



Planning Improvement Peer Challenge

Waverley Borough Council

On site July 25 - 27 2018

Final Report September 3 2018



1.0 Executive Summary

1.1 Our report sets out the major steps that we feel the planning service (the Service) needs to explore to meet the challenges of growth pressures and delivery while maintaining the quality of life enjoyed by many residents in the borough.

1.2 The recently adopted local plan Part 1 sets the strategic direction for growth and the protection of the most important environmental and historic parts of Waverley. For the first time since the adoption of the National Planning Policy Framework (NPPF) in 2012, the council has a validated, locally owned plan-led approach. Based on good community leadership by the council leader, cabinet and back benchers, areas for growth and restraint in Waverley are clearly mapped out and provide a solid base for high quality planning decisions in the area.

1.3 The Service is well resourced with a high number of experienced development management case officers backed by high-quality policy planners, planning enforcement officers and expert subject specialists in areas such as the historic environment, trees and landscaping and urban design. Ready access to this advice is vital if the Borough is to guide and manage appropriate development, especially volume housebuilding, in a way that respects quality of place as well as quantity of new housing units.

1.4 The Service has shown a willingness to open itself up to external review in order to drive improvement. Already the Area and Joint Planning Committees have shown that they are taking more defensible and robust decisions as the quality of decision making improves and the number of upheld appeals declines.

1.5 However, to ensure that the council and Service is better able to meet existing and new growth and development challenges, we consider that changes in focus and prioritisation are required.

1.6 Delivery of growth needs to be owned across all political and officer levels from the most senior political and managerial positions through to ward councillors and case officers. The new Government Housing Delivery Test (HDT) has further increased the need to have an organisational focus on housing delivery if the planning system is to deliver the expected levels of affordable homes and wider community benefits.. The Service and the council need to respond to this challenge by first understanding the consequences of not satisfying the delivery test and then modernising its thinking and actions in order to achieve a stronger delivery focus.

1.7 We found weaknesses in the levels of trust and confidence between some members and officers involved in delivering planning decision making and certainly between the majority of developers/agents, civic societies and many parish and town councils and the Service that we spoke to. Despite a recently agreed local plan we noted that there was limited common ground or meeting of minds in relation to how the borough should grow and it felt as though the planning system was almost seen as a battleground for the heart and soul of Waverley's future. Therefore, trust and confidence in the Service and the very

nature of planning as visionary and place shaping, both internally and externally needs to be rebuilt. The aims and new direction set by the corporate plan with its focus on prosperity and place and its emphasis on team work and efficiency sets a strong platform for a new way of working in Waverley.

1.8 The Service needs to place a greater effort on customer and stakeholder engagement to enable the council to deliver the objectives of the local plan and the Government's agenda on housing growth. This will demand corporate support and a Service recognition that a step-change is required with a far more active listening and engaging tone. We recognise that satisfying all interested parties through the planning process is not possible. However, active listening and sharing of explanations for decisions made will promote positive engagement.

1.9 Planning decision making needs to be less process driven and far more outcome focused to meet even existing, let alone future, challenges. We see real opportunities for more delegation to officers with commensurate reduction in preparation time and attendance at committees. This will release resource for adding value to schemes at an early stage and time for greater customer focus.

1.10 Our recommendations are designed to enable a good Service to be even better.

2.0 Recommendations

- R1** Improve the operation and efficiency of planning decision making through increasing delegation, simplifying and adhering to agreed protocols and creating one borough-wide planning committee in line with detailed suggestions in this report.
- R2** Significantly increase officer and political oversight and ownership of housing delivery and key Local Plan priorities including learning from good practice elsewhere.
- R3** Planning Service has to reprioritise focus on growth delivery by re-examining roles, responsibilities, targets and working with internal and external delivery partners.
- R4** Explore opportunities to rebuild trust and confidence in planning decision making between members and officers and externally with customers and stakeholders.
- R5** Revisit customer engagement improvement plan to reflect need for significant step-up in satisfaction with customers and stakeholders through close working with communications team.
- R6** Review learning and development plans for members and officers focusing on opportunities for joint work and training to build team work and a stronger understanding of roles and responsibilities.
- R7** Review capacity to support parish and town council and communities to develop neighbourhood plans.
- R8** Examine opportunities for stronger co-ordination in place-shaping with the four larger settlements to maximise partnership opportunities.

3.0 Background and Scope of the Peer Challenge

3.1 This report is a summary of the findings of a planning improvement peer challenge organised by the Local Government Association (LGA) in cooperation with the Planning Advisory Service (PAS) and carried out by its trained peers. Peer challenges are managed and delivered by the sector for the sector. They are improvement orientated and are tailored to meet individual councils' need. Indeed, they are designed to complement and add value to a council's own performance and improvement focus. They help planning services review what they are trying to achieve; how they are going about it; what they are achieving; and what they need to improve.

3.2 Waverley is one of eleven district and borough councils in Surrey. It deals with over 3,000 planning decisions every year. The council has 57 ward members. The borough has four area planning decision making committees and one joint planning committee (JPC) that deals with more strategic and more controversial applications. Of the 57 councillors, 46 of them sit on the five planning decision committees. Waverley has a long history of the majority of its councillors sitting on planning decision making committees.

3.3 Area planning committees meet in pairs (eastern and central, southern and western) and each pairing is scheduled to meet once a month. The JPC meets less regularly but the number of meetings is increasing to deal with larger applications in the pipeline and to deal with higher levels of called in applications by members under the council's Scheme of Delegation. Conversely less applications are being decided at area committee meeting level in recent months with meetings cancelled. The majority of applications decided at area committee appear to be called in by local members. JPC have tended to only consider one item per meeting although very recently, two items have started to be decided. Reference in our report to 'planning committees' refers to all five-planning decision making committees.

