

# Public Document Pack



## Uttlesford District Council

Chief Executive: Peter Holt

### Scrutiny Committee

**Date:** Thursday, 7th October, 2021

**Time:** 7.00 pm

**Venue:** Council Chamber - Council Offices, London Road, Saffron Walden,  
CB11 4ER

**Broadcast:**

**Chair:** Councillor N Gregory

**Members:** Councillors A Coote, C Criscione, G Driscoll, V Isham, R Jones,  
P Lavelle, G LeCount (Vice-Chair), G Sell and J De Vries

**Substitutes:** Councillors S Barker, M Caton, P Fairhurst, B Light, R Pavitt and  
M Sutton

#### **Public Speaking**

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Public speakers will be offered the opportunity for an officer to read out their questions or statement at the meeting, and encouraged to attend the meeting via Zoom to readout their questions or statement themselves. For further information, please see overleaf. Those who would like to watch the meeting live can do so virtually here. The broadcast will be made available as soon as the meeting begins.

# **AGENDA**

## **PART 1**

### **Open to Public and Press**

- 1 Apologies for Absence and Declarations of Interest**  
To receive any apologies for absence and declarations of interest.
- 2 Minutes of the Previous Meeting** 4 - 9  
To consider the minutes of the previous meeting.
- 3 Responses of the Executive to reports of the Committee**  
To consider any responses of the Executive to reports of the Committee.
- 4 Consideration of any matter referred to the Committee in relation to call in of a decision**  
To consider any matter referred for call in.
- 5 Cabinet Forward Plan** 10 - 12  
To receive the updated Cabinet Forward Plan.
- 6 Scrutiny Work Programme** 13 - 15  
To receive the Scrutiny Work Programme.
- 7 Corporate Plan Delivery Plan progress update** 16 - 54  
To consider the Corporate Plan Delivery Plan progress report.
- 8 Review of the Planning Service** 55 - 112  
To consider the review of the Planning Service report.
- 9 Stansted Airport Appeal Review - verbal update**  
To receive a verbal update on the Stansted Airport Appeal Review.

## **MEETINGS AND THE PUBLIC**

In light of the recent High Court judgement regarding the extension of remote meeting regulations, Council, Cabinet and Committee meetings will now be returning to in-person and will be held on-site from Thursday 6th May 2021. However, due to social distancing measures and capacity considerations in line with the Council's risk assessment, public access and participation will continue to be encouraged virtually until further notice.

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# Agenda Item 2

**SCRUTINY COMMITTEE held at COUNCIL CHAMBER - COUNCIL OFFICES, LONDON ROAD, SAFFRON WALDEN, CB11 4ER, on THURSDAY, 17 JUNE 2021 at 7.00 pm**

Present: Councillor N Gregory (Chair)  
Councillors A Coote, C Criscione, G Driscoll, G LeCount (Vice-Chair) and G Sell.

Officers in Attendance: R Auty (Assistant Director - Corporate Services), C Edwards (Democratic Services Officer), G Glenday (Assistant Director Planning), L Howells (Economic Development Officer), C Shanley-Grozavu (Democratic Services Officer) and A Webb (Director of Finance and Corporate Services).

Also in attendance: Councillor J Evans (Portfolio Holder for Planning and the Local Plan), Councillor N Reeve (Portfolio Holder for Economy and Investment) and Councillor M Caton.

## SC18 **APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST**

Apologies were received from Councillors Jones and De Vries.

## SC19 **MINUTES OF THE PREVIOUS MEETING**

The minutes of the meeting held on 25 May were approved as a correct record.

## SC20 **RESPONSES OF THE EXECUTIVE TO REPORTS OF THE COMMITTEE**

## SC21 **CONSIDERATION OF ANY MATTER REFERRED TO THE COMMITTEE IN RELATION TO CALL IN OF A DECISION**

Councillor Criscione said he was disappointed that he had not been notified officially of the decision to challenge the Stansted Airport Appeal through the courts. Although Councillor Driscoll said he had received an e-mail from the Council, members thought there needed to be greater transparency and better communication.

Councillor Evans assured members that there was no intention to be discourteous; an e-mail had been sent to all Councillors and he had not had any prior knowledge of the decision. He said he did not know how one newspaper in Bishops Stortford had managed to publish the decision before the e-mail was sent.

Members were concerned that the decision had been made by the scheme of delegation, and therefore without any political input.

Councillor Coote said that this discussion needed to take place but he suggested that the proper way forward would be to bring the matter back as a future agenda item to allow for considered debate. He agreed that it should include the issues of governance.

Councillor Evans said he had recommended to the Director of Public Services that a memo be sent to all Councillors, with a timetable of the next steps and an explanation of what was now involved in the legal process going forward.

Further to a question from the Chair, the Director of Finance and Corporate Services said he had been consulted on the decision, and he was content as the Section 151 Officer that it was a sound spend of money and a relatively small amount for the first stage of the two stage process.

## SC22 **CABINET FORWARD PLAN**

The Chair said there was no detailed implementation plan for the Environment and Climate Change Portfolio in the forward plan. The plan was duly noted.

## SC23 **ECONOMIC DEVELOPMENT RECOVERY PLAN**

Councillor Reeve as the Portfolio Holder for the Economy and Investment introduced the report. He asked that the Committee reviewed the plan and provided comments in order that it could be finalised at Cabinet in July. He highlighted the following:-

- The staff numbers had increased from 1.5 to 3.5 full time equivalents.
- The priorities were:-
  - Business engagement and support
  - Information, advice and guidance
  - Skills and training
  - Creating jobs and inward investment
  - Creating a greener local economy
- The current proposed spend across the 5 priorities was £347k.
- The next step was to work on the strategy for 2022 to 2024 which would be published early next year.

He said that life was difficult for many people in the district, with high unemployment and struggling businesses, which posed an unprecedented challenge for the Council. The statistics showed that in Uttlesford 140 businesses per month were approaching the team for assistance, (this is usually 2 to 3 businesses per month), and at the end of May there were 1,930 residents claiming Universal Credit which was the largest number on record.

He thanked the Economic Development Officer and her team for all their hard work.

Councillor Caton was invited to speak to the Committee. He said there was no mention of the investment at the Little Canfield site. He thought the Business Park would help with the inward investment objective.

He was concerned that the Stansted Mountfitchet economy was in decline, possibly due to a lack of commuters but mainly because the airport was not at capacity. This meant that employees were not using the shops and facilities in the area.

He welcomed the investment in Tourism but thought that the timing of the publicity material was too late in the summer and hoped that it was not too Saffron Walden-centric.

In response to Councillor Caton and other questions from Members, Councillor Reeve and the Economic Development Officer said the following:-

- There were two main grants still available, the Essex Business Adaptation fund and a new Restrictions grant; the details were on the website. The Restart grant was also available but only up to 30<sup>th</sup> June 2021.
- The Little Canfield Business Park would feature in the next delivery plan.
- Tourism publicity would be delivered earlier than the date in the report and would be district wide.
- Data on car parks could be provided and work was on going to collect footfall data. Both sets of data included comparisons with levels before the pandemic.

In response to a question from Councillor Coote, the Economic Development Officer said that the data collected helped the team to make informed decisions. For example, where to target marketing and in terms of the car park data this could be used to show the quieter days of the week when coaches could be incentivised to visit. She said it also helped to target money to the right place and make better decisions on spending.

In response to a question from Councillor Criscione, Councillor Reeve said inward investment was at the top of the agenda, especially with a growing population. He said there was a need for jobs and employment needed to be suitable for the population and the area. He said the inward investment would link into other initiatives including the Environmental strategy and the Cambridge student work recently carried out to look at 'What does the green economy mean to Uttlesford?' Councillor Reeve said he needed to decide what the focus would be for inward investment but he wanted to particularly focus on the green economy. A group called 'Innovate' was doing some work around this subject for the Council.

The Economic Development Officer asked Members to get the message to residents about the grants that were on offer.

Councillor Sell said that research was important and asked if a questionnaire, aimed at businesses, about their experience during the pandemic, could also be considered to provide some hard evidence. Councillor Reeve said that this could be taken forward but to ensure there was no duplication he would check that similar data was not being collected already.

Councillor Coote said there was data from the bid in Saffron Walden and asked if other areas had the same data. The Economic Development Officer said they were in touch with different partners including the Saffron Walden Business Improvement District (BID) and did use the data that they collected. She said they had developed strong relationships with partners in all different areas of the district including towns and villages and this would allow the team to respond to whatever happened next.

The Chair agreed with Members that the Economic Development Recovery Plan was achieving great things with limited funds and had good targets and measureable outcomes set in place.

## SC24 **STANSTED AIRPORT APPEAL - REQUEST FROM FULL COUNCIL**

Councillor Caton was invited to speak and he set out his concerns. He thought there were a number of governance issues as a result of the appeal, and said that there needed to be a comprehensive review, not only related to planning issues. He said an internal review would not be as transparent as an independent one.

The Chair thanked Councillor Caton for his comments and agreed that the governance issues were of great importance, as well as the decision making process and transparency. He said that Scrutiny had a duty to residents to conduct the first review and then if required an external inquiry could follow on. He also agreed that seeking advice on governance matters from external experts would be important.

Councillor Driscoll questioned whether the review should come after the final appeal had finished as he was concerned that it could produce a whole different outcome.

The Chair said that the preparatory work could be carried out at this stage, and some historical aspects reviewed, not least to include the governance issues.

Councillor Sell said it was important that the task and finish group had the resources, including financial, that were needed to carry out the work efficiently.

Councillor Criscione agreed with Councillor Driscoll and said it should be sensitively managed; he supported moving to a review.

The Chair read out paragraph 14:-

"...Furthermore, Council calls on the Scrutiny Committee, at the appropriate time, to consider whether there is a need to initiate a Member-led review and, if so, to engage with the Planning Advisory Service (PAS) or similar body to audit and scrutinise the process which commenced under the previous Administration in 2018"

He asked if the Committee wanted to take on the request of Full Council to undertake the review, there was unanimous consent in favour.

There was a further unanimous vote in favour of setting up a task and finish group to carry out this work.

The Chair said the task and finish group would be set up with 5 members: -  
Councillor Le-Count – Chair  
Councillors Coote, Criscione and Fairhurst  
A Liberal Democrat member to be nominated by Councillor Caton.

The members agreed and voted unanimously for the proposed members of the task and finish group.

The Assistant Director – Corporate Services said the fifth member did not need to be formally agreed by the Committee, he said the details could be circulated once confirmed.

The Chair requested that an early meeting be convened, and asked if a draft terms of reference; a work programme and some initial observations could be brought back to the Committee as soon as possible and by September.

The Assistant Director – Corporate Services confirmed that the Monitoring Officer would be the Lead Officer for the group.

The Chair said there also needed to be some independent advice and Mr Sharp from the LGA had been suggested relating to the planning issues. He said advice and guidance from someone regarding Governance would also be needed.

The Chair said the task and finish group would have a huge amount of work. He said the Governance issues were of equal importance to any planning matters and these could be looked at straight away without interfering with the on going legal process.

Councillor Evans said the composition of the group made sense and he thought an outside advisor would be able to provide the necessary guidance and clarity to the group.

In response to a suggestion from Councillor Criscione to ask for initial advice from the Centre of Public Scrutiny (CfPS), the Assistant Director – Corporate Services said that their view had previously been that planning issues were not a scrutiny function, therefore he questioned whether they would be the best option.

RESOLVED to:

- I. Establish a Task and Finish Group in order to review the Stansted Airport Appeal process
- II. Appoint Councillors LeCount, Coote, Criscione, Fairhurst and a Liberal Democrat Member to the Task and Finish Group.

- III. Request that the Task and Finish Group bring back terms of reference for approval by this Committee no later than the September 2021 meeting.
- IV. Request that the Terms of Reference include any details of external support, if required.

