Review of Planning Services – Flintshire County Council

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Summary report

Summary

What we reviewed and why

1   Council planning services are strategically important enablers supporting many major and important developments which can help councils achieve their corporate objectives and ambitions. Following our assurance and risk work in 2023-24, we identified performance arrangements for the Planning Service at Flintshire council as an audit risk.

2   We reviewed the Council's governance arrangements relating to the Council's Planning Service, to establish whether proper arrangements are in place to secure value for money in the use of its resources for the delivery of the Planning Service.

3   We looked at the extent to which the Planning Service supports the Council's corporate and service level objectives, clarity of roles and responsibilities, resourcing of the service, performance monitoring and collaboration arrangements. We did not look at how individual planning decisions are reached.

4   For consistency of reporting with other planning service reviews, we define the Planning Service as including development management, policy and enforcement. The review did not focus on other areas of the wider Planning, Environment & Economy Service.

5   We undertook the review during the period February to June 2024.

What we found

6   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?**

7   Overall we found that: **The Council does not have adequate performance arrangements in place for the delivery of the Planning Service but has increased capacity and strengthened alignment of the service to corporate priorities.**

8   We reached this conclusion because:

- the Council recognises the Planning Service as key to achieving its corporate priorities, but the lack of performance reporting is a barrier to monitoring progress;

- weaknesses in oversight arrangements limit strategic resource planning for the planning service; and

- the Council is unable to demonstrate how the Planning Service is achieving value for money, due to the absence of accurate data arising from longstanding IT issues, appropriate performance reporting and robust scrutiny arrangements.

Recommendations

Exhibit 1: recommendations

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

Recommendations
Performance and Risk management   R1   We found weaknesses in the Council's performance monitoring and reporting arrangements of the Planning Service. To ensure greater transparency and accountability, the Council should: • revisit progress on caseload management system outcomes and report to Members;   • review risk identification, monitoring and mitigation actions included in the service risk register in relation to performance reporting;   • review service business plan to ensure actions and key performance measures are appropriate to support corporate objectives, and ensure mechanisms are in place to regularly monitor and update the plan; and   • communicate an update on progress with the above to Cabinet and Planning Committee.
Policies   R2   We found there are opportunities to improve clarity of policies and procedures. The Council should: • review and update the enforcement policy to help increase efficiency and reduce volume of inappropriate referrals;   • communicate an updated enforcement policy to staff, members and the public;   • review and update the published Planning Code of Practice to ensure the public has consistent, accurate and up to date guidance on the Council's Planning procedures and practices.
Oversight and scrutiny   R3   We found opportunities to improve monitoring, oversight and escalation criteria for several committees, to ensure members of those committees are clear on their roles and responsibilities. The Council should:

Recommendations

- review Terms of Reference for Planning Strategy Group, Planning, Environment & Economy Programme Board, Planning Committee and the Environment and Economy Scrutiny and Oversight Committee; and
- clarify responsibilities of each committee for the review of service performance to ensure effective monitoring, oversight and escalation criteria.

Detailed report

The Council does not have adequate performance arrangements in place for the delivery of the Planning Service but has increased capacity and strengthened alignment of the service to corporate priorities

The Council recognises the Planning Service as key to achieving its corporate priorities, but the lack of performance reporting is a barrier to monitoring progress

Strategic planning

9   The Council relies on the Planning Service as a key enabler to deliver key corporate priorities linked to its well-being objectives. We recognise that over the last three years, the service has had to overcome a number of internal challenges in meeting these priorities, including resource capacity and caseload management software implementation issues, which caused difficulties extracting accurate performance data. During this period, the service has also developed and adopted the Local Development Plan (LDP) and worked to reduce the number of complaints received about the service, whilst responding to wider external pressures, notably Covid recovery and changes to legislative requirements.

10   Underpinning the Directorate priorities, service plans include actions which are linked to the corporate priorities. Each of the actions are assigned to a responsible owner, however there is limited evidence to demonstrate how progress is monitored and the short to long term impact the actions will have.

11   The priorities for the Planning Service in the current and previous business plans have not changed and include the review and updating of a number of processes and documentation. Specifically, plans specify that updating the Planning Enforcement Policy and developing performance reporting and monitoring are service priorities.