3.4 You asked us to focus on the following issues:

- review the operation to reduce the number of meetings and enable better use of lead in times and operation of area and joint planning committees; and

evaluate the success of the service's improvement focus on stronger engagement with stakeholders. 3.5 Our review of decision making at planning committees arises from a recommendation in the Stewart Report (2017) produced as part of a wider examination of improvement needs in the planning service. Our review of customer engagement follows the adoption of an internal service improvement plan (2018) arising from the findings of the Stewart management report.

3.6 Peers were:

- Peter Ford - Head of Development Management, Plymouth City Council;
- Robert Weeks - Head of Planning & Housing, Stratford on Avon District Council;

- Cllr John Cotton - South Oxfordshire District Council; and
- Robert Hathaway - Peer Challenge Manager, LGA associate.

3.7 PAS (Planning Advisory Service) and the LGA (Local Government Association) where possible will support councils with implementing the recommendations as part of the council's improvement programme. It is recommended that the council discuss ongoing PAS support, including the cost of it, with Stephen Barker, Improvement Manager, Stephen.Barker@local.gov.uk. A range of support from the LGA – some of this might be at no cost, some subsidised and some fully charged is available <http://www.local.gov.uk>. For more information contact Mona Sehgal Mona.Sehgal@local.gov.uk.

3.8 As part of the peer challenge impact assessment and its evaluation, PAS or the LGA will get in touch in 6-12 months to find out how the council is implementing the recommendations and what beneficial impact there has been.

3.9 The team appreciated the welcome and hospitality provided by Waverley Borough council and partners and the openness in which discussions were held. The team would like to thank everybody they met during the process for their time and contribution.

4.0 Overall Performance

Development Management

4.1 We found the development management (DM) service well-resourced with an establishment of 26 case officers and four technicians in two area teams. The work of DM is assisted by specialist planning policy staff, historic, environmental and design specialists and dedicated customer technical staff.

4.2 The Service deals with over 3,000 planning and related applications per year and has seen a significant increase in the number of major housing applications over the last 5 years. Waverley possesses a comparatively high number of protected trees, over 1,800 listed buildings and 43 conservation areas and thus pressure to retain the quality of life and traditional appearance and feel of the borough is very high.

4.3 On nationally reported measures, Waverley is a high performing authority. Between April 2016 – March 2018 the council decided nearly 98 per cent of the 139 major applications it received in agreed timescales. The council makes significant use of Planning Performance Agreements (PPAs) and Extensions of Time (EoT) agreements as part of its decision-making process. However, use of extensions of time can mask slow decision making. And in 2017/18 the council only decided 41 applications (29 per cent) in a 13-week period. The report will pick up customer concerns over slow pre-application responses and decision making in later sections.

4.4 Performance on the 3,480 non-major applications received resulted in nearly 98 per cent of applications decided with agreed timescales. Over 70 per cent of applications were decided by the council in eight weeks with understandably less use made of PPAs or EoTs in these smaller applications.

4.5 The council has spent considerable effort ensuring that its quality of decision making, as measured by the number of overturned appeals, on major applications has improved. The council has improved its quality performance indicator and continues to bear down and reduce the number of lost (withheld) appeals. Performance between April 2015 and March 2017 equalled 6.4 per cent (125 majors – 8 lost appeals) with potential for this to rise to 10.4 per cent if everything awaiting decisions or refusals that could be challenged was lost.

4.6 We were impressed with the way that planning committee members owned responsibility for the quality of decision making as demonstrated by monthly update officer reports on performance on this indicator along with an oral update if required. Following increased performance reporting and good ownership of this indicator, the committees have improved their quality of decision making as measured by lost appeals. Data for the next performance period is not complete but current figures are well below the threshold, with 71 major appeal decisions taken and only one appeal lost. For the quality threshold to be in danger of being breached it would take 14 to 16 appeals to be lost between April 2017 and 2018 out of 70 to 80 application decided. Understandably the quality of decisions as measured by appeals data is improving given the adoption of Part 1 of the local plan and this is welcomed given the primacy of the plan-led approach in decision making.

4.7 The Service makes a good contribution towards ensuring that the effects of development are mitigated and that development also brings additional investment and community gain into Waverley. The Service seeks to optimise developer contributions through Section 106 legal agreements attached to approvals and members told us that they have had input into many of these discussions. Often, on large developments, these financial contributions are supplemented by on-site provision. Examples of such existing and potential developments include:

- housing on land adjacent to Milford Hospital (Upper Tuesley) – £593k Section 106 contributions and provision of public art and information/interpretation boards, retention of existing orchard;
- housing on land west of St Georges Road, Badshot Lea – £533k Section 106 contributions and provision of car parking to serve adjacent recreation ground; and
- major strategic allocation of 1,800 dwellings at Dunsfold Park – £10.5m Section 106 contributions and extensive on site provision to include health centre, community centre, bus service and additional primary/nursery education provision (yet to be built).

4.8 Opportunities to improve local infrastructure will increase if the council's plans to introduce a community infrastructure levy (CIL) are accepted. This planning charge is a tool for local authorities to help deliver infrastructure to support the development of their area. On current time lines, CIL may be introduced in 2019 but this is dependent on the results of the Planning Inspectorate's examination. It will be important for the Service to anticipate a potential surge in applications in advance of any introduction of CIL. The organisation and management of CIL will need to be built into the Service's focus on delivery which is a theme of our peer review feedback.