SC25 **WORK PROGRAMME 2021/22**

The Chair said that paragraph 19 of the report showed the five highest priorities of work:-

Post-Covid economic recovery  
Major planning application processes - (an existing workstream)  
Corporate Plan/Delivery Plan (an existing workstream)  
The deliverability of the Climate Change action plan  
MTFS/Budget (an existing workstream)

It was agreed that the five top priorities and the Stansted Airport Appeal task and finish group would be sufficient work for the year. The Assistant Director – Corporate Services said that if there was capacity later in the year then another item could be added.

Councillor Driscoll asked if number 7, Local Highways Panel, could be made the reserve position as he thought it was an important item.

Councillor Driscoll said the airport fly parking was not an issue at the moment but should be considered in the future if necessary.

RESOLVED to approve the work programme as set out in the report.

The Chair thanked everyone and ended the meeting.

*The meeting ended at 8.32pm.*

## UTTLESFORD DISTRICT COUNCIL CABINET FORWARD PLAN

Item	Meeting	Date	Brief information about the item and details of documents submitted for consideration	Key Decision?	Part 2?	Portfolio Holder	Contact officer from where the documents can be obtained
Budget 2021/22 - Quarter 1 Forecast Outturn	Cabinet	19 Oct	Forecast of spend for the financial year 2021/22 for Revenue, Capital and Housing accounts	No	Open	Cllr Neil Hargreaves	Angela Knight, Assistant Director - Resources aknight@uttlesford.gov.uk
Local Council Tax Support Scheme proposals 2022/23	Cabinet	19 Oct	To agree (subject to consultation responses) the final scheme for approval at Council	No	Open	Cllr Neil Hargreaves	Angela Knight, Assistant Director - Resources aknight@uttlesford.gov.uk
Review of Planning Service	Cabinet	19 Oct	To consider the review of the Planning Service report.	No	Open	Cllr John Evans	Rob Tinlin, Interim Chief Executive <a href="mailto:rtinlin@uttlesford.gov.uk">rtinlin@uttlesford.gov.uk</a>
Budget 2021/22 - Quarter 2 Forecast Outturn	Cabinet	2 Dec	Sets out the forecast 2021/22 financial year end spend for Revenue, Capital and Housing	No	Open	Cllr Neil Hargreaves	Angela Knight, Assistant Director - Resources aknight@uttlesford.gov.uk
Corporate Plan Delivery Plan 2021/22 Q2 progress update	Cabinet	2 Dec	To review the progress made against the Corporate Plan Delivery Plan 2021/22 for the Quarter 2 period (July-Sept 2021)	No	Open	Cllr Neil Reeve	Dawn French, Chief Executive dfrench@uttlesford.gov.uk

Item	Meeting	Date	Brief information about the item and details of documents submitted for consideration	Key Decision?	Part 2?	Portfolio Holder	Contact officer from where the documents can be obtained
Proposed North Essex Parking Partnership Agreement	Cabinet	2 Dec	To consider the proposed North Essex Parking Partnership Agreement which will start 1/4/2022	No		Cllr Richard Freeman	Linda Howells, Business Support Officer lhowells@uttlesford.gov.uk
Report to approve a new Forward Plan 2021/22 – 2025/26 for Saffron Walden Museum	Cabinet	2 Dec	This report accompanies the new Forward Plan for Saffron Walden Museum which sets out proposals to improve the Museum and its long-term sustainability, subject to funding being raised from external sources and by Saffron Walden Museum Society Ltd. Approval for the Forward Plan is requested and is necessary before the Museum's next Arts Council England Accreditation review, due in 2022, and further applications for National Lottery funding.	No	Open	Cllr Alex Armstrong	Carolyn Wingfield, Curator - Saffron Walden Museum cwingfield@uttlesford.gov.uk
Building for Healthy Life design	Cabinet	19 Oct	To consider design documentation for endorsement.	No		Cllr John Evans	Jack Bennett, Principal Urban Designer <a href="mailto:jbennett@uttlesford.gov.uk">jbennett@uttlesford.gov.uk</a>
Corporate Plan 2022-2026	Cabinet	10 Feb	To consider the Corporate Plan 2022-2026	No	Open	Cllr Neil Reeves	Dawn French, Chief Executive dfrench@uttlesford.gov.uk

Item	Meeting	Date	Brief information about the item and details of documents submitted for consideration	Key Decision?	Part 2?	Portfolio Holder	Contact officer from where the documents can be obtained
Corporate Plan Delivery Plan 2021/22 Q3 progress update	Cabinet	10 Feb	To review the progress made against the Corporate Plan Delivery Plan 2021/22 for the Quarter 3 period (Oct - Dec 2021)	No	Open	Cllr Neil Reeves	Dawn French, Chief Executive dfrench@uttlesford.gov.uk
Medium Term Financial Strategy and Budget Proposals 2022/23	Cabinet	10 Feb	Draft MTFS, GF, Capital and HRA budgets 2022/23 and associated reports and strategies	No	Open	Cllr Neil Hargreaves	Angela Knight, Assistant Director - Resources aknight@uttlesford.gov.uk
Corporate Plan Delivery Plan 2022/23	Cabinet	29 Mar	To approve the Corporate Plan Delivery Plan for 2022/23	No	Open	Cllr Neil Reeves	Dawn French, Chief Executive dfrench@uttlesford.gov.uk

**Committee:** Scrutiny

**Date:**

**Title:** Revised work plan 2021/22

Thursday, 7  
October 2021

**Report Author** Richard Auty  
Assistant Director – Corporate Services  
rauty@uttlesford.gov.uk

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## Summary

1. It has been necessary to revise the current scrutiny work plan. This report sets out those revisions and the reasons for them.

## Recommendations

2. None

## Financial Implications

3. None

## Background Papers

4. The following papers were referred to by the author in the preparation of this report and are available for inspection from the author of the report.

None

## Impact

- 5.

Communication/Consultation	The report updates members on the work plan
Community Safety	None
Equalities	None
Health and Safety	None
Human Rights/Legal Implications	None
Sustainability	None
Ward-specific impacts	None

Workforce/Workplace	None
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## Situation

6. Since the last non-Local Plan Scrutiny Committee meeting, in June 2021, it has been necessary to revisit the work plan to take account of various matters. Officers have done this in consultation with Chair and Vice Chair of the committee.
7. Attached as Appendix A is the revised work plan. Members are asked to note the following:
8. The major planning applications workstream has been removed. This is because, as previously communicated to the committee, the Planning Advisory Service which was commissioned to carry out the work is unwilling to release any information while the Stansted Airport appeal remains live, including general commentary and recommendations. However, actions emanating from the planning service review will address matters relating to major applications so this may in any case resolve members' concerns on the subject.
9. The Climate Change Action Plan has been moved from this (October) meeting to the November 2021 meeting in order to give additional time for the preparation of the plan.
10. A review of the implementation of recommendations from the planning obligations review that was scheduled for November 2021 has been removed. This is because the recommendations are being picked up in the wider planning service review and progress will be reported through that.
11. A review of progress of the planning review recommendations will need to be scheduled. This can happen once Cabinet has considered the report later in October.
12. Due to uncertainty around the timetable for the Stansted Airport appeal review, further reports have not been scheduled on the work plan but can be added if required.

Scrutiny Work Programme 2021/22

<b>25 May 2021</b>	<b>17 June 2021</b>	<b>7 October 2021</b>	<b>18 November 2021</b>	<b>3 February 2022</b>	<b>10 March 2022</b>
Planning obligations Task and Finish Group final report	Work Planning Final Report	Mid-year review of the Corporate Plan Delivery Plan	Economic Development Recovery plan review of progress	Corporate Plan	Corporate Plan Delivery Plan 2022/23
Scrutiny Annual Report	Stansted Airport	Planning Service Review report	Climate Change Action Plan	Medium Term Financial Strategy	Climate Change Action Plan review of progress
Work Planning update	Economic Development Recovery Plan	Stansted Airport appeal review update		2022/23 Budget	Scrutiny Annual Report
					Economic Development Recovery plan review of the year and look forward to 22/23
					Work Planning 2022/23

# Agenda Item 7

**Committee:** Scrutiny Committee

**Date:** Thursday, 7  
October 2021

**Title:** Corporate Plan 2021-22 Delivery Plan  
Progress

**Portfolio**

**Holder:** Cllr Neil Reeve, Portfolio Holder for the  
Economy, Investment & Corporate Strategy

**Report  
Author:** Robert Tinlin, Interim Chief Executive  
rtinlin@uttlesford.gov.uk

## Summary

1. The Council approved a revised Corporate Plan for 2021-25 at its meeting on 23 February 2021.
2. The accompanying Corporate Plan Delivery Plan describes progress against the various actions identified for 2021-22.

## Recommendation

3. That the Committee notes the progress against the Delivery Plan for 2021-22 and offers comments if appropriate to the Cabinet on delivery to date.

## Financial Implications

4. The financial implications are referenced in the Delivery Plan.

## Situation

5. The Corporate Plan Delivery Plan comprises four distinct sections or themes and is attached as Appendices A-D. The Delivery Plan sets out target actions against each of the themes and also contains activity for each of the actions as achieved to 31 August 2021.

## Risk Analysis

- 6.

Risk	Likelihood	Impact	Mitigating actions
That the Delivery Plan cannot be	1	3	This update reflects activity across the

delivered			Council to action the targets for 2021-22 and reflects the current position. Monitoring is acted upon to ensure that delivery is on target.
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1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.

## Corporate Plan Delivery Plan 2021/22 Progress to 31 August 2021

***Vision: Making Uttlesford the best place to live, work and play***

### Active place maker for our Towns and Villages

<b>We Will:</b>	<b>Activities</b>	<b>Outputs/Milestones</b>	<b>Resources</b>	<b>Lead CM/ Officer</b>
<b>1. Masterplan our new communities for and with residents</b>				
<i>a. Use Locally Led Development Corporations to deliver sustainable new settlements</i>	Continue work on a new Local Plan.  Ensure appropriate evidence is in place to support the Local Plan.	Achieve milestones for 21/22 in Local Development Scheme (LDS)	Within resources currently allocated. Further resources to be considered and possibly allocated – subsequent to review by and advice from EELGA	Portfolio Holder for Planning and the Local Plan/Assistant Director of Planning
<i>b. Provide the greatest level of influence and protection for communities adjacent to new settlements</i>				
<b>Comment:</b> A major consultation and engagement exercise has just been completed on the Issues and Options stage of the Local Plan to ensure that people from a wide range of interests and backgrounds get the opportunity to feed into the local Plan policies and land-use allocations. Work has been commissioned from 17 consultancies to ensure that the evidence base is comprehensive and up to date, and this is underway. The Local Plan Leadership Group has developed a vision and objectives and preliminary outline strategy for the Local Plan, this is ensuring the Local Plan is strategy-led, and that strategy is developed through member input.				
<b>2. Support our towns and villages to plan their neighbourhoods</b>				
<i>a. Deliver an outstanding planning and place-making capability with the right capacity to create quality outcomes with and for all our communities</i>	External reviews of pre-application processes, potential of planning obligations and engagement of town and parish councils and wider organisational review of the planning function	Final report conclusions by 30 April 2021 Improvement plan to be approved by 31 July 2021	£240k ongoing allocated. Further ongoing resources may be requested – subsequent to review by and advice from EELGA but this will need to be considered in light of the overall MTFS.	Portfolio Holder for Planning and the Local Plan/Assistant Director of Planning
<b>Comment:</b> The East of England Local Government Association (EELGA) final report and recommendations relating to the Planning Service was delayed and the final version had not been received by the end of August 2021. Further editing was needed. An Action Plan is now being developed to take forward the				

