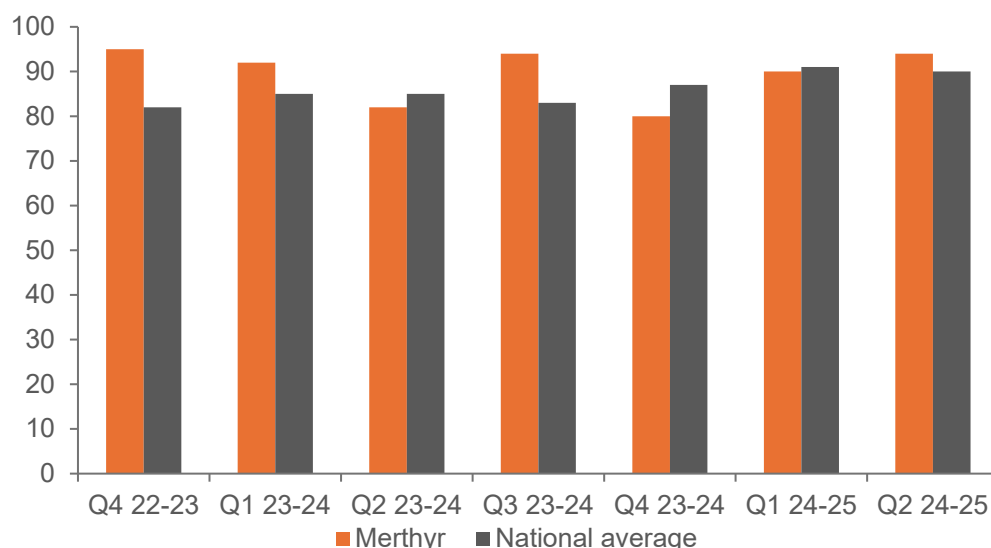
² UK Government Committee on Standards in Public Life, [The Seven Principles of Public Life](#), May 1995

Committee members receive basic induction training on HMOs and other planning issues, but the impact of this training is not always clear in decision making.

The Council does not have corporate oversight of the Planning Service to assess whether it is having any impact or to manage its risks

- 25 The Council submits performance information about its Planning Service to the Welsh Government as required. But aside from this it does not have tools to evaluate the Service's performance and impact.
- 26 **Exhibit 1** below shows that performance in determining planning applications on time has been broadly stable at about 90%, except for a dip in performance between January and March 2024 where performance reduced to 80%.

Exhibit 1: Percentage of planning applications determined within statutory and agreed timescales



Source: Merthyr County Borough Council's Development Management Quarterly returns to the Welsh Government, and [Development management quarterly surveys \(gov.wales\)](https://gov.wales/development-management-quarterly-surveys)

- 27 There are no regular performance reports to members which include even the statutory performance of the Development Control service. As a result, there is very limited oversight and awareness of the success, challenges and impact of the Development Control service at any strategic level. This mirrors findings in our recent [Review of Performance Management Arrangements – Merthyr Tydfil County](#)

Borough Council. In that review, we also found that there were weaknesses in the Council's arrangements to monitor and challenge performance.

- 28 The Council has more comprehensive performance information available to enable oversight of the LDP progress. However, the Annual Monitoring Report 2023-24, which reports against the indicators in the LDP, was presented to Cabinet in January 2025 for information only and received no discussion or challenge. This is despite the report highlighting that overall housing delivery had dropped below the level required, with completions over 30% lower than they should be. This was a missed opportunity to scrutinise important information.
- 29 The Council's Terms of Reference for the Neighbourhood Services, Countryside and Planning Scrutiny Committee says the committee should have oversight of Development Control and Planning Policy. However, there is no evidence that either of these have appeared on the Scrutiny Committee agenda in the last 12 months. This is not in line with the Council's own arrangements and does not allow for sufficient oversight. It weakens the Council's ability to demonstrate if the service is achieving value for money. **(Recommendation 4)**

Recommendations

Exhibit 2: recommendations

The table below sets out the recommendations that we have identified following this review.

Recommendations	
Develop a Planning and Building Control Service Plan	
R1	The Planning and Building Control Service should develop a comprehensive service and workforce plan. This should have clear links to the Corporate Well-being Plan and include targets and milestones relevant to the service.
Update the current Terms of Reference for the Planning, Regulatory and Licensing Committee	
R2	The Council should update the current Terms of Reference for the Planning, Regulatory and Licensing Committee based on the Planning Code of Conduct. This should be used to underpin roles and responsibilities and decision making at Committee.

Recommendations

Transparent decision making

- R3 The Planning, Regulatory and Licensing Committee should undertake decision making transparently and publicly in line in line with relevant guidance and legislation.
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Reporting and Oversight

- R4 The Council should ensure it reports, monitors and oversees the activity of the Planning and Building Control Service. This should be underpinned by relevant and up-to-date performance information.

Appendix 1

Audit questions and audit criteria

Below are the questions we sought to answer in carrying out this audit, along with the audit criteria we used to arrive at our findings.

Main audit question: **Does the Planning Service demonstrate proper arrangements to secure value for money in the use of its resources?**

Exhibit 3: audit questions and audit criteria

Level 2 questions	Criteria
1. Does the Planning Service have objectives aligned to corporate strategic priorities?	<ul style="list-style-type: none">• The Planning Service has a business plan (or equivalent) with relevant objectives which are understood by those involved in the Planning Service.• The Local Development Plan objectives are integrated into Planning Service delivery.• The Planning Service has set out measures that reflect short and long-term impacts, with milestones that reflect progress as appropriate.• The Planning Service has effective internal communication including regular team meetings within the service and with its partners.• There is a supportive culture to address any differences of professional opinion when determining planning applications and planning enforcement cases.• The Planning Service has set out how the service business plans will be resourced over the medium to longer term as far as is practical (eg plans to support developments such as Developments of National Significance etc).• The Planning Service is integrated and recognised as a key enabler to support the Council achieve its corporate objectives.

Level 2 questions	Criteria
<p>2. Does the Planning Service have clearly defined roles and responsibilities which are adhered to?</p>	<ul style="list-style-type: none"> • There is a clear term of reference for the Planning Committee. • Planning Committee members and planning staff receive appropriate training and support to understand the service objectives, planning policies, the role of a committee member and committee procedural arrangements. • The Council has a planning committee protocol (or equivalent) containing a code of conduct and planning committee procedural arrangements. • The Council has a clear and transparent scheme of delegation which is adhered to. • There are appropriate mechanisms to address any breaches of protocols or differences of professional opinion when determining planning applications and planning enforcement cases. • The Planning Service has clear and transparent processes for receiving and determining planning applications, which can be easily accessed by the public. • The Planning Service has a clear agreement with partners that defines roles and responsibilities for the Council.
<p>3. Does the Council review and monitor performance and the effectiveness of arrangements for the Planning Service?</p>	<ul style="list-style-type: none"> • The Planning Service demonstrates how it involves staff and key partners in designing future service delivery. • There is a supportive culture of learning and development for planning staff and Members which is regularly reviewed. • The Planning Service and Planning, Regulatory and Licensing Committee has a culture of continuous development and observes best practice from other Local Planning Authorities. • There are sufficient arrangements for the Planning Service to report its performance against its objectives to senior management, Members and the public allowing for effective oversight.



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