4.9 The Service has a good focus on protecting the historic environment and the landscape quality of the area, especially given the high number of listed buildings, conservation areas and protected trees and landscapes. It was evident from our time in Godalming that much of the quality of the conservation area and listed buildings had been preserved and enhanced. Other examples include the reuse of Undershaw House a listed building (built for Sir Arthur Conan Doyle) that had fallen into disrepair. Through strong negotiations and good joint work with a local charity, the house is conserved and used for children with special needs. This scheme also involved ensuring the sensitive landscaped setting and tree screening were largely protected.

4.10 The contribution of environmental, historic and design specialists will be vital in ensuring not only the quantity of housing and other built development but also the quality of place making. It is essential that in the dash for increased housing numbers, that quality is not compromised. While this may seem a paradox, good authorities are noticing that excellent internal team-work and a pre-loading of upfront work at pre-application stage with appropriate level of member and external engagement is bearing fruit. The quality of specialisms should also however include the existing staff in the organisation who can advise on housing delivery including expertise in working with housing providers and viability. This expertise appears to exist in the organisation but is not necessarily being accessed effectively by the Service.

4.11 The enforcement service has seen significant improvement in service delivery as a result of additional resource and high-quality, focused leadership. The number of outstanding cases has dropped significantly and success rate - as measured by resolution of complaints - remains high.

4.12 Despite these good examples, we noted that members, internal and external customers, parishes and civic societies were slow to mention the positive ways in which the Service has guided development and secured significant investment in the borough's infrastructure. We put this down in at least some part to a lack of trust and confidence between some members, officers and external stakeholders in the Service which is a theme we encountered during the peer review and which we will pick up in the next section in the report.

Local Plan

4.13 The council has recently adopted Part 1 of its local plan. While the Leader and councillors are to be commended for driving this through to adoption in February 2018, plan production has been slow. In a large part this was due to a major setback in 2013 caused by an apparent political unwillingness to accept identified housing need figures. Local plan production has been quite painful, for councillors and staff, with some challenging public engagement. And, despite adoption, the local plan is still being challenged by local protest groups with three current High Court challenges. The council plans to approve Part 2 of the local plan, detailing development management policies and site allocations, in late 2019. We see the adoption of Part 1 and the emerging Part 2 document as major planks of a renewed, outward-looking approach for the whole of the Service, providing a clear strategic vision for the whole council to throw its energy behind.

4.14 We were told about “green shoots” in the production of neighbourhood development plans (NDPs) with the making of one and on-going support for others. The made NDP at Farnham had already proved useful in defending non-allocated sites. Some civic societies and parishes felt that the resource devoted to support local communities was not sufficient to support proper NDP development. We did not have time to explore this in detail but we suggest that - as part of improved customer engagement - this concern is explored.

5.0 Rebuilding Trust and Confidence

5.1 We found from our discussions with councillors, staff, stakeholders and customers that there was limited common ground or meeting of minds in relation to how the borough should grow and that the Service was almost seen as a battleground for the heart and soul of Waverley’s future. This is despite the adoption of a Part 1 local plan and the attendant stakeholder engagement that went alongside this.

5.2 The area has several extremely energetic and vocal civic societies who want the best for their local areas and have engaged significantly in development schemes, either trying to prevent development or radically improve the quality of it. Alongside such local societies, a number of high profile groups such as Protect Our Waverley Campaign Ltd have grown up to challenge housing numbers and strategic allocations. Waverley also has a generally well educated and articulate population which also increases the overall level of scrutiny and legal challenge in planning matters.

5.3 It was clear from speaking to many councillors and external bodies that the council was finding it difficult to agree to housing schemes due to pressure from local residents concerned with new market housebuilding and the loss of greenspace and the lack of supporting infrastructure. Waverley is widely regarded by its residents as having one of the highest ‘quality of life ratings’ in England and many are opposed to change. Understandably this puts pressure on local councillors when applications are proposed in

their wards in order to satisfy borough wide housing needs (we pick up this important theme in later sections).

5.4 We appreciate that changes in a range of key national and local circumstances over the last few years have set a challenging context in Waverley for delivering the planning function; these include the introduction of the original and recently revised NPPF.

5.5 The previous lack of a local plan to guide development led to 'development by appeal' which strained relationships between members and officers and fuelled mistrust between sections of the population and the council as officers sought to meet the requirements of the NPPF. Between 2011 and 2017, there were 16 successful application for costs including 5 overturns at committee. Between 2015 and 2017 there were 11 successful claims for costs. While our experience is that this situation is not unusual in the absence of a five year land supply and up to date development plan, our sense is that these approvals at appeal, fuelled suspicion and distrust among opponents of new development that continues to this day

5.6 A similar theme throughout the peer review has been the lack of full trust and confidence and effective team-work between members (when acting as planning decision-makers), and between members and officers in relation to planning decision making. We were advised, for example, that councillors in Farnham could not be expected to take planning decisions on applications in Cranleigh as they did not know the area and would be unable to reflect local concerns (we talk more about this in later sections).

5.7 We are convinced that general and albeit variable levels of mistrust, especially between members and officers leads to what we feel to be 'risk adverse' and 'defensive behaviours' in relation to planning decision making. This learned behaviour is then possibly compounded by the high degree of external scrutiny and threat of legal challenge, leading to delayed pre-application advice and decision making, overly-long reports, and overly-long decision making at committee. This is a reputational issue for the council, not just a Service issue. For the Service to thrive and flourish, and to be appreciated for the good work that it does, both strategic and operational changes in approach are required. Above all, a cultural change is needed; members, customers, community groups and other relevant parties must be inside the 'tent'. We discuss possible solutions to this in more detail in later sections of the report

6.0 Corporate Focus and Delivery on Growth

Strategic Ownership

6.1 We found that, while the Service is making a good contribution to meeting corporate objectives, the council is not maximising or fully owning the strategic delivery focus of planning and development.