## Active place maker for our Towns and Villages

<b>We Will:</b>	<b>Activities</b>	<b>Outputs/Milestones</b>	<b>Resources</b>	<b>Lead CM/ Officer</b>
<p>recommendations and address the needs of the Service. This will include a spending plan for the £240k already allocated for additional resources to the Planning Service. The EELGA report and an assessment of its recommendations will be reported to Scrutiny Committee and Cabinet in October 2021.</p>				
<p><i>b. Facilitate Neighbourhood Planning across the district through strong engagement with and support of all town and parish councils</i></p>	<p>Officers to work pro-actively with Parishes to encourage more Neighbourhood Plans to be instigated and subsequently “made” to help communities shape their own areas.</p>	<p>Support for 8 neighbourhood plans already underway. Neighbourhood plans in 4 other areas already “made”.  Facilitate workshop(s) for areas not yet commenced. Other NHP groups to promote benefits</p>	<p>Within existing resources  Neighbourhood planning groups are encouraged to use resources of RCCE, <i>LOCALITY</i></p>	<p>Portfolio Holder for Planning and the Local Plan/Assistant Director of Planning</p>
<p><b>Comment:</b> There are four neighbourhood plans “made” in Uttlesford, the one for Newport, Quendon &amp; Rickling being the most recent, in June this year. The Council continues to support neighbourhood plan groups that want to get a neighbourhood plan in place.</p>				
<p><i>c. Implement policies which create better homes and neighbourhoods that meet or exceed national standards</i></p>	<p>Policies to be developed through the Local Plan process</p>	<p>Timescales incorporated in the Local Development Scheme</p>	<p>Within existing resources</p>	<p>Portfolio Holder for Planning and the Local Plan/Assistant Director of Planning</p>
<p><b>Comment:</b> The evidence to support the preparation of such policies will come from the 17 evidence base studies that have been commissioned to support the development of the Local Plan.</p>				
<p><i>d. Work with partners and stakeholders to deliver new sports, play and community facilities</i></p>	<p>Policies to be developed through the Local Plan process</p>	<p>Timescales incorporated in the Local Development Scheme</p>	<p>Within existing Resources</p>	<p>Portfolio Holder for Planning and the Local Plan/Assistant Director of Planning</p>
<p><b>Comment:</b> The Council continues to engage with the Uttlesford Playing Pitch Strategy Implementation Group, set up after the sports and recreation evidence base was completed by the consultants in 2019. A major sports grant allocation was made to the Saffron Walden Community Football Club to provide a 3G pitch in Saffron Walden which was completed in August 2021. A report to Cabinet recommending major sports grant allocations for 2021-2 was published. This included funding for a replacement skate park for Thaxted and a scheme to encourage participation and widening of the user base.</p>				

## Active place maker for our Towns and Villages

We Will:	Activities	Outputs/Milestones	Resources	Lead CM/ Officer
<b>3. Secure greater benefits for our community from new development</b>				
<i>a. Implement the Community Infrastructure Levy along with s106 to deliver strategic community projects and greater local benefit from development</i>	No work is scheduled on this priority for 21/22			Portfolio Holder for Planning and the Local Plan/Assistant Director of Planning
<b>Comment:</b> The Council has commissioned consultants to prepare an Infrastructure Delivery Plan. Work is underway. The Strategic Infrastructure Delivery Group has been briefed by the consultants. Identification of the infrastructure required to support development and related costs will inform decisions on CIL once the Local Plan is suitably progressed.				
<i>b. Increase the transparency of the Section-106 Agreement process and councillor engagement</i>	Implement the Cabinet adoption of the Scrutiny recommendations regarding Section Obligations reported in May 2021.	<p>Creation of an Uttlesford Developers Contribution Document by end March 2022 for consultation and adoption by June 2022</p> <p>Adopt formal procedural approach for town and parish councils in S106s, Include reflection process with partners, before end March 2022.</p> <p>As part of the review of Planning Committee Reports to include consistent reporting of S106s of Major Planning Applications by December 2021</p>	Some additional resources may be required specifically on the EXACOM data base matters.	Portfolio Holder for Planning and the Local Plan/Assistant Director of Planning

Active place maker for our Towns and Villages				
<i>We Will:</i>	Activities	Outputs/Milestones	Resources	Lead CM/ Officer
		<p>Priority Populating of EXACOM database by end of March 2022 and subject to audit/GDPR launch public interface</p> <p>Conclude the work with SWTC on a draft framework for local council liaison in planning matters; extend the engagement to all local councils based on the framework by 31 March 22.</p>		
<p><b>Comment:</b> The action plan being prepared by the recently appointed Planning Transformation Lead will capture these points and programme them. New templates for Planning Committee reports are actively being discussed with the Development Management team.</p>				
<i>c. Ensure that strong Planning Enforcement holds developers to account</i>	Implementation of Enforcement Works Stream as recommended with the EEGLA review	<p>Improved use of IDOX Enforcement Module for complainant, third tier updates, and generation of notices before March 2022</p> <p>Reporting of enforcement matters (including narratives of interventions) to Planning Committee before end December 2021</p>	Work will continue in accordance with enforcement policy	Portfolio Holder for Planning and the Local Plan/Assistant Director of Planning
<p><b>Comment:</b> Prioritisation of cases is taking place to address the backlog of reports that had built up during COVID restrictions. This includes attention to tolerated works to licensed premises. It has also involved a significant allocation of staff resources to resolving barriers to the transfer of assets from developers to town and parish councils where that has been agreed, or otherwise generally to management companies, enabling future stewardship.</p>				

<b>Active place maker for our Towns and Villages</b>				
<b>We Will:</b>	<b>Activities</b>	<b>Outputs/Milestones</b>	<b>Resources</b>	<b>Lead CM/ Officer</b>
<i>d. Require developers to be considerate of the communities in which they build</i>	Implementation of Enforcement Works Stream as recommended with the EEGLA review	Production and Relaunch of Guidance around Development Sites and better use of Construction Management Plans.	Standard conditions are applied and monitored within existing resources; further recommendations may arise from the planning transformation action plan	Portfolio Holder for Planning and the Local Plan/Assistant Director of Planning
<b>Comment:</b> The action plan being prepared by the recently appointed Planning Transformation Lead will capture these points and programme them.				
<b>4. Work with the airport on issues of concern to communities</b>				
<i>a. Seek a reduction in night flights</i>	Respond to the Government's night flights consultation (by 1 <sup>st</sup> October) and take part in the promised future evaluation by the Government of the costs and benefits of night flights.	A decrease in the number of permitted and actual night flights over time.	<b>BAU:</b> Respond to proposed changes within existing resources	Portfolio holder for Transport, Infrastructure and Stansted Airport/ Assistant Director Planning
<b>Comment:</b> The council's STAAP considered the DfT's consultation on Night Flying Restrictions at the designated airports (Heathrow Gatwick and Stansted) and national policy at its meeting on 18 August, and formulated detailed recommendations to Cabinet as to how the council should respond. The Panel expressed the view that there should be no night flights except in emergencies.				
<i>b. Implement programmes to reduce airport related village fly-parking</i>	Receive the recommendations from the Scrutiny Committee Task and Finish Group into fly parking. Continue to work as part of the Stansted Area Transport Forum to use S106 funding	Final report of the T&F Group has been delayed. Cabinet will respond when the work is complete and further reviewed in light of the impact on travel of the Covid19 pandemic and	Within existing resources	Portfolio holder for Transport, Infrastructure and Stansted Airport/ Assistant Director Planning

## Active place maker for our Towns and Villages

<b>We Will:</b>	<b>Activities</b>	<b>Outputs/Milestones</b>	<b>Resources</b>	<b>Lead CM/ Officer</b>
	to evaluate, publicise and implement appropriate schemes to prevent or reduce fly parking where it is detrimental to local amenity.	continuing emphasis on sustainable transport in light of the climate crisis.		
<p><b>Comment:</b> The impact on air travel from Covid-19 has affected the feasibility of a comprehensive assessment of the current issues. However, there continue to be local issues even with the currently depressed number of air passengers. The situation continues to be monitored by officers and members with a view to identifying solutions. As a result the Scrutiny committee decided to remove this workstream from its programme. The Transport Forum continues to have the potential to deliver solutions, where they can be agreed between the relevant parties.</p>				
<i>c. Work to secure investment in sustainable transport to and from airport, including for local workers</i>	Continue to work as part of the Stansted Area Transport Forum to use S106 funding to start up appropriate services and to fund enhancements to existing services.	An increase in the percentage of airport passengers and staff travelling to and from the airport by sustainable transport as measured by CAA travel data.	Participation in Stansted Area Transport forum work will continue within existing resources.	Portfolio holder for Transport, Infrastructure and Stansted Airport/ Assistant Director Planning
<p><b>Comment:</b> COVID-19 has had a significant impact on the revenue from passengers on both rail and bus services, requiring significant financial support from government. The longer term implications are as yet unclear.</p>				

Active place maker for our Towns and Villages				
We Will:	Activities	Outputs/Milestones	Resources	Lead CM/ Officer
<b>5. Nurture employment and retail areas to create jobs and retain businesses</b>				
	<p>An Economic Development Recovery Plan 2020-2023 was approved by Council in Dec 2020. The elements of the main themes of the plan will be delivered according to this plan in 2021/22. The main themes are:</p> <ol style="list-style-type: none"> <li>1. Business Engagement and Support</li> <li>2. Information, Advice and Guidance</li> <li>3. Skills and Training</li> <li>4. Creating Jobs / Inward Investment</li> </ol> <p><i>Note: Linda Howells is working on a comprehensive progress report on the Recovery Plan which should be available by the end of next week.</i></p>	<p>Within existing resources, including £355,000 allocated to the Business Recovery Fund for 2021/22</p> <p>Project management to be jointly procured through the North Essex Economic Board</p> <p>Inward investment work jointly commissioned through the Innovation Corridor Core group</p>	<p>Portfolio holder for the Economy, Investment and Corporate Strategy, Portfolio Holder for Planning &amp; the Local Plan / Assistant Director Planning</p>	
<p><b>Comment:</b> The Economic Development team continues to bid and secure external funding for economic recovery measures in the District. Just under £1 million in Additional Restrictions Grant (ARG) has been secured to support businesses and a further bid of over £400k is being made to the Business Adaptations Fund to provide additional support to our local business community. Significant progress has been made by ECC on behalf on the councils including UDC participating in the North Essex Economic Board in contracting additional capacity for business engagement and support and signposting information advice and guidance. It is doing so using pooling of ARG from contributing council, UDC's contribution being £183,000. That enhanced capacity will shortly go live. The investor promoting the redevelopment of surplus land on Stansted Airport Northside area has been carrying out its pre-application engagement with local communities on its plans. This site has significant inward investment potential, if it proceeds.</p>				
<i>a. Protect and grow our town centres as economic hubs</i>	See above			
<i>b. Increase tourist spend</i>	See above			
<i>c. Support the creation of amenities that stimulate and facilitates local businesses, such as enterprise zones, business parks, office blocks,</i>	See above			

<b>Active place maker for our Towns and Villages</b>				
<b>We Will:</b>	<b>Activities</b>	<b>Outputs/Milestones</b>	<b>Resources</b>	<b>Lead CM/ Officer</b>
<i>industrial areas, and start-up hubs</i>				
<i>d. Support the expansion and promotion of key relevant employment sectors for the district</i>	See above			
<i>e. Work with partners to promote the economic opportunities of the London - Cambridge Innovation Corridor, Stansted Airport and our main transport corridors</i>	See above			
<i>f. Work with the airport to increase local airport-based employment opportunities</i>	See above			
<b>6. Enforce good business standards in our district</b>				
a. Make sure that businesses and trades in our district meet the national standards and licensing required of them			BAU: Regulatory standards are applied, and enforced where necessary, in accordance with the enforcement policy, within existing resources	Portfolio Holder for Council and Public Services/Assistant Director of Housing, Health and Communities
<b>Comment:</b> Advice and support is being provided to a range of businesses to enable them to operate both in a Covid safe manner and in regard to more traditional Health and safety considerations.				
<b>7. Deliver more affordable homes and protect those in need in our district</b>				