12   Whilst the service recognises the importance of an up-to-date Enforcement Policy, there is limited evidence to demonstrate what progress has been made. The existing policy pre-dates the latest set of enforcement data, which was reported in 2021. Outdated policies lead to inefficiencies and do not provide clarity on up-to-date enforcement protocols to Members and the public.

13   The Directorate has also identified a need to update the Scheme of Delegation as a priority. Cabinet approved changes to the scheme in 2023, to include Developments of National Significance. However, the service acknowledge that further review is necessary to ensure it remains fit for purpose. This will help increase efficiency and ensure appropriate referrals are made to planning

committee. We found actions including the revisions to policies and the Scheme of Delegation lack clear target dates.

14   Another key mechanism to support these priorities is through the establishment of a Local Development Plan (LDP). The Council adopted their LDP in 2023 in line with the corporate priority 'Economy' and associated well-being objective; 'to connect communities and enable a sustainable economic recovery and growth'. We found that by agreeing LDP objectives, there is now an improved understanding between officers and Members, and through the Annual Monitoring report, there are encouraging signs that the council is making positive progress towards delivering its allocated housing requirements. Despite this progress, we found that the Council are not routinely identifying, assessing or reporting performance data against appropriate targets, and without this, the Council cannot fully monitor delivery progress against corporate objectives.

Statutory performance reporting

15   Performance measurement is a key management tool in helping to achieve improvements in local services[1]. The Authority is required to report annually on this data to Welsh Government. In 2020 Welsh Government withdrew this requirement, to recognise the pressures on local planning services and to reduce the additional reporting burden. Despite the lack of external reporting, Councils should still set out how they intend to measure performance, in line with statutory obligations. However, we found that from 2022, the Council had no way of providing performance information to senior management or Members and no mechanism for monitoring planning applications caseload and enforcement action.

16   Welsh Government reinstated the annual reporting requirement on performance in 2022 and while the Council has now submitted its Annual Monitoring Report, there has been no performance reporting to Welsh Government since 2022, for a period of two years[2]. Without this, the planning service cannot monitor or demonstrate progress against key performance measures. At the time of our review, Flintshire County Council was the only Welsh planning authority not to have submitted quarterly reporting since 2022.

17   To ensure business plans are delivered in line with Corporate objectives, and issues are quickly identified and escalated, effective internal communication and reporting is vital to ensure all staff are aware of what they are trying to achieve and can regularly feedback on any issues. We found that there is good, regular informal internal communication between operational staff and management, with some understanding of how individual actions contribute to a wider strategy. However,

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[1] Welsh Local Government Association, Planning Handbook – A Guide for Members, May 2022. The handbook provides guidance on performance reporting, including the use of both quantitative and qualitative data to secure continuous improvement to the service.

[2] Following the period of our review, quarterly monitoring data published by Welsh Government in August 2024 shows that the Council submitted Performance data for the period January to March 2024.

we found limited evidence showing how the Planning Service record the outcomes of meetings, to provide assurance that they routinely share performance information or escalate risks when required.

Strategic collaboration

18   Collaboration with regional partners occurs through monthly Chief Planning Officer meetings and amongst Strategic Development Managers. The North Wales Regional Minerals and Waste Service is a formal partnership between Flintshire County Council as lead authority, and several other Planning authorities. The partnership is underpinned by a clear contract setting out strategic outcomes and requirements.

Weaknesses in oversight arrangements limit strategic resource planning for the planning service

Roles and responsibilities

19   The Planning Code of Practice sets out the roles, responsibilities and procedural guidance for both officers and Members. The Council have not updated the Code since 2014, which predates the adoption of the LDP, hybrid meeting arrangements and the 2023 Council Constitution. Regularly updating published documents ensure the public have access to consistent, accurate and current guidance. Overall, protocols around planning applications and enforcement investigations are followed and appropriate mechanisms exist to address breaches.

20   Whilst operational staff are clear on their roles and responsibilities, the Council are missing an opportunity to highlight the performance of the Planning service more widely and strengthen governance arrangements when doing so. Key oversight mechanisms are not acting as intended, particularly committees and Boards tasked with performance, risk management and scrutiny.