6.2 We commend the council for delivering Part 1 of its local plan earlier in the year, particularly after a period of many years without a development-plan led approach.

Leading the local plan to adoption and continuing to have to defend it against legal challenge in the High Court demonstrates resolve and determination. We recognise the strong community leadership role of the leader and executive along with council members in recently adopting the plan for Waverley for 2012-2032.

6.3 Guided by the good work of the planning policy team, the Part 1 local plan recognises the need for 11,200 homes over the 20-year period, with front loading of housing delivery in the early years to meet identified need. It places high importance on the need to deliver affordable homes through the planning system given that average market home prices are close to £500,000 in this part of Surrey. It also emphasises the need for supporting infrastructure in the form of roads, public transport, schools, leisure and drainage. Alongside this lies the need to protect the borough's environment, something many residents assign significant weight to.

6.4. However, if the borough is to meet its objectively assessed housing need figures and meet the challenge of speeding up housing delivery it needs to support increased housing delivery from 1,154 homes in the 36 months to March 2018 to 1,556 homes in the period to 2020.

6.5 Based on local housing need (LHN) and the housing delivery test (HDT), the numbers of homes being built look set to fall short of what is expected. The proposed standardised LHN that the Government is moving towards gives Waverley a target of 584 house per year, while the local plan has 590. The HDT (three-year target) under its rolling programme requires the building of 1,356 homes between 2016/19 and 1,556 homes between 2017/20 against a current rate of 950 over a three-year period. As can be seen therefore there is a clear need for stronger strategic and operational focus on housing delivery in order to meet objectively assesses housing needs.

6.6 We found insufficient senior ownership and monitoring of housing and jobs growth to support the corporate plan vision. For example, neither senior management team (SMT) or Executive currently track or have strategic ownership of important corporate plan objectives including monitoring, namely:

- 'the shortage of homes that are truly affordable for most people, particularly first-time buyers'; and
- 'national economic growth and house-building targets'.

6.7 We recommend that the SMT works with and supports the Service in monitoring, reporting and managing on housing delivery in order to ensure a corporate focus on delivering housing which is especially important in the affordable housing sector. In particular the Service needs to ensure that it fully aligns the resources elsewhere in the council behind this task. The support of the head of strategic housing and delivery is particularly important in this respect.

6.8 In speaking to portfolio holders, senior managers and staff we did not sense that there was a strong sense of corporate working across services and between portfolio holders in place shaping of the main towns. We recognise the joint work on certain strategic sites such as Dunsfold but some staff and stakeholders told us that there was limited drawing together of the implications, for example, of four separate planning applications in Farnham town centre. If so, this fails to optimise the value of internal and external joint working and place shaping. Some councils working with other public authorities and with the private and voluntary sector take an area-based lead in a more strategic way. Examples include the Garden Towns initiative in South Oxfordshire and town centres in Rushcliffe. This would also help better coordinate and prioritise section 106 contributions in each town and surrounding area that staff told us could be improved.

6.9 This strategic and delivery gap, demonstrates why Waverley needs to be more proactive and own the delivery of planning consents. We encourage the council to be bolder in owning the growth agenda and seeking to be far more proactive rather than reactive in managing growth and development. We recognise that this demands a change in mindset that will be uncomfortable for some. However, the need to build homes is not going to go away. Some members and community groups told us that developers will only build what they want to do based on market conditions. We encourage the council to be at the forefront of driving housing delivery in the borough so that it can be more progressive in meeting the council's own approved housing trajectory and the Government's HDT.

Service Delivery Focus

6.10 The Service has a clear opportunity to refocus its attention on delivery and to re-organise itself to focus on more modern planning officer roles and integrated delivery team working. Many planning services are removing the more traditional divides of development management and planning policy roles and are also creating flexible roles and teams with a clearer focus on delivery. In line with its new local plan, Waverley has to provide more homes and infrastructure along with sustaining employment opportunities. Critically, development is required to provide new affordable housing and infrastructure needs such as roads, drainage and services. And without new development, locally generated income in the form of council tax, CIL, business rates or new homes bonus will not replace diminishing government grant.

6.11 However, we heard little during our peer challenge in relation to the Service leading on housing delivery on the ground. We consider it vital that the Service re-examines its priorities to ensure that it has a strong focus on enabling and supporting development. This is particularly the case given the weaknesses in the UK housing market and the need for councils and partners to do all they reasonably can do to stimulate house building. Quickening the pace of Service change from regulation to enabling/delivery will help deliver on meeting strategic needs.

6.12 Faster delivery of new homes is vital to increase the provision of affordable homes in Waverley. And the Service has a clear role to play in reducing the strategic deficit discussed above. Housing need is high and the local plan recognises a pressing need for more affordable homes in the borough. The latest strategic housing market assessment from 2015 demonstrates a need for an additional 314 affordable homes per year. Over 1400 households on Waverley’s housing waiting list (the housing register) as at 1 April 2018, are unable to access housing to meet their needs in the market. Over 700 households living or working in the borough are currently waiting for a shared ownership home on the help to buy register.

6.13 However, despite identified housing need, the number of new affordable homes built in Waverley each year falls far short of demand. Table 1 below, showing the gap between consented and completed affordable homes, underscores the need to speed up all housing delivery.