<b>Active place maker for our Towns and Villages</b>				
<b>We Will:</b>	<b>Activities</b>	<b>Outputs/Milestones</b>	<b>Resources</b>	<b>Lead CM/ Officer</b>
<i>a. Increase the number of affordable homes delivered and different tenure options including social renting</i>	Develop a new Housing Strategy and supporting policies that details how the Council will develop, acquire and enable the supply of affordable housing	New Housing Strategy adopted by 31 December 2021 (due to limitations on consultation events)	Within existing resources	Portfolio Holder for Housing and Health/Assistant Director of Housing, Health and Communities
	Develop a new Housing Revenue Account (HRA) Business Plan that confirms the capacity of borrowing through the HRA for the delivery of new council housing (including use of commuted sums, Right to Buy (RTB) receipts, loans and innovative funding models)	New HRA Business Plan adopted by 30 Sept 2021 Delivery of 43 new homes in 21/22. Progress 63 new homes to planning permission stage in 21/22 Continue to identify opportunities for further provision. This forms part of the BAU of the Housing and Planning Services		
	Regularly engage with local registered providers on their affordable housing delivery and identify barriers to further development, Ensure appropriate schemes deliver the required 40% affordable homes	Actions to be included in the Housing Strategy (31 Dec 21)		
	Incentivise community-led housing programmes to increase the number of Community Land Trusts	HE Grants applied for as applicable to qualifying schemes		

## Active place maker for our Towns and Villages

<i>We Will:</i>	Activities	Outputs/Milestones	Resources	Lead CM/ Officer
	<p>(CLTs) across the District, particularly within rural communities</p> <p>Explore Homes England (HE) grant opportunities as they become available</p>			
<p><b>Comment:</b> Consultation on the New Housing Strategy and HRA Business Plan is taking place. A successful application for Homes England Grant has been applied on the new Council development at Little Dunmow enabling some properties to be delivered at social rents. Two other developments currently on site which will deliver a further 27 new homes. Other sites are being worked through planning</p>				
<i>b. Refurbish our existing council homes to sustainable standards when required</i>	Continue with estate renewal and regeneration programmes whilst reducing the carbon footprint of those homes. Improve home energy efficiency across the Council's housing stock	Awaiting details of future grant provision from BEIS for 21/22		Portfolio Holder for Housing and Health/ Assistant Director of Housing, Health and Communities
<p><b>Comment:</b> Funding opportunities for government and industry grants being explored. Asset list identifying installation measures at each location is being prepared to enable a bid to be submitted.</p>				
<i>c. Reduce the number of empty homes</i>	Develop an Empty Homes Strategy	New Empty Homes Strategy adopted by 31 March 2022	Within existing resources	Portfolio Holder for Housing and Health/Assistant Director of Housing, Health and Communities
<p><b>Comment:</b> One empty home has been vested in the Council following CPO. There are a further two properties that may require enforcement proceedings. The landlords of properties that have been empty for 6 months + are contacted each quarter and letters are sent offering PLACE grant funding support. Enforcement is reserved that are rated high on an impact assessment.</p>				

<b>Active place maker for our Towns and Villages</b>				
<b>We Will:</b>	<b>Activities</b>	<b>Outputs/Milestones</b>	<b>Resources</b>	<b>Lead CM/ Officer</b>
<i>d. Ensure that landlords maintain high quality private sector housing conditions</i>	Review assistance available for landlords, including empty property owners	Revision of Housing Renewals Assistance Policy by 31 March 2022	Within existing resources	Portfolio Holder for Housing and Health/Assistant Director of Housing, Health and Communities
<b>Comment:</b> The service continues to respond reactively to complaints of disrepair. An online landlord forum is proposed for Quarter 3 and the review of UDC assistance policy is planned for Quarter 3 / Quarter 4.				
<i>e. Ensure that services to protect vulnerable women and men who live in our district are accessible and appropriate</i>			BAU – support is delivered and monitored under existing framework, within existing resources	Portfolio Holder for Housing and Health/ Assistant Director of Housing, Health and Communities
<b>Comment:</b> Working with the Change Project, a Domestic Abuse (DA) counselling charity, on initiatives to encourage change and stop the cycle of domestic abuse. Working with interactive theatre group to deliver workshops within schools that tackle domestic abuse/violence against women/consent. Working closely with commissioned DA services and have representative working with the community safety hub and linking closely with the housing teams. Essex County Council have identified funding for tier 2 authorities to support with delivering outcomes relating to areas within the new DA Act. This money will be used to enhance the commissioned service (Next Chapter) within the District. There will be a dedicated DA liaison officer within the Community Safety Hub working closely with the Housing Team to ensure a smooth pathway for victims with advice on how to live safely and independently. Funding will also be used to enhance the Council's Sanctuary Scheme where appropriate.				
<b>8. Promote healthy lifestyles in diverse and inclusive communities</b>				
a. Work with partners, including the voluntary sector, to improve the general quality of life for residents, including for residents that experience social isolation, poor mental health, obesity, addiction and dementia	Deliver recommendations of the Uttlesford Health and Wellbeing Strategy	Identified recommendations of the Uttlesford Health and Wellbeing Strategy implemented	Within existing resources plus Public Health Grant funding  BAU: support is provided to the voluntary sector through the extensive grants	Portfolio Holder for Housing and Health/Portfolio Holder for Communities, Youth, Public Safety, Emergency Planning and liaison with the Policy and Fire & Rescue Service / Assistant Director of Housing, Health and Communities

Active place maker for our Towns and Villages				
We Will:	Activities	Outputs/Milestones	Resources	Lead CM/ Officer
			<p>programme, within existing resources</p> <p>BAU: Various parish council-organised civic pride events are supported within the existing resources</p>	
<p><b>Comment:</b> Continuing to support the Uttlesford Community Response Hub that was introduced as a direct response to residents needs in March 2020 at the start of the Covid-19 pandemic. The current levels of support will be expanded to address the anticipated rise in residents requiring assistance. This will be achieved with the recruitment of two Community Responders who will work closely with partner organisations and social prescribers to provide information, guidance and support to those most in need. Set up a Community Services working group to identify the best way to deliver/commission support services.</p>				
<i>b. Continue to be an active partner of the Health and Wellbeing Partnership, to promote healthy lifestyles</i>			<p>BAU: The Council will continue to be an active partner of the Health and Wellbeing Partnership</p>	<p>Portfolio Holder for Housing and Health / Assistant Director of Housing, Health and Communities</p>
<p><b>Comment:</b> Work on delivering the recommendations of the Health and Wellbeing Partnership has resumed following the lifting of restrictions. Progress against the action plan is reported to the Health and Wellbeing Board. Uttlesford falls prevention programme is delivering face to face classes for residents that may be experiencing balance issues, mobility issues or at the risk of falling. Uttlesford food alliance has been set up with the objective to reduce food poverty/insecurity throughout the district. Once more established this group will develop a food alliance strategy to include food growing, community fridges, community cooking programmes and healthy eating initiatives.</p>				

## Corporate Plan Delivery Plan 2021/22 Progress to 31 August 2021

***Vision: Making Uttlesford the best place to live, work and play***

<b>Champion for our District</b>				
<b>We Will:</b>	<b>Activities</b>	<b>Outputs/Milestones</b>	<b>Resources</b>	<b>Lead Cabinet Member</b>
<b>1. Improve Uttlesford's connectivity</b>				
<i>a. Hold ECC to account: Work to set the agenda for ECC highway maintenance and pothole fixing</i>	Promotion of links to services and responsibilities of ECC, as well as reporting mechanisms for potholes, footpaths, pavements and street light repairs	Enhanced reporting ensures most up to date and accurate information is available when key decisions are made	Within existing resources	Portfolio Holder for Planning & the Local Plan / Assistant Director of Planning/Assistant Director for Corporate Services
<b>Comment:</b> Our website has been updated to include information and links to the relevant reporting mechanism on the Essex Highways website. Ensuring links are easy to find helps to ensure maximum reporting of problems, enabling the discussions with ECC to take place with the most accurate picture. Whenever and wherever in the district Essex Highways carries out work, we ensure that the information is shared via our own social media accounts. In the period April to August 2021 we have shared information about numerous schemes and initiatives in the district across our social media channels, including road repairs and how to report faded lines, potholes etc.				
<i>b. Work with ECC and communities to develop the highway improvement schemes we need</i>			Within existing resources	Portfolio Holder for Planning & the Local Plan / Assistant Director of Planning
<b>Comment:</b> We will continue to work with (and lobby) ECC colleagues and members in relation to specific projects as they arise as well as through the planning application process and Local Plan policy development.				
<i>c. Hold ECC to account to deliver what they promise</i>			Through regular contact with officers and members at ECC, ensure that delivery in Uttlesford is as expected; seek the support of Scrutiny	

<b>Champion for our District</b>				
<b>We Will:</b>	<b>Activities</b>	<b>Outputs/Milestones</b>	<b>Resources</b>	<b>Lead Cabinet Member</b>
			Committee where significant under-performance	
<b>Comment:</b> The support of the Scrutiny Committee has not been sought thus far due to under-performance. Matters relating to performance were considered as part of the committee's work planning process for 2021/22 and although do not currently feature in the work plan are kept in reserve.				
<i>d. Promote and support sustainable transport initiatives, such as bus, rapid transport and rail upgrades</i>			Within existing resources	Portfolio Holder for Planning & the Local Plan /Assistant Director of Planning
<b>Comment:</b> Work will continue through lobbying ECC and allocation of existing S106 monies to projects. A combination of existing resources and members' efforts will be involved.				
<i>e. Lobby Highways England to improve the capacity and safety of the M11</i>			Within existing resources	Portfolio Holder for Planning & the Local Plan / Assistant Director of Planning
<b>Comment:</b> Dialogue with Strategic partners, Transport East and the UK Innovation Corridor through the Strategic Infrastructure Group will continue to seek improvements				
f. Work with ECC and hold them to account to deliver rural superfast broadband in our district	Monitor the progress of the delivery by Superfast Essex and the provider	Target is 4,627 premises where full fibre broadband service has been installed and is ready for service by 31 Dec 2021. Half yearly reports will identify progress.	Monitor progress within existing resources	Portfolio Holder for Planning & the Local Plan /Assistant Director of Planning
<b>Comment:</b> Officers in the Economic Development Team continue to work with colleagues at Superfast Essex to ensure that the roll-out of broadband across Uttlesford occurs in a timely manner. The broadband provider, Gigaclear is currently looking to revise the list of properties that they can deliver broadband to so officers are closely monitoring these developments to ensure that Uttlesford's residents and businesses are not unreasonably disadvantaged by any such action.				
<b>2. Support our students, schools and libraries</b>				

<b>Champion for our District</b>				
<b>We Will:</b>	<b>Activities</b>	<b>Outputs/Milestones</b>	<b>Resources</b>	<b>Lead Cabinet Member</b>
<i>a. Conduct a wholesale review of school transport to understand the gap in provision of what ECC provides</i>	No work is scheduled on this priority for 20/21 or 21/22			Portfolio Holder for Planning & the Local Plan
<b>Comment:</b> No work is scheduled on this priority for the 2020/21 or 2021/22 years.				
<i>b. Ensure that developer contributions are collected for ECC to provide our local school and Early Years places</i>			BAU: Within existing resources	Portfolio Holder for Planning and the Local Plan/Assistant Director of Planning
<b>Comment:</b> There is a process for identifying and collecting s106 contributions.				
<i>c. Create and support new services inside our libraries to increase their viability</i>	No work is scheduled on this priority on 21/22.			Portfolio Holder for Sport, Leisure, Education and the Arts/ Assistant Director of Housing, Health and Communities
<b>Comment:</b> No work is scheduled on this priority on 21/22.				
<b>3. Work with partners to keep the district safe</b>				
<i>a. Work with the Police, Fire and Crime Commissioner and Chief Constable to reduce crime on our area</i>			Work is undertaken with partners to produce the annual Strategic Assessment and deliver identified priorities; targets and milestones are contained in the specific action plans and reported in an annual report.	Portfolio Holder for Communities Youth, Public Safety, Emergency Planning and liaison with the Police and Fire & Rescue Service/Assistant Director for Housing and Environmental Health

**Champion for our District**

We Will:	Activities	Outputs/Milestones	Resources	Lead Cabinet Member
			Within existing resources	

**Comment:** Reaching our Rural Communities ‘project has been launched for the District. Working with community safety partners and other external agencies 80 farms and landowners have been visited in the Wimbish and Debden parishes. Each resident received a pack containing information about Crimestoppers ,Essex Police Farm Watch Scheme, Frontline services, What 3 Words for their locations, QR Codes for easy access on how to report issues to relevant agencies and a questionnaire. Referrals to ECFRS for smoke alarms to be installed at both farm houses and farm outbuildings housing combustible materials, were also made. The CSP funded a ‘virtual’ Crucial Crew this year which reached 877 year 6 pupils and supports the PFCC Violence and Vulnerability units newly launched County Lines campaign.