21   There are several committees responsible for the oversight of the service, each with clear terms of reference, although they are not followed closely. The Council could be clearer on their purpose and outcomes, by reviewing the terms of reference for the Planning Strategy Group, Programme Board and the Planning and Scrutiny Committee. Providing further clarity will ensure Members are clear on their responsibilities, improve consistency and transparency, and promote effective scrutiny.

22   **The Planning, Environment & Economy Programme Board (PB)** comprises both Members and planning officers. Initially formed to review financial and budgetary matters, the Board has evolved to include wider performance review and risk management reporting. Discussions are not formally recorded and we did not find evidence of the Programme Board reviewing the service performance against clear targets, or agenda items on performance. A service risk register update is reported to the Programme Board, which identifies general risk areas but does not

specify how these risks will be mitigated. It is therefore difficult to assess how risks are being prioritised and robustly monitored.

23 **The Planning Strategy Group (PSG)** is responsible for making recommendations to Council, Cabinet, Overview and Scrutiny Committee, and Planning Committee on a range of matters and provides a forum to discuss key issues. Recommendations include improvements to the planning process, Code of Practice and the operation of the Planning Committee. Its terms of reference, updated in 2022, also include responsibility for reviewing the performance of the wider Planning directorate appeal outcomes, and progressing the LDP. The PSG has been instrumental in the development and adoption of the LDP, and supplementary guidance to support its delivery. Further clarity is required on its performance monitoring role, given that the Group does not consider regular performance reports or data.

24 **The Environment and Economy Scrutiny and Oversight Committee** meets on a monthly basis to discuss matters which include the Planning, Environment and Economy Directorate. We did not find evidence of the Committee reviewing any matters relating to performance or oversight of the Planning service since September 2021.

25 Finally, the **Planning Committee** has not been monitoring performance in line with their terms of reference and has not received or requested performance monitoring data.

Resource management

26 The Council has seen its gross expenditure in development management increase by 14% in the five-year period from 2017-18 to 2022-23 and currently accounts for 17% of the total Planning, Environment & Economy spend for 2022-23.[3] To respond to the complexity and demands on the Development Management and Enforcement teams, the service underwent a restructuring in 2022. The intention was to optimise caseload management and promote greater staff resilience. The new structure appears to work as intended and provides opportunities for staff development.

27 Despite the rising expenditure in the service and changes to workforce structure, the absence of accurate performance data makes it difficult for members or senior management to monitor resources strategically to determine whether the service is operating efficiently and is fully resourced to achieve its objectives. As a consequence, the Council has limited information to inform workforce planning and longer term succession planning.

[3] Data Cymru, Revenue outturn expenditure

The Council is unable to demonstrate how the Planning Service is achieving value for money, in the absence of accurate data arising from longstanding IT issues, appropriate performance reporting and robust scrutiny arrangements

Oversight and Scrutiny

28   The collection, reporting and scrutiny of performance data is a fundamental function in any Planning Authority. Good performance management helps with monitoring progress and provides assurance to Members, officers and the community it serves that the service is delivering value for money.[4]

29   Members were unaware that reporting to Welsh Government had not taken place for two years. Despite the statutory obligations for planning and enforcement, Members have not received or requested this performance data. While detailed financial data is reported to the Programme Board for review and analysis, it is done without supporting data on the volume of applications and enforcement investigations to help the Board assess value for money.

30   Formal and robust scrutiny has not taken place at a corporate level to evaluate the performance of the service in meeting its statutory duties. To compound this, the absence of accurate data has not been escalated as a risk to achieving corporate objectives, resource planning and demonstrating value for money. The Directorate has not published an Annual Performance Report since 2017.

31   With planning fees across Wales remaining static, and the increased complexity of planning applications, Councils must know their costs relating to the planning service, to ensure risks to resources are understood and to understand funding requirements. The Council does not currently have credible management information around costs and has not requested this from portfolio holders. Additionally, national planning legislation states that if the service is not meeting planning decision targets, applicants may be eligible for an application fee refund. As the service cannot accurately measure performance and consequent refund costs, it is difficult to assess whether the Council is achieving value for money from the service.