Table 1 Affordable Housing

	Affordable homes granted planning permission	Affordable homes completed
2017-18	638 (includes 540 at Dunsfold Aerodrome)	64
2016-17	253	57
2015-16	353	80
Average	415 (or excluding Dunsfold Aerodrome, 235)	67

Source: WBC 2018

6.14 We also encourage the council to examine opportunities for improved delivery. One example of a council focussed on delivery is Plymouth who have embedded housing growth targets in its Plan for Homes initiative (winner of RTPI Silver Jubilee Cup). District

councils tackling similar issues include Ashford, Guildford and Rushcliffe. Examples of their interventions to stimulate delivery include:

- defaulting major housing consents to two years implementation;
- limiting pre-commencement conditions and being more explicit with the stage in the development process when a condition needs to be discharged, for example. pre-construction phase, pre- occupation, pre-occupation of XX dwellings etc;
- helping developers find suitable registered housing providers by having housing delivery specialists embedded into the decision-making team;
- creating internal delivery teams and using an account manager type role for certain sites;
- having a clear understanding of which sites are stalled and finding innovative, customer-centred solutions to unblock these stalled sites;
- working with developers/agents to think imaginatively and creatively about unimplemented consents, for example phasing to improve viability where necessary;
- creating in-house viability and compulsory purchase expertise either through the training of specific planning officers or employing RICS accredited officers;
- working with developers, Homes England, government departments, statutory undertakers, LEPs to help unlock sites; and
- senior level political engagement with land owners and developers, holding strategic level meetings to throw political weight behind unblocking constraints especially in relation to joint public service collaboration.

7.0 Efficiency of Planning Decision Making

Operation of Area and Joint Planning Committees

7.1 While we found positive features of the operation of the planning committees, we agree with officers and planning customers and some stakeholders that the council has overly complicated and inefficient decision-making processes, especially in relation to committee decisions.

7.2 In 2017/18 the five planning committees decided 7.24 per cent of all applications determined by the council. Some councils are determining less than half that level of applications through their planning committees in order to speed up decision making and have reserved planning committee decisions for only the most strategic or controversial applications. While the percentage of applications being determined through the planning committees is not necessarily a problem in itself, the number of meetings and time spent on each decision is creating a problem to effective decision making. Therefore, we feel that the council should decide whether it wants to either retain the same percentage of applications coming to planning committees but being more time effective in dealing with each decision with shorter debating times, or increase the percentage of applications that are delegated so that members only deal with the most strategic or controversial applications.

7.3 Planning committee overturns have reduced from a peak of around 20 per cent in 2014/5 but remain high at almost 16 per cent in the past year.

7.4 We attended four planning committees and watched several webcasts of planning meetings in the recent past. Information concerning the planning committees was easily accessible on the council's website. We found the venue to be suitable, with reception properly staffed and clear directions through to the council chamber. We strongly support the fact each meeting is webcast and that older meetings remain accessible on the Internet.

7.5 The planning committee meetings were well attended by members, with most making numerous contributions. Officer/member interactions were broadly good (although a sense arose at times that members were not completely trusting of the advice given to them by their officers). We are aware of at least one complaint to the monitoring officer and were told that not all member comments are made in a constructive and respectful manner. Whilst members can clearly challenge officers this must be done in an appropriate manner in line with the council's own planning committee code of good practice. While we view this code as comprehensive and easy to understand, there did not seem to be a wide understanding of it by either members or officers.

7.6 The planning committees we observed were well-chaired with, in particular, the public made to feel welcome and part of what was helpfully described by the chairman as "a meeting in public but not a public meeting". Officers presented their reports efficiently, with relevant images appearing on the large display. We found it helpful that members were shown a slide listing matters of technical principle and those of judgement. This should have assisted members focussing their debating attention. However, there was some evidence that chairmen were not always supporting the officers when being challenged by members. For example, at one meeting, the legal officer interrupted proceedings to defend himself on a legal challenge from a member because the chairman had not stopped the debate to allow the officer to speak.

7.7 During our interviews, we found a good knowledge of the planning process among members. However, too often during debates at planning committee, that knowledge was not put to best use, with members straying into non-planning issues. It is clear to us – both from watching the meetings and further conversations with members – that there is a blurred line between members' perception of their role as community representatives and that of decision makers on a planning committee.

7.8 This is not unusual; it is a difficult task for non-planners to leap from setting out local concerns one minute, to debating material considerations another. Undoubtedly, additional training could help members in this, but best practice elsewhere suggests ward members stepping back for items in their ward leads to a clear distinction of roles (for the members themselves and for clarity for those observing).

7.9 We recommend that members step down from the planning committees and speak from the public speaking area when applications in their own ward are discussed. This will free up members from the start to carry about their community representation role to the full, while allowing them to impart their local and planning knowledge to the committee. Ward member speaking should be limited to the same time given to objectors and supporters.

7.10 We were also concerned that the structure of the debate is not wholly conducive to focused decision-making. For instance, although members sometimes asked questions of officers before debate, there were many occasions when further questions were asked once debate had begun. Also, we did not see any agenda item where a clear motion for debate was put prior to the debate beginning. Several times, an officer recommendation was voted on despite an obvious desire of the planning committee to move in a different direction. We feel it would be helpful if members of the planning committees view the officer recommendation as part of the advice given to them prior to debate.

7.11 We also feel that the clarity and efficiency of the operation of planning committees can be enhanced through restructuring the debate part of each agenda item. We suggest that as at present, the chairman should start with questions – but intervene if members start debate. The chairman should then ask for a motion (approve or refuse, without a requirement to follow officer recommendation). The mover of the motion should be allowed to speak to their motion as they present it, but they could also leave that for later if they prefer. A seconder should then be sought and assuming one can be found – the debate can proceed. Members should focus their contributions on their agreement (short contributions!) or disagreement (longer, but still to the point) with the motion in front on them. Once all contributions have been made, the vote can be taken. If the motion falls, the process starts again. The chairman should be able to move a motion (ideally in line with officers' recommendation) if no member motion comes forward.