<i>b. Continue to be an active partner of the Community Safety Partnership</i>			Work is undertaken with partner agencies within the Community Safety Partnership to reduce and prevent crime and anti-social behaviour; this includes partnership working with local councils and the PCSOs to address the fear of crime. Targets are identified in the work plans. Within existing resources.	Portfolio Holder for Communities Youth, Public Safety, Emergency Planning and liaison with the Police and Fire & Rescue Service / Assistant Director of Housing, Health and Communities
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**Comment:** The Council continues to be an active partner of the CSP and continues to strengthen the partnership to ensure reduction in crime and anti -social behaviour. Preventative projects are being identified with partners to address the priorities of the CSP. The CSP has linked in with The Change Project to launch a campaign in line with the Euro 2020 Championships. The aim of this campaign is to encourage change and stop the cycle of domestic abuse. Helpline numbers are on beer mats, posters and tabletop signs, and have been distributed amongst 100 licensed premises across Uttlesford. CSP postcards have been produced, reminding residents about how to deter car criminals from their vehicles. This will be specifically targeted at driveways housing work vans and high-performance vehicles. Officers took part in Operation Henderson along with other partners and organised by ESCB. The partners visited three train stations and carried out the outreach work, raising awareness of Child Sexual Exploitation to passengers and staff at the stations.

<b>Champion for our District</b>				
<b>We Will:</b>	<b>Activities</b>	<b>Outputs/Milestones</b>	<b>Resources</b>	<b>Lead Cabinet Member</b>
Operation Aidant took place on Friday 10 <sup>th</sup> September at Birchanger Services. CSP Partners worked together with Stop the Traffick Charity, to raise awareness of Modern Slavery amongst the lorry drivers. The drivers were given verbal information regarding this subject which was underpinned with an information leaflet containing a QR code in different languages.				
<b>4. Work to create a better local Health Service for residents</b>				
<i>a. Work with NHS on in-district local healthcare provision</i>			Work towards the Integrated Care Partnership will continue, within existing resources	Portfolio Holder for Housing and Health / Assistant Director of Housing, Health and Communities
<b>Comment:</b> In May 2020 Hertfordshire and West Essex became one of the 18 Integrated Care Systems (ICS) across the country. The Council are a partner in the ICS through the One Health and Care Partnership Board. The partnership is working to deliver improvements to the health and care of residents tackling everything from anti-natal care and end of life planning to making the best use of technology and reducing health inequalities so that everyone has the opportunity to live a healthier life. From Spring 2021, it has been announced, Integrated Care Boards will take over the function of the existing Care Commissioning Groups. Uttlesford will be covered by an ICB operating on the broader Hertfordshire and West Essex footprint. Existing NHS England functions will be devolved to ICBs. The ICBs will though be underpinned by statutory placed based partnerships in which district councils are expected to play a key role bringing a public health perspective informed by their knowledge of their communities.				
<i>b. Work to secure Addenbrookes, The Princess Alexandra Harlow, and Mid-Essex hospitals as our recognised local hospital providers</i>			Work towards the Integrated Care Partnership will continue, within existing resources	Portfolio Holder for Communities Youth, Public Safety, Emergency Planning and liaison with the Police and Fire & Rescue Service / Assistant Director of Housing, Health and Communities
<b>Comment:</b> Continuing to work collaboratively with health partners on the provision of services, as a) above.				
<i>c. Deliver programmes to support our ageing population</i>	Review of community services to meet the needs of residents, including older people	As a result of the recent discussions on establishing a Cabinet task and finish group to support the Cabinet Member to undertake the	Within existing resources	Portfolio Holder for Council and Public Services/ Assistant Director of Housing, Health and Communities

**Champion for our District**

We Will:	Activities	Outputs/Milestones	Resources	Lead Cabinet Member
		review, the details have not yet been scoped.		

**Comment:** A Community Services working group has been set up to identify the best way to deliver/commission support services for the elderly.

## Corporate Plan Delivery Plan 2021/22 Progress to 31 August 2021

***Vision: Making Uttlesford the best place to live, work and play***

Progressive Custodian of our Rural Environment				
We Will:	Activities	Outputs/Milestones	Resources	Lead Member
<b>1. Take action on Climate Change</b>				
<i>a. Adopt policies to meet new environmental national guidelines/standards as they emerge</i>	Develop a Climate Crisis Action Plan, prioritised by impact, cost, and deliverability.	Action Plan to be developed by 30 Sept 2021	Officer time in 2021/22. Funding allocated for the plan actions of £333K for 21/22	Portfolio Holder for Environment and Green Issues; Assistant Director of Planning
<b>Comment:</b> The Climate Crisis Action Plan is being presented to Scrutiny Committee in November for consideration. The Committee will be asked to comment on priorities within the range of potential actions to tackle climate change in Uttlesford on the basis of the indicative timescales and resources needed to deliver the various actions.				
<i>b. Drive policies to deliver low carbon buildings</i>	Implement policies that reduce the carbon footprint of new development	Detailed proposals to come from the Climate Crisis Action Plan (30 Sept 2021)	Within existing officer resources	Portfolio Holder for Environment and Green Issues; /Assistant Director of Planning
<b>Comment:</b> The Interim Climate Change Planning Policy requirements are being requested in all appropriate planning applications coming forward. Although non-statutory, the Interim Policies are proving to be adding value to the process of ensuring new planning applications are as environmentally sustainable as possible.				
<i>c. Improve average energy efficiency of Council housing stock</i>	To be included in the Review of HRA business plan	Measurable improvement in energy efficiency of housing stock.  Details to be included in the HRA business plan to be developed by 30 Sept 21	Within existing officer resources and subject to BEIS grants	Portfolio Holder for Housing and Health / Assistant Director of Housing, Health and Communities
<b>Comment:</b> Funding opportunities for government and industry grants being explored. Asset list identifying installation measurers at each location is being prepared to enable a bid to be submitted.				

<b>Progressive Custodian of our Rural Environment</b>				
<b>We Will:</b>	<b>Activities</b>	<b>Outputs/Milestones</b>	<b>Resources</b>	<b>Lead Member</b>
<i>d. Increase the number of trees in the district (and protect existing trees).</i>	Introduce a tree planting initiative in partnership with town and parish councils.	Detailed proposals to be included in Climate Crisis Action Plan (30 Sept 2021)	Climate Change Budget	Portfolio Holder for Environment and Green Issues /Assistant Director of Planning
<b>Comment:</b> The Climate Crisis Action Plan is being presented to Scrutiny Committee in November for consideration. The Committee will be asked to comment on priorities within the range of potential actions to tackle climate change in Uttlesford on the basis of the indicative timescales and resources needed to deliver the various actions. An action relating to the need to increase the number of trees within new planning applications will form part of the Action Plan.				
<i>e. Oppose a second runway at Stansted Airport</i>			Any policy proposals that might signal potential increase in runway capacity will be reported to members	Portfolio Holder for Infrastructure, Transport and Stansted Airport/Assistant Director of Planning
<b>Comment:</b> MAG's current focus is on the infrastructure for which it has sought planning permission.				
<i>f. Set a Net Zero Carbon goal for the Council and implement supporting policies</i>	In making every policy decision, consider the opportunity to reduce the Council's carbon emissions, including:	Detailed proposals to come from the Climate Crisis Action Plan (30 Sept 2021)	Part of Climate Change Budget	Portfolio Holder for Environment and Green Issues; Equalities/Portfolio Holder for Finance and Budget/Assistant Director of Environmental Services
	Review viability of replacing Council vehicles & equipment with electric alternatives at end of life.	Review capital programme to consider vehicle replacement and acquisitions programme ahead of budget setting for 2022/23.	Within existing resources	Portfolio Holder for Planning & the Local Plan
		All handheld petrol driven council equipment (such as	Existing equipment budget	

**Progressive Custodian of our Rural Environment**

We Will:	Activities	Outputs/Milestones	Resources	Lead Member
		<p>strimmer’s), will transition to electric; 50 separate items of equipment by 31 Dec 2021.</p> <p>Conduct a study to investigate the feasibility of Electric Shuttle Buses for Saffron Walden and Dunmow by 31 Dec 2021</p> <p>Explore the option of hydrotreated vegetable oil (HVO) as an alternative to diesel for the Council fleet. If feasible implement by 31 December 2021</p>	<p>Climate Change budget</p> <p>£45,000 for the installation of suitable fuel tanks</p>	

**Comment:**

- Vehicles – alternative fuels are being considered for replacement vehicles in the Council’s light fleet e.g. vans. The market for hybrid vehicles is still developing and at present is limited to smaller courier style vans. A number of van manufacturers have yet to approve the use of HVO (see below) in their vehicles and as a result there is limited options in terms of moving away from diesel powered vehicles. In terms of the Heavy fleet, major manufacturers have released electric, or hydrogen powered vehicles. A review of options and environmental benefits will be conducted later in the financial year as part of the climate change strategy action plan. Officers are also investigating of the use of solar panels on HGV fleet to help reduce fuel costs, this is relatively new technology that can be retrofitted to existing fleet and would help power electric bin lifts etc, improving fuel consumption. A case study will be completed in October with potential trial on a number of vehicles, later in the financial year.
- Tools and equipment – electrically powered equipment for use within the grounds maintenance team is gradually replacing petrol driver equivalents, although there is limited market at the current time for larger sit-on style mowers. As well as reducing fossil fuel usage, electrically powered equipment does reduce exposure to Hand Arm Vibrations which over the long term can cause health issues and are quieter to operate. Good progress is being made in this area and the majority of smaller equipment should be replaced by electrically