32   Throughout our work, we have highlighted the absence of performance data and a lack of oversight. The Council has now provided some limited statutory performance data national indicator data up to 2023-24 and has since submitted quarterly data to Welsh Government for their latest data release[5]. Data has not been analysed for this report, as it was not available at the time of the review,

[4] Welsh Local Government Association, Planning Handbook – A Guide for Members, May 2022

[5] Welsh Government, Development management quarterly survey (January to March 2024), published August 2024

although it is encouraging that the Authority has some confidence in its data for it to be submitted.

33   In terms of enforcement data, the most recent performance report to the Planning, Environment and Economy Scrutiny and Oversight Committee was in September 2021 and includes performance statistics for the previous four years against Welsh Government indicators. At the time the report went to the Committee, the service was meeting the 84 day target for taking positive action. It also states that all enforcement cases, regardless of substance or scale must be recorded, acknowledged, and prioritised. The report states that 70% of complaints recorded do not relate to a breach of planning regulations and 15% of cases are a minor breach which would not be considered expedient to investigate.

Caseload management system

34   In 2022, the Council implemented a new caseload management software system, with the aim of improving access to information on planning applications and enforcement cases for Members, officers, and the public. The externally sourced software has been unable to produce accurate planning performance data since its implementation and has not received appropriate attention or risk escalation until recently. Staff find the software cumbersome and inefficient and cannot easily access information, with enforcement case management experiencing the most difficulties. Once it became clear that the software was not delivering, the service had made alternative arrangements to produce performance data using the Power Bi platform, but this has not been in place until recently.

We acknowledge the efforts frontline officers have gone to, to resolve this issue, however these efforts required considerable resource, involving inefficient and time consuming manual workarounds to produce reports for informal meetings and to assist staff in managing caseloads efficiently.

Other monitoring

35   Benchmarking against other authorities and monitoring the level and type of complaints received can be an indicator of how well a service is performing. At the time of the review the Council was unable to benchmark performance against other local planning authorities in the absence of performance reporting to Welsh Government.

36   We acknowledge that the planning service has made notable progress in relation to complaints received, resulting in a general reduction in complaints, particularly from Members. The service has achieved this through training and communication to increase understanding and awareness.

Appendix 1

Key questions and what we looked for

Exhibit 2: key questions and what we looked for

The table below sets out the question we sought to answer in carrying out this audit,
along with the audit criteria we used to arrive at our findings.

Level 2 questions	Audit Criteria (what we are looking for)
2.1 Does the Planning Service have objectives aligned to corporate strategic priorities?	• 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 Council has effective internal communication including regular team meetings within the service and with its partners. • The Planning Service is integrated as a key enabler to support the Council achieve its corporate objectives.
2.2 Does the Planning Service have clearly defined roles and responsibilities which are adhered to?	• There is a clear terms 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 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.

Level 2 questions	Audit Criteria (what we are looking for)
2.3 Does the Council allocate resources to ensure the longer term resilience of the Planning Service?	• The Council understands current service sustainability, resilience and resourcing challenges in the Planning Service. • The Planning Service understands the benefits of investing in long-term, preventative approaches and the cost (both financial and in terms of outcomes) of not doing so. • The Planning Service has considered the resources it will need to deliver sustainable, longer term outcomes and how it might manage any risks, e.g., recruitment and retention of staff. • 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 (e.g., plans to support developments such as Developments of National Significance etc) • The Planning Service demonstrates how it involves staff and key partners in designing future service delivery. • The Planning Service understands the impact of partnerships on resources.
2.4 Does the Council review and monitor the effectiveness of its arrangements for the Planning Service?	• There are arrangements for the Planning Service to report its performance against its objectives to senior management, Members and the public. • The Council is measuring the wider contribution the Planning Service is making across its own / partnership objectives. • Progress is measured against short, medium and long-term objectives. • There is a continuous culture of learning and development for planning staff and Members which is regularly reviewed. • The Planning Service and Planning Committee observe best practice from other Local Planning Authorities. • The Planning Service can articulate the benefits and feedback collected from partnerships. • The Planning Service can demonstrate how partnerships are monitored.

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