7.12 People we spoke to during the peer review told us that the Waverley approach to site visits is not well planned. They are often held at short notice and as a result not all members can attend and it generates additional work at for officers and members. We

recommend that clear time frames be established within which site visits can be requested and that this time frame does not run right up to the committee dates since that contributes to the 'short notice' problem. Also, it should be clear who has the authority to request a site visit and agree to it (in our view, this should rest with the chairman).

7.13 One suggestion might be that ward members have the right to request a site visit any time during the three weeks consultation period. This request is then put to the planning committee chairman for decision. If agreed the dates are arranged with the committee well before the determination date. This need not over-ride the authority of the committee to propose a deferral for a site visit during the debate, but such a deferral would only be agreed in exceptional circumstances when members have become aware of the matter warranting a site visit during the debate. The inclusion of video footage as part of the case officer's presentation may assist the planning committee and reduce the number of site visits. A further suggestion to aid efficiency is that the chairman's briefing and site visit actions get rolled into one.

7.14 In addition, even with the good foundations discussed above, there are several changes that the review team believes would raise the standard of the planning committees even further. These include:

- ensure that the chairman fully-owns each agenda. The chairman's briefing should take place before the agenda is published so that they can satisfy themselves that all relevant matters are ready to be presented to the committee, can influence the agenda order and can ensure the officers are clear about the support they may need at the meeting (e.g. form of presentation, expert support etc). The chairman should understand that all items are on the agenda only with their agreement;
- explore the option of giving town/parish councils a standing option to address the planning committees. Although this would be a small change to existing practice, it would send a positive signal to an important tier of local government;
- if member call in, list the planning reasons why member(s) have called the item to planning committee;
- provide clarity on the roles of each officer at a committee. We observed a confused relationship between officers and members with three lines of management and a case officer all contributing at the committee. We consider this is unnecessary other than for the most complex items. We suggest that there should be a clearly defined "lead officer" who is at an appropriate management level.
- consider changing public seating arrangements (or removing spring loaded seats), both to prevent the disruption caused by the "banging" of seats as members of the public leave after agenda items and to create more space for public seating by removing the panel which separates the committee from the public gallery. This would also be a clear sign of a more inclusive approach;

- revise seating arrangement to allow officers to sit alongside and face members. This should remove any vestiges of “them-and-us”, and enable officers to address all members directly; and
- seat the lead officer next to the chairman, so that advice can be given efficiently during the meeting itself and this specific role is clear to everyone attending the planning committees.

The Role of Planning Committee in Delivering the Local Plan

7.15 We discussed with you while on site our view that the number of planning committees was overly high leading to inefficiencies and opportunity costs in relation to democratic services officers, legal officers and planning officers and managers servicing those committees. We feel that there are major opportunities to streamline the number of planning committees to provide a more efficient and effective decision-making process. This in no way needs to be at the expense of local engagement in decision making as referred to in relation to ward councillor involvement above. The demands which the current decision-making process places on staff and members should not be underestimated and it is clear that this is hampering the recruitment and retention of staff. The loss of experienced and able staff represents a risk to the delivery of the local plan which is equal to any other identified in this report.

7.16 The council’s democratic services officers have provided some good benchmarking data and a narrative in relation to the comparisons between the eleven Surrey districts for planning decision making. The distinction between the way Waverley structures its planning committees and other Surrey districts is stark, with no other district having more than two committees and the vast majority one. From the experience of the peer team we consider that the council would not only be an outlier in Surrey but an outlier in terms of planning decision making in England.

7.17 In only the first six months of 2018, one out of every two eastern and central area committees have been cancelled due to a lack of items. This was in part due to the new scheme of delegation. Conversely the JPC was due to meet on 25 July, 30 July, 8 August, 13 August, 22 August and September 5. This number of meetings is, in the experience of the peer team, highly unusual and seems to be partly explained by the fact that traditionally the JPC has only dealt with one agenda item per meeting to ensure that it could have, what it sees as, a full debate. The format of the meeting has recently changed to start 30 minutes earlier and to have a second item on the agenda to deal with the demand to determine a growing number of major planning applications. This evidence points to the need to rethink and streamline decision making and in particular to do so as soon as practically possible in relation to meeting the need to improve the supply of homes on the ground. As we were told, if the system is creaking now, what happens when the pressure of more major applications and reserved matters increases?

7.18 Members told us that it was important to have four area committees in order that ward members could better represent local constituents and better understand and reflect local issues. We were also told that for a council with a large number of councillors (57)¹, it was important for as many councillors as possible to be given meaningful roles and responsibilities. Another reason we were told about was that Waverley was unique in having four highly distinctive towns that were so different in ‘complexion’ and ‘psyche’ that only four separate committees could effectively provide quality decision making.

7.19 While we appreciate and can understand some of these reasons – we would want to point the council in the direction of having far fewer planning committees in order to support more efficient decision making. We feel that having four separate planning committees perpetuates the notion, for example among some civic societies, that local representation of detailed localised community views is the almost first and foremost consideration in decision making. We also feel that having four area committees works against a full sense of ownership of the HDT for the borough as a whole. As part of this we consider that there is a need for the council to fundamentally reset and restate that the primary role of councillors when sitting on a planning committee is to take planning decisions based on the development plan and relevant material planning decisions. It is not to represent local community views given that one of the central planks of planning decision making is for decisions to be taken in accord with the development plan unless material considerations indicate otherwise (NPPF).