## Progressive Custodian of our Rural Environment

We Will:	Activities	Outputs/Milestones	Resources	Lead Member
<p>powered tools by the end of the financial year</p> <ul style="list-style-type: none"> <li>➤ HVO trial – The trial for HVO fuels is nearing completion and fuel consumption information between regular diesel and HVO being compared on a modern refuse vehicle. The data analysis will be completed by mid-September.</li> </ul>				
<p><i>f. Set a Net Zero Carbon goal for the Council and implement supporting policies</i></p>	<p>Optimise the environmental opportunities at Little Canfield Business Park (LCBP)</p>	<p>Install a new vehicle washdown facility that recycles 90% of the water used. Install PV panels on the vehicle workshop</p>	<p>Within existing budget</p>	<p>Portfolio Holder for Environment and Green Issues; Equalities/Assistant Director of ICT and Facilities/Assistant Director of Environmental Services</p>
<p><b>Comment:</b> The project timetable has slipped due to delays in obtaining planning permission. In addition to the washdown facility and PV panels there will also be EV charging points and potential use of Biofuel for the refuse fleet. On site work recommenced at the end of August and the steels for the workshop have been erected. Due to national shortages, there is some challenge in building material supply, but the project is expected to complete by the end of March 2022 with the Environmental teams relocating to this site in April 2022</p>				
<p><i>g. Increase walking, cycling and sustainable transport</i></p>	<p>Improve connectivity for walking and cycling</p>	<p>Leverage S106 contributions and liaison with ECC to secure the implementation of additional walking and cycling facilities.</p>	<p>Within existing budget.</p>	<p>Portfolio Holder for Infrastructure, Transport and Stansted Airport/ Assistant Director of Planning</p>
<p><b>Comment:</b> The Climate Crisis Action Plan is being presented to Scrutiny Committee in November for consideration. The Committee will be asked to comment on priorities within the range of potential actions to tackle climate change in Uttlesford on the basis of the indicative timescales and resources needed to deliver the various actions. The Plan includes actions to increase the opportunities for more walking and cycling in the District. This involves working collaboratively with ECC to develop appropriate schemes to develop an effective “Active Travel” programme for Uttlesford.</p>				

## Progressive Custodian of our Rural Environment

We Will:	Activities	Outputs/Milestones	Resources	Lead Member
<i>g. Increase walking, cycling and sustainable transport</i>	Introduce EV charging point provision	Four 22kw fast charging posts with twin ports at London Road Council Offices by 30 Sept 21. Twelve 7kw charging posts across three car park sites (Chequers Lane, White Street, Crafton Green) by 30 Sept 21. Four 7kw charging points at LCBP by 31 October 2021.	Resources identified as part of the Climate Change Budget (and £15k capital programme and external grant funding)	Portfolio Holder for Planning & the Local Plan / Portfolio Holder for Environment and Green Issues; Equalities /Assistant Director ICT and Facilities
<p><b>Comment:</b> White Street, Great Dunmow - Charge points have been installed &amp; commissioned            Crafton Street Car Park, Stansted - Wayleave agreement negotiations ongoing between UKPN, equipment provider BP Pulse &amp; third-party land owner            Council Offices, Saffron Walden – awaiting delivery of chargers from BP Pulse due to world shortage of the chips that go into the charging units. There have been further delays due to a Gas Leak at the front of London Road which clashed with UKPN’s planned works to connect the power supply – this has now been pushed back again and we await a new completion date.            Chequers Lane Car Park, Dunmow – chargers have been installed            Little Canfield Business Park – Power due to be re-connected in September, EV points to be ready for site completion in March 2022</p>				
<i>h. Recognise the district’s ‘greenest’ businesses and developers</i>	No proactive work is scheduled on this item in 2021/22			Portfolio Holder for Environment and Green Issues / Assistant Director of Planning
<p><b>Comment:</b> The Economic Recovery Plan has necessitated prioritisation of key actions over others which are less urgent</p>				
<p><b>2. Conserve our natural resources</b></p>				

## Progressive Custodian of our Rural Environment

We Will:	Activities	Outputs/Milestones	Resources	Lead Member
<i>a. Implement and enforce policies that protect water and reduce energy consumption</i>	<p>Include in Climate Change Action Plan</p> <p>Engage in Water Resources East's work on developing projects with the water industry to address over abstraction of the chalk aquifer and protect the district's chalk streams</p>	<p>Detailed proposals to come from the Climate Crisis Action Plan (30 Sept 21)</p> <p>The details of precisely what action might be required by UDC is not yet clear; engaging with WRE is the preliminary stage</p>	Resources identified as part of the Climate Change Budget	Portfolio Holder for Environment and Green Issues / Assistant Director of Planning
<p><b>Comment:</b> The Climate Crisis Action Plan is being presented to Scrutiny Committee in November for consideration. The Committee will be asked to comment on priorities within the range of potential actions to tackle climate change in Uttlesford on the basis of the indicative timescales and resources needed to deliver the various actions. As part of the Action Plan, the need to protect water and reduce consumption is acknowledged with an appropriate action. A water cycle study has been commissioned from consultants as part of the evidence base for the new local plan. This specifically includes abstraction from the chalk aquifer and the chalk streams. The consultants have briefed the SIDG. The Interim Planning Policies also emphasise the need for the efficient use of water resources in all new developments.</p>				
<i>b. Drive programmes that increase biodiversity</i>	Include in Climate Change Action Plan	Detailed proposals to come from the Climate Change Action Plan Sept 21	Resources identified as part of the Climate Change Budget	Portfolio Holder for Environment and Green Issues / Assistant Director of Planning
<p><b>Comment:</b> The Climate Crisis Action Plan is being presented to Scrutiny Committee in November for consideration. The Committee will be asked to comment on priorities within the range of potential actions to tackle climate change in Uttlesford on the basis of the indicative timescales and resources needed to deliver the various actions. Biodiversity forms a key element of the Action Plan and also relates to the emerging Local Plan. A study to assess the current situation relating to the District's biodiversity is being commissioned. This will also provide information on how we can protect and enhance the biodiversity of Uttlesford for the future.</p>				
<i>c. Support local energy production initiatives</i>	Develop local energy production initiatives	Detailed proposals to come from the Climate Crisis Action Plan Sept 21	Resources identified as part of the Climate Change Budget	Portfolio Holder for Environment and Green Issues; Equalities /Director of Public Services

## Progressive Custodian of our Rural Environment

We Will:	Activities	Outputs/Milestones	Resources	Lead Member

**Comment:** UDC is working with Eastern New Energy (ENE) who are in turn working with the Energy Systems Catapult to map our Local Energy Asset Representation (LEAR). This data will provide baseline data and options for decision making on local energy production projects. Subsequent stages of projects which will actually deliver energy production infrastructure (based on this baseline data) – can be also be facilitated by ENE. UDC is working on this local energy production project in collaboration with ECC. This leg of the project – the baseline data capture – is at no cost to UDC, as ENE has grant funding to cover it. It is expected that the baseline data will take several months to gather and present to UDC. Further opportunities for local energy sources will continue to be investigated.

<i>d. Implement programmes to reduce single-use plastics</i>	Develop the Chair’s Charter to promote reduction in single use plastics and carbon footprint	<p>The details are still being worked up but will initially focus on residents and communities.</p> <p><i>The intended roll out to schools and then businesses will need to be timed to ensure that they are able to engage fully in this promotion having regard to the pandemic related issues they will be managing for most of this year In addition it should be recognised that some businesses will have the added burden of new trading arrangements with the EU.</i></p>		Portfolio Holder for Environment and Green Issues; Equalities /Assistant Director Environment
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**Comment:** The Chairman’s charter was launched in April 2021 and includes a simple action plan to promote the reduction of plastics alongside other environmental initiatives throughout the coming year.

## Progressive Custodian of our Rural Environment

We Will:	Activities	Outputs/Milestones	Resources	Lead Member
e. Work to reduce per-capita landfill in the district			BAU: campaigns will be run, within existing resources, including Love food Hate waste campaign and Keep Britain Tidy National Litter Pick (11 <sup>th</sup> -27 <sup>th</sup> September 2021)	Portfolio Holder for Environment and Green Issues; Equalities /Assistant Director of Environment

**Comment:** A refresh of the Essex Joint Municipal Waste Strategy has started at County level. This project alongside the Government's Resources and Waste Strategy, will enable Uttlesford to review its existing service delivery model and consider alternative options that meet changing requirements and ambitions. This programme of work will be a good opportunity for the Council to plan for the future and ensure that our climate change action plan aspirations are included. Inspections of contamination levels and 'capture' rates for materials collected for recycling are being carried out to establish where and how to target waste education initiatives into the last part of the year. Data on waste collections made across the district is being analysed to improve operational performance and will lead to a collection round refresh in early 2022 following the depot move.

### **3. Protect and enhance our rural character and heritage**

<i>a. Meet or exceed national standards for open and green spaces</i>	Policies to be developed through the Local Plan process	Timescales incorporated in the Local Development Scheme	Within existing resources	Portfolio Holder for Planning and the Local Plan/Assistant Director of Planning
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**Comment:** Policies will be taken forward in the emerging Local Plan. The Open Spaces Strategy being developed and the Infrastructure Delivery Plan will provide the evidence base for such policies.

<i>b. Encourage positive planning that values and protects our heritage</i>			Heritage will continue to be protected using existing resources	Portfolio Holder for Planning and the Local Plan/Assistant Director of Planning
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**Comment:** The Preliminary Outline Strategy for the Local Plan that has been prepared captures this objective.

## Progressive Custodian of our Rural Environment

We Will:	Activities	Outputs/Milestones	Resources	Lead Member
<i>c. Work with others to increase access to the heritage and history of our district</i>	Walden Castle project	Castle to reopen to the public early summer 2021 (Subject to Covid19 restrictions)	Within existing resources	Portfolio Holder for Sports, Leisure, Education and the Arts/Assistant Director of Corporate Services/Assistant Director of IT, Facilities and Assets
<p><b>Comment:</b> The final parts of the multi-year project to remove the castle from the scheduled ancient monument at risk list completed in early 2021/22. The castle is now open to the public, along with a new gateway making easier access from the Common to the castle grounds. Public bookings for use of the castle for events are being managed by the team at Saffron Walden Museum.</p>				
<i>c. Work with others to increase access to the heritage and history of our district</i>	Saffron Walden Museum improvements	<p>Completion of National Lottery Heritage Fund Resilient Heritage Project by 30 April 21                      Completion of Fund-raising Strategy and Forward Plan for selected development option by 31 October 21</p> <p>Fund-raising and new approach to National Lottery Heritage Fund for significant Heritage Grant Stage 1 application by 31 March 22.                      Note: New grant scheme about to be rolled out so details of specific requirements uncertain at this stage.</p>		Portfolio Holder for Sports, Leisure, Education and the Arts/Assistant Director of Corporate Services/Assistant Director of IT, Facilities and Assets
<p><b>Comment:</b> The Museum has just completed the two-year Resilient Heritage project, funded with a £51,200 grant from the NLHF and £10,000 matching funding from Saffron Walden Museum Society Ltd. The Museum has worked with consultants to provide in-depth reports and analysis to determine its future strategy and development options to improve user figures, income generation and sustainability in the long term. Saffron Walden Museum Society Ltd, which is a charity, is responsible for raising funding for capital development of the Museum building and redisplay of the galleries, and it is intended to approach the NLHF for a</p>				

## Progressive Custodian of our Rural Environment

We Will:	Activities	Outputs/Milestones	Resources	Lead Member
<p>significant development grant in due course. Proposals for improving the Museum will be brought to the Museum Management Working Group and Cabinet later this year. The informal Museum Development Committee continues to meet to discuss future options.</p>				
<p><i>d. Work with our rural partners and developers to maintain habitat and wildlife corridors</i></p>		<p>Detailed proposals to come from the Climate Crisis Action Plan (Sept 21)</p>	<p>Resources identified as part of the Climate Change Budget</p>	<p>Portfolio Holder for Environment and Green Issues / Assistant Director of Planning</p>
<p><b>Comment:</b> More pro-active engagement with the rural community is being promoted through the emerging Local Plan and Climate Crisis Strategy. Targeted meetings with the NFU and other rural community partners have taken place and will continue to happen throughout the Local Plan process to inform the strategy, policies and proposals.</p>				
<p><i>e. Target littering and fly-tipping</i></p>			<p>BAU: Through the Cleaner Essex Group and KBT we continually promote initiatives to help combat or clean up littering which remains an issue within the district.</p>	<p>Portfolio Holder for Environment and Green Issues; Equalities / Assistant Director of Environment</p>
<p><b>Comment:</b> UDC Supported national spring clean by offering litter picking kits to Parish Council's and other community groups alongside collection of any waste collected through community-based picks. Planning is underway across the County to support the national litter pick in September and for a targeted anti-littering campaign over the winter.</p>				
<p><b>4. Take strong action on dealing with pollution</b></p>				
<p><i>a. Increase air quality monitoring across the district</i></p>			<p>BAU: continuous automatic monitors continue and Air Quality Annual Status Report will be published in 30 June 21</p>	<p>Portfolio Holder for Environment and Green Issues; Equalities / Assistant Director of Housing, Health and Communities</p>