7.20 If pressed on a solution we would recommend the council to be bold and work towards having one strategic decision-making committee taking the best principles and operation from the existing JPC that already deals with the larger and more strategic planning applications. This would mean dispensing with the four area committees. We feel that the number of members on the restructured committee should ideally be in the region of nine – thirteen. This would help facilitate specialised training and sharpen planning policy debate including the weight to be attached to material considerations. The one committee should also aim (subject of course in part to the size of applications in front of it) to deal with six-nine items per sitting. This would avoid the need to meet, as is happening to the JPC, six times between 25 July - September 2018.

¹ While outside of the scope of this Planning Peer Challenge review, we noted the large number of councillors at Waverley (57) compared with councils with similar characteristics such as South Oxfordshire (36). Additionally, Hart has 33, East Hants, 44, Horsham 44, Mole Valley 41, Guildford 48 and Chichester 48,

8.0 Customer, Stakeholder Engagement and Training

8.1 The Services' improvement plan has helped focus action on areas identified in the earlier Stewart management report. Actions in the last 12 months include:

- reinstatement of a six-monthly agent's forum;
- formation of a developer's group (strategic developments):
- reinstatement of parish and town council planning forum: and
- introduction of parish and town council training roadshows (five so far).

8.2 Member ownership of the Service improvement plan is aided by the involvement of the portfolio holder and its approval by overview and scrutiny and the executive who have received regular reports. It was good to note that the improvement plan was backed by additional resources, both in terms of finance and staff, so that capacity and focus on improvement was improved.

8.3 The Service recognises that, given the challenges of the last five or so years, it has not been able to maintain as strong a focus as it would have liked on customer engagement while it prioritised the day-to-day job of deciding planning applications. The Stewart report gave it good pointers to the need to up its game in this area.

8.4 However, we did not get the sense that the Service recognises the extent of change required -especially from some developers, regular agents and some parishes and community groups - in order to restore trust and credibility and reset the foundations for an effective relationship. We consider that the recently adopted council Corporate Strategy with its emphasis on partnership work and dialogue, listening and engagement provides a very good platform for the development of a stronger focus at Service and corporate level on relationship management with important customers and stakeholders to the Service.

8.5 Other than some parishes, most of the customers and stakeholders we spoke to had not yet really noticed any significant change in approach. We feel that part of this is the lack of appreciation of how low the base is from which many of the relationships are starting or are being reset.

8.6 We heard concerns from planning customers and agents about delays, over regulated decision making, poor quality pre-application service, inconsistency in advice and poor committee processes. Examples included waiting five months for a paid-for pre-application meeting and a further two months for a written response on a reserved matters issue. Developers and agents were concerned about the length of time taken to decide applications with such customers having a sense that decisions were over regulated with an overly zealous safety-first culture. Lack of quality engagement and communication were clearly big issues for paying customers.

8.7 The agent's forum that has just restarted plus the longer established developer group must become arenas which lead to things changing as a result of listening and agreed actions of a kind of 'you said – we did'. But outside of these more set piece group events it appeared to us that there was the need to identify key actions.

8.8 We fully appreciate that relationships are two-way processes and therefore it is important that customers and stakeholders are themselves made aware of the constraints and opportunities involved in a modern-day planning environment. That is why the reintroduction of the agent's forum and why the more strategic developer's forum are important vehicles for engaging and listening and where necessary 'telling'! These will need to work through issues on a general and corporate level but our sense is that there will need to be some strong individual or group level relationships that would benefit from being restored. We would not want to be dogmatic on this, but it may be that focusing on areas like a quality pre-application service along with improving the tracking and overall project management of major applications would be a useful starting point. Some of these we know are already projects in the improvement plan.

8.9 We fully appreciate the fact that our narrower peer review feedback contrasts sometimes sharply with the generally positive customer feedback from the Stewart report which drew from a wider range of planning customers and did so more systematically. However, the customers and stakeholders we spoke to had, in most cases, long term relationships with the council and their concerns were sincerely felt.

8.10 Many parish and town councils we spoke to did not feel that their comments were taken seriously as part of the planning decision making process. Some felt poorly trained in what were the main policy issues that carried weight and there was a lack of clarity over the basis for the council allocating of some sites for development which conflicted with the local wishes which favoured other sites.

8.11 Civic groups with a specific interest in a sense of place and therefore planning, felt distant and removed from the planning process. It was concerning to receive feedback that they wondered why they should bother responding to planning applications when they considered that no one was listening or engaging with them over their concerns. In connection with the relationship between neighbourhood plans and Part 1 and Part 2 of the local plan, representatives told us that there are clear differences of opinion that need to be debated and agreed in relation to housing numbers.

8.12 We appreciate that the improvement plan covers a wide range of priorities and while there has been some progress it was difficult for most customers and stakeholders to recognise any fundamental step change. We are also aware that implementation is still at a relatively early stage with many actions still to be commenced or to become embedded. It was encouraging that work with the parishes and town councils through the introduction of parish and town council roadshows shows early promise. For example, Cranleigh and Haslemere welcomed the opportunity to learn about policy and legislative changes and the opportunity for the agenda to be fixed by the parish and focuses on its questions and

needs. The reintroduction of the parish and town council planning forum that had fallen into abeyance was also valued.

8.13 It will be important for the council to recognise that the depth of distrust and unhappiness that has built up among some customers and civic societies in particular and the long-term importance of dialogue, listening and engaging that will be necessary to restore confidence. We understand that the council is due to employ a new communication and engagement manager and is looking to the post-holder to expand the role from a more traditional communications manager. It will be useful for the new post-holder to work with the council's SMT and service managers to deepen engagement with customers and stakeholders, to drive improvement in trust and confidence, and improve joint working and delivery around the key corporate objectives.