## Progressive Custodian of our Rural Environment

We Will:	Activities	Outputs/Milestones	Resources	Lead Member
<p><b>Comment:</b> The 2020 Annual Status report is almost complete and the service plans to publish this report in August. A review of Air Quality monitoring within the district will occur in Quarters 2 &amp; 3. All existing real time analysers and mobile sensors are operational.</p>				
<p><i>b. Deliver reductions in pollution at identified problem areas</i></p>	<p>No proactive work is scheduled on this item in 2021/22</p>			<p>Portfolio Holder for Environment and Green Issues; Equalities / Assistant Director of Housing, Health and Communities</p>
<p><b>Comment:</b> The service is considering options and will be applying for grant funding to support a range of ideas that will focus on awareness and behaviour change. Further engagement with Essex County Council is also proposed to tackle junction improvements.</p>				

## Corporate Plan Delivery Plan 2021/22 Progress to 31 August 2021

***Vision: Making Uttlesford the best place to live, work and play***

<b>Putting Residents First</b>				
<b>We Will:</b>	<b>Activities</b>	<b>Outputs/Milestones</b>	<b>Resources</b>	<b>Lead CM/ Officer</b>
<b>1. Be a council that listens to and acts for residents</b>				
<i>a. Increase the voice and influence of residents in planning and other Council matters</i>	Review the Scrutiny Committee's findings (when received) regarding major planning applications and planning obligations, pending completion of EELGA review	Planning Advisory Service (PAS) final report to Scrutiny by 30 June 2021  Planning Obligations final report to Scrutiny by 30 June 2021	Within existing resources	Portfolio Holder for Planning and Local Plan/Assistant Director of Planning
<b>Comment:</b> PAS is unable to complete its work until the Court Appeal against the Stansted Airport Inquiry decisions is concluded. PAS is concerned that its report could be used to influence the legal process. An officer report relating to the development of the Planning Obligations work programme was recommended to Cabinet by Scrutiny Committee in June. Cabinet accepted the recommendations. The Planning Transformation Plan will incorporate this issue.				
<i>b. Administer public consultations that are effective, accessible, timely and high quality</i>	Undertake consultations and discussion groups as required throughout the year	Enables Members to take better informed decisions. Key consultations include on the draft local plan, budget and Local Council Tax Support	Within existing resources	Portfolio Holder for Council and Public Services/Assistant Director of Corporate Services
<b>Comment:</b> LCTS consultation conducted according to timetable, with results to be reported back in October. Budget consultation is in draft and timetable prepared for reporting results to Cabinet in December.				
As part of the Local Plan process, a series of successful Community Stakeholder Forums were held, concluding during the first quarter of 2021. These forums were a new approach to public engagement and provided an opportunity for the community to share ideas as part of the plan-making process. The project has now been				

Putting Residents First				
We Will:	Activities	Outputs/Milestones	Resources	Lead CM/ Officer
<p>put forward as a finalist for the East of England Awards for Planning Excellence 2021 by the Royal Town Planning Institute (RTPI). The awards highlight exceptional examples of how planning and planners have a positive impact on quality of life in creating exceptional places and protecting the environment.</p> <p>Internally, officers are considering best way to resource corporate consultation activity given recent retirement of previous responsible officer.</p>				
<p><i>c. Provide opportunities for young people</i></p>	<p>Provide positive opportunities for young people to engage with their local community and do things that keep them safe and support improved mental wellbeing. Work with Town and Parish Councils, voluntary sector partners, county youth service and schools etc. to encourage youth participation in the community.</p>	<p>As a result of the recent change to the Corporate Plan to expand the scope, the details of what is to be provided, when, etc. have not yet been scoped. The plan will evolve as the Covid19 related restrictions ease over time</p>	<p>Within existing resources</p>	<p>Portfolio Holder for Communities, Youth, Public Safety, Emergency Planning and liaison with the Police and Fire &amp; Rescue Service/ Assistant Director of Housing, Health and Communities</p>
<p><b>Comment:</b> Due to COVID restrictions it has been difficult to hold face to face community events for young people. Theatre Group TicBox productions has been commissioned to produce and deliver a 'Theatre Experience' for senior schools in regard to Domestic Abuse and Healthy Relationships. Work continues to re-establish to the Youth Council with a recruitment campaign in schools/colleges and through community projects aiming to create better links and communication between young people and their local councils. Projects aiming to achieve this are taking shape in Stansted Mountfitchet, Takeley, Thaxted and Saffron Walden. The Environmental Working group are planning some recruitment events to attract new members and promote participation in the Great Big Green Week.</p>				
<p><i>d. Improve the council's use of the web and social media to increase communication with residents</i></p>	<p>To provide enhanced customer contact opportunities including self-service facilities at remote site and extended opening hours through the introduction of 'live chat'</p>	<p>Public launch of live chat facility by 31 August 2021 as part of Uttlesford Moving Forward</p> <p>As part of Uttlesford Moving Forward, a review of self-</p>	<p>Within existing resources</p>	<p>Portfolio Holder for Council and Public Services/Assistant Director of Corporate Services</p>

<b>Putting Residents First</b>				
<b>We Will:</b>	<b>Activities</b>	<b>Outputs/Milestones</b>	<b>Resources</b>	<b>Lead CM/ Officer</b>
		service facilities for customers will be undertaken. The detailed project plan is not yet complete to expand on precise timing of the review.		
<b>Comment:</b> The LiveChat functionality forms part of the wider 8x8 telephony project, both of which went live as planned. It will provide a valuable additional communication channel for residents. The council is also progressing a project to install an appointment booking system for residents who need to speak to specialist officers. This is scheduled to launch in the Autumn and will provide a more efficient service for residents.				
<i>e. Actively and positively engage with and listen to our town and parish councils</i>			The Local Councils' Liaison Forum is now well embedded as is the Planning Forum with Town and Parish Councils. Within existing resources.	Portfolio Holder for Communities, Youth, Public Safety, Emergency Planning and liaison with the Police and Fire & Rescue Service /Chief Executive
<b>Comment:</b> The first LCLF meeting in the current council year is to be held in September. Potential Items for the agenda have been collated to inform the matters to be raised and ensure that the Forum is relevant to local councils' priorities.				
<i>f. Support town and parish councils to better represent their communities</i>			EALC regularly attend the Local Councils' Liaison Forum and provide presentations on best practice. Within existing resources.	Portfolio Holder for Communities, Youth, Public Safety, Emergency Planning and liaison with the Police and Fire & Rescue Service /Chief Executive
<b>Comment:</b> The first LCLF meeting in the current council year is to be held in September. Potential Items for the agenda have been collated to inform the matters to be raised and ensure that the Forum is relevant to local councils' priorities.				
<b>2. Deliver local government with outstanding levels of transparency and accountability</b>				

<b>Putting Residents First</b>				
<b>We Will:</b>	<b>Activities</b>	<b>Outputs/Milestones</b>	<b>Resources</b>	<b>Lead CM/ Officer</b>
<i>a. Implement a corporate change programme to increase accountability, transparency and democracy at the Council</i>	Complete work of Governance Working Group to review current and possible future governance structure	This action falls to the working group of council; any actions arising for Cabinet will be detailed at the appropriate time. GRWG are aiming to present a report of their findings to Council by 31 July 2021	Within existing resources	Leader/Chief Executive
<i>a. Implement a corporate change programme to increase accountability, transparency and democracy at the Council</i>	Planning Committee working group to review arrangements for start time and/or geographical location of applications (north committee/south committee)	Review completed. Recommendations to be considered and adopted when possible, post COVID	Within existing resources	Portfolio Holder for Planning and Local Plan/Assistant Director of Planning
<b>Comment:</b> The recommendation to implement Portfolio Holder briefings of the Governance Review Working Group was presented to Full Council on 20 July but was referred back to the working group for further consideration, due to the lack of unanimous support across the Council. The working group will reconvene in autumn 2021 to review its recommendation. This work stream will form part of the wider Planning Transformation Plan that is currently being developed.				
<i>a. Implement a corporate change programme to increase accountability, transparency and democracy at the Council</i>	Planning Committee working group to review arrangements for start time and/or geographical location of applications (north committee/south committee)	Review completed. Recommendations to be considered and adopted when possible, post COVID	Within existing resources	Portfolio Holder for Planning and Local Plan/Assistant Director of Planning
<b>Comment:</b> This work stream will form part of the wider Planning Service Review and associated Action Plan that is currently being developed.				

<b>Putting Residents First</b>				
<b>We Will:</b>	<b>Activities</b>	<b>Outputs/Milestones</b>	<b>Resources</b>	<b>Lead CM/ Officer</b>
<i>a. Implement a corporate change programme to increase accountability, transparency and democracy at the Council</i>	Implement delivery of Equalities Policy	Local Government Equality Framework level 1 to be achieved by 31 March 22	Within existing resources	Portfolio Holder for Environment and Green Issues; Equalities / Assistant Director of Housing, Health and Communities
<b>Comment:</b> Community Listening Event has been held to allow feedback from the community regarding their experiences of 'RACE' whilst being a resident in Uttlesford. 8 further events are planned to ensure feedback for all protected characteristics. Training has been provided for all staff and Councillors and a staff network is being established. Visible Equality Diversity and Inclusion (EDI) advocates are being sought across the organisation and a survey has been produced to seek the views and ideas of all staff to help develop further workshops and training. An 'inclusive Community bookclub' initiative led by a community member identified through the listening event is evolving. UDC Equality Webpage has been updated. EQHIA's completed with each new policy/procedure.				
<i>b. Seek external review of and recognition for positive change achieved by the Council</i>	Planning Advisory Service reviewing the process of major planning applications	Action plans to be developed once the outcomes of the review have been presented to Scrutiny Committee by 30 June 2021	Within existing resources and pending completion of EELGA review	Portfolio Holder for Planning and Local Plan/Assistant Director of Planning
<b>Comment:</b> This work stream has been picked up as part of the EELGA Review and associated Planning Transformation Plan that is currently being developed. PAS is unable to complete its work until the Court Appeal against the Stansted Airport Inquiry decisions is concluded. PAS is concerned that its report could be used to influence the legal process. The major planning applications review has therefore been removed from the Scrutiny work plan. A separate workstream on the Stansted Airport Appeal remains on the work plan.				
<i>c. Deliver a comprehensive continuing member development programme</i>			Opportunities for further development continue to be identified within existing resources	Leader/Chief Executive
<b>Comment:</b> The member development programme largely came to a halt in 2020-21 due to the outbreak of Covid-19, although virtual workshops were arranged with the Centre for Governance and Scrutiny and the East of England Local Government Association. The programme has picked up in 2021-22, with sessions already held or arranged on issues such as governance and legality, Code of Conduct, procedure rules and committee specific training.				
<b>3. Be responsible with your money and mitigate the impact of government cuts</b>				