8.14 The result of improved strategic and systematic engagement must be to reframe the relationship between the council, its parishes and town councils, civic societies and its main planning customers. The parishes must know the extent of their influence and the rights of the borough council to determine applications/policy. This may come as a shock to some parishes. It may help the acceptance of this reframing (knock back) if the parishes are somehow compensated with other measures, for example: provided with a clear pathway into the council which will allow their views to be heard even if in the end they do not prevail.

8.15 We fully recognise the difficult context of the environment that Service managers and staff are working in relation to the issues we have outlined earlier in the report, for example number of committees involving late evening extended hours, length of reports, high level of public scrutiny many of whom do not welcome growth and defensive behaviours and lack of member/officer team work. Given the pressure the Service finds itself under and the inefficient processes and high amount of late night working that it already undertakes, this is hardly surprising. Our suggestions and recommendations are designed to make the Service's work more efficient, especially in relation to optimising delegation rates and decreasing the number of planning committees. The aim would be that less time spent on servicing and attending planning committees could be redirected to stronger customer facing and delivery work.

8.16 The improvement plan indicates that the Service is scoping IT software replacement and we learnt that it was working with providers to develop a bespoke option in 2019. We did not have time to explore this aspect in detail. However, with the level of customer concerns and delays in a number of existing processes we would want the Service and council to be as assured as possible that it can accommodate the operational demands which this decision will involve whilst at the same time responding to the challenges which have been identified in this report.

8.17 The Service has not been able to benefit from a permanent head of development management over the past year to help drive change and improvement. While interim managers have provided capacity, there has been no Service level management

consistently to drive change and develop new approaches. This has inevitably put pressure on the head of planning plus downward pressure on team leaders. We were encouraged to learn that the council was to interview potential candidates just after our peer review. It will be important to select a DM manager to help drive cultural change and work alongside members. The DM manager must provide the necessary support for the head of planning to lead an outcome and delivery focused planning applications process rather than being too process driven. If the right manager is not put in place at this stage it will be very difficult for the culture change to permeate through to case officers and support staff.

Training

8.18 The Service recognises that staff turnover and recruitment, lack of political awareness and communication skills all play their part in creating a challenging environment to improve customer engagement. Part of the solution could be mentoring and training and we would especially want to encourage as much joint training and task and finish work with members to help build relationships and a better understanding of roles and responsibilities. It is particularly important for the chairman of the planning committee(s) to engage with officers beyond the committee meetings themselves. An example of good practice that Waverley may want to follow is for the chairman to have open question and answer sessions with officers.

8.19 To address what are clear member and officer training needs, it will be important for prioritisation and focus in the improvement plan to be aligned to our peer review findings.

8.20 We noted the improvement plan themes of officer skills audit, skills training with a focus on customer care and management leadership. In terms of the feedback we received from many fee-paying customers and community stakeholders it is important that training and experience is provided to suit the specific planning and adversarial local context within which planning operates. Training that helps officers negotiate strongly, communicate clearly, know when to say yes/no/maybe and better appreciate the stresses and strains of commercial realities will, we believe, help.

8.21 In the context of a fluid and in part inexperienced DM Service it is also important for case officers to be politically aware and have that 'nous' that engages and asks relevant questions, especially of ward councillors, where necessary. Some of this cannot be taught and needs to be lived out and learnt. Managers and councillors will need to be bold and allow mistakes to be made and try and move to a stronger member/officer team approach which exhibits greater trust and confidence.

8.22 It would also be sensible to ensure that the Service learns from the far more extensive experience of its building control service in relation to customer care. We appreciate that the planning service is not in a competitive market but some of the principles of customer care will be able to be read across. This will also help the council's building control service as well as doubtless a more positive experience with planning will benefit its commercial and development objectives as well.

8.23 While we were made very aware that member training takes place, we see this as a continuing area for focus and improvement. Some progress has already been made on internal design training and examining material planning considerations, along with generalised induction and training for sitting on planning committees. We are aware that the head of planning, supported by democratic services officers have put effort into arranging internal training and learning. However, from speaking to members, our sense was that the training did not fully meet their needs or was undervalued, especially where it was delivered internally. For example, officers could clearly demonstrate to us that members had had internal training on design, taking defensible decisions and taken through the planning code of conduct, many members did not see that as training or enhancing their skills level.

8.24 We did not have time to explore the concept of individual member training plans and competencies, but we wonder if member training and development in relation to skills for planning decision making would benefit from more structure. Given the council's ambition in relation to the south east member development charter mark, there could well be opportunities for member training on planning issues to fit into this project.

8.25 In line with the aim of improving the knowledge and skills of parish and town clerks and councillors it may well add value if these were offered training opportunities at any appropriate events as well. We suggest that in order that such events are valued and costs subsidised that a nominal charge is made for entry.

8.26 Some members told us that they had benefited significantly from the expert Planning Advisory Service (PAS) training on chairing skills and our sense was that, subject to cost, that such bespoke expert externally facilitated training on planning issues would be a major help to members sitting on planning committees.

8.27 Finally and in order to help and support a stronger team ethic it would be beneficial for officers and members to attend training courses together. This joint work could be extended to any task and finish groups that can help support and drive service improvement. Working together close up can help build appreciation of the strengths and diversity of roles between officers and councillors.

9.0 Further Support

9.1 A range of support from the LGA and PAS – some of this might be at no cost, some subsidised and some fully charged - is available at <http://www.local.gov.uk>. and via the PAS website <https://www.local.gov.uk/pas>

9.2 For more information about corporate support or advice please contact Mona Sehgal Mona.Sehgal@local.gov.uk or for planning advice and support please contact Stephen Barker stephen.barker@local.gov.uk



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