<b>Putting Residents First</b>				
<b>We Will:</b>	<b>Activities</b>	<b>Outputs/Milestones</b>	<b>Resources</b>	<b>Lead CM/ Officer</b>
<p><i>a. Be a self-sufficient Council that generates its own resources from local taxation (Business Rates and Council Tax) and commercial investments thereby removing the reliance on Central Government grants</i></p>	<p>To actively source commercial investments to support the council revenue streams</p> <p>Strengthen the governance of the Council's investment management to ensure it meets the objectives of the commercial strategy</p>	<p>Complete the commercial investment portfolio of £300m, by end 2021/22.</p> <p>Quarterly reports to the Investment Board</p> <p>Development of a business plan for the portfolio as a whole and each asset individually by 31 December 2021</p> <p>Development of an Investment Protocol, to include ethical criteria for future acquisitions by 30 June 2021</p>	<p>Within existing resources</p>	<p>Portfolio holder for the Economy, Investment and Corporate Strategy / Director of Finance and Corporate Services/Assistant Director of IT, Facilities and Assets</p>
<p><b>Comment:</b> The Investment portfolio is on track for completion by the end of May 2022. One forward funding deal completes in October, a further one in November and the final one in May 2022. Cabinet approved a draft of an Ethical Investment Policy which will go to Full Council in October.</p>				
<p><i>b. Deliver cost-effective and efficient services that live within the Council's means</i></p>	<p>Actively monitor and report the cost effectiveness of the Council services</p> <p>On going service reviews, including through Uttlesford Moving Forward (UMF) to ensure services are</p>	<p>Quarterly finance reports to Cabinet.</p> <p>Annual outturn report to Cabinet</p> <p>Outcome of the external audit</p> <p>UMF actions to improve existing operating methods and develop new ones</p>	<p>Within existing resources</p>	<p>Portfolio Holder for Finance and Budget/Assistant Director of Resources</p>

Putting Residents First				
We Will:	Activities	Outputs/Milestones	Resources	Lead CM/ Officer
	operating effectively and efficiently			
<p><b>Comment:</b> The Quarter 1 outturn forecast for General Fund, HRA and Capital is in progress and will be presented to Corporate Management Team (CMT) on the 15th September, Joint Executive Team (JET) 27<sup>th</sup> September (tbc) and Cabinet on the 19<sup>th</sup> October. This will identify any cost pressures, efficiencies and risks that are current or anticipated and will form the predicted net spend for 2021/22. UMF has undertaken staff surveys and commenced work on developing the council of the future. Customer and Member surveys about to be commissioned to further understand delivery requirements.</p>				
<i>c. Constantly seek to improve the quality of contracted out services</i>			Contract monitoring is used to assure service quality, within existing resources	Portfolio Holder for Council and Public Services/CMT
<p><b>Comment:</b></p>				
<i>d. Apply for all relevant grants</i>			Grant applications are made regularly subject to the criteria, work required and likelihood of success, within existing resources	Portfolio Holder for Finance and Budget/Assistant Director of Resources
<p><b>Comment:</b> All grants that are applicable to the district and supports the work of the Council are actively pursued. The pandemic has had a significant impact on initiatives and most grants available are focussed on support for residents, businesses, and the recovery of the local economy. A detailed log of grants is being maintained which records grants received and any conditions applied plus the associated work programme and resource requirements.</p>				
<i>e. Set a Medium Term Financial Strategy (MTFS) to fund council services by a prudent mix of investment, services and tax income, while maintaining adequate reserves</i>	The MTFS is a working document and is constantly under review, when any financial risks or impacts are identified these will be assessed and if they have a significant impact on the current MTFS approved at Council in February 2021 a	A revised MTFS ready for Council approval in February 2022	A MTFS that reflects the ambitions of the Council and the resources available to it is produced at least annually. Within existing resources	Portfolio Holder for Finance and Budget/Assistant Director of Resources

**Putting Residents First**

We Will:	Activities	Outputs/Milestones	Resources	Lead CM/ Officer
	revised version will be produced and submitted to Members.			

**Comment:** The annual update of the MTFS will begin in September and will be presented to Corporate Management Team (CMT), Joint Executive Team (JET), Scrutiny, Cabinet and finally Council during January and February. The MTFS will be produced taking account of the administration’s priorities and the Financial Settlement, it will provide a medium-term prediction on the financial stability of the council over the next five years using the most up to date information available.

<i>f. Follow best practices for investment risk management and board composition</i>	Strengthen the governance of the Council’s investment management to ensure it meets the objectives of the commercial strategy	<p>Quarterly reports to the Investment Board</p> <p>Development of a business plan for the portfolio as a whole and each asset individually by 31 December 2021</p> <p>Development of an Investment Protocol, to include ethical criteria for future acquisitions by 30 June 2021</p>	Within existing resources	Portfolio holder for the Economy, Investment and Corporate Strategy /Director of Finance and Corporate Services/Assistant Director of ICT and Facilities
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**Comment:** Members of the investment Board agreed the process for the recruitment of replacements for one of the Independent Members of the Investment Board and one of the Non-Executive Directors on Aspire (CRP) Ltd and advert and interviews will take place in the Autumn. Cabinet approved a draft of an Ethical Investment Policy which will go to Full Council in October.

**Committee:** Scrutiny Committee

**Date:** Thursday, 7  
October 2021

**Title:** Report of the review of the planning service

**Report Author:** Robert Tinlin, Interim Chief Executive  
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## Summary

1. The Council commissioned a review of the planning service in 2020 from the East of England LGA. This work was addressed in three strands, the first two addressing the preparations for the development of a local plan. The third strand effectively addressed the Council's development management service. This report relates to the third strand review and its subsequent report. The review of the development management service was undertaken by two Associates of the East of England LGA in late 2020 and early 2021.
2. The finalised report on the development management service has now been received from the East of England LGA and accompanies this report. It is presented to the Scrutiny Committee for its consideration ahead of consideration by the Cabinet.

## Recommendation

3. The Committee is invited to consider the report, its findings and recommendations, and to offer comment or make recommendations to the Cabinet on its content.

## Financial Implications

4. The report makes a number of recommendations which may have financial implications for future budgets. In setting the budget for 2021-22 the Council agreed growth of £240,000 for the planning service and £140,000 for the legal service in order to facilitate implementation of any recommendations arising from the review.

## Background

5. In early 2020 the Council invited the East of England LGA to carry out two peer reviews into planning functions. The first review provided advice regarding the inspector's letter concerning the stage 1 hearings into the submitted local plan. This advice informed the Council's decision, in April 2020, to withdraw the plan.
6. The second peer review comprised three strands. The first strand focussed on providing advice to help the Council make the best possible operational start for the drafting of a new local plan. The second strand provided support to ensure that the programme, processes, resources and support were identified

and put into place to allow the achievement of a sound local plan in a timely manner. Both of these strands were delivered by early 2021 and the preparation of the local plan is progressing well, as outlined later.

7. The third strand of this peer review was entitled “Local Planning Authority Strategy and Operational Development Plan” but essentially addressed how to improve the development management service. This piece of work was eventually undertaken in late 2020 and early 2021. The finalisation of the report arising from this study has taken a considerable time to be finalised and is the principal subject of this report. The report from the East of England LGA is attached.
8. The review was undertaken by two Associates from the East of England LGA, Malcolm Sharp and Simon Smith. The Associates undertook desk top reviews of resources, performance and previous reviews of the service before engaging with staff, Members and stakeholders. The report and response to a previous review, in 2018, of the planning service particularly informed this review. That earlier review, by the Planning Officers Society, would seem to have had little impact on the development management service and, as a result, it is the more important that Members and officers endorse and ensure that the recommendations in this report are acted upon.
9. The review concludes that the development management service is “underperforming”, in a worse position than reported in the 2018 review, at risk of “designation” under Ministry criteria, with a staff complement which has a lower base of expertise and experience than before and under pressure, and with issues of appropriate leadership. The report compares its findings with those of 2018 and highlights a range of practical, process, actions that need to be instigated.
10. The review contains considerable focus upon the level of resources available, and needed, to deliver a sound development management service. It focusses heavily on the growth bid submitted by service managers as part of the Council’s budget setting for the 2021-22 financial year. There is a risk of over-emphasis and over-reliance on additional resources resolving the challenges facing the service and distracting from what also needs to be addressed in terms of process redesign, appropriate leadership and guidance, and enhanced Member engagement and behaviours. Despite the Council building considerable growth into the 2021-22 budget for planning, the expectation and reliance which seems to have developed amongst some staff around the large growth bid, and it not being fully delivered, feels like it became an excuse for lack of improvement.
11. The report also highlights the role of Members as part of the development management and the impact of adopted behaviours. The development management service provided by the Council is a partnership between officers and Members and the report and its recommendations reflects this position. Whilst the Council has a good scheme of delegation for managing planning applications the number of applications referred to committee for decision and the number of applications refused against officer recommendations are high

compared to like authorities. The report contains four clear recommendations directed to Members.

### **The Report and its recommendations**

12. The report contains eight recommendations aimed at helping improve the development management service. These recommendations are, for ease, contained in Appendix 1 of the East of England LGA report and are listed in three distinct groups, those for the Council's leadership (the Chief Executive, directors and Administration), those specifically for elected Members to adopt, and one comprehensive recommendation addressing the process. If the Council is to make headway in improving its development management it is imperative that it embraces and ensures delivery on all eight recommendations.

### **Actions so far**

13. The preparation of a new local plan is well underway, as report to Members have illustrated, and this has been influenced by the work of the review team through the early work strands. During the time with the Council the review team attended an array of meetings and Member briefings, influencing and helping embed a range of sound working practices, including the creation of the Local Plan Leadership Group (LPLG) which is aiding the delivery of an ambitious work programme. Arrangements are operating to ensure appropriate engagement, a Strategic Infrastructure Delivery Group, a draft Vision and Objectives and Preliminary Outline Strategy for the emerging Local Plan, with climate change at its heart, and as part of a partnership approach, the model Memorandum of Understanding for landowners and developers which was considered at the September meeting of Cabinet.

14. Work on improvements to the development management service has been taking place in advance of the final report from the review, albeit informed by earlier drafts. As part of a separate review, as well as recommendations contained in this report, a task group on a new approach to legal agreements (s106 agreements) has been instigated. An Interim Planning Transformation Lead Officer has been appointed and in post since mid August, working with the planning teams and driving new ways of operating and improvements. These actions have included, so far, a redesigned report to the Planning Committee on applications with a pilot beginning in late October, work to better use and publish performance statistics, the recruitment of two principal planning officers to augment our capacity to deal with major applications, and the recruitment of specialist planning lawyers, these recruitments facilitated by the approved growth in the 2021-22 budget. The two principal planner posts will, in turn, allow the two team leaders to provide greater leadership, support and management of the planning staff and their caseloads. The retirement of the Assistant Director for Planning and the imminent retirement of the Director of Public Services will also allow the new chief executive to consider the most appropriate organisational structure and leadership to meet future needs and pressures.

### **Commentary**

15. If this review, and its recommendations, are to have the most impact it will be important that the Council, its Members and officers, recognise it as reflecting a point in time and focus on how best to use the recommendations to deliver a fit for purpose planning service for the future. The planning system comprises a partnership between officers and Members and the report contains recommended actions from planning officers, the corporate leadership and from Members. All need to be addressed to make a lasting difference. Some additional resource is likely to be required but additional resources alone will not provide the improvements needed. There are undoubtedly improvements to be achieved in the processes in place to manage applications and compliance, but also, as or more importantly, in behaviours, in leadership, in support and in mutual trust.

### Impact

16. The principal impacts arising from this report, if the recommendations are implemented, will be enhanced service delivery for applicants and other citizens, improved organisational reputation, and a more balanced workload, enhanced working environment and reduced work-related stress and pressure for staff.

### Recommendation

17. The Committee is recommended to consider the report of the planning review and offer any comment or recommendations to the Cabinet for its consideration.

18.

### Risk Analysis

19.

Risk	Likelihood	Impact	Mitigating actions
That the recommendations from the report are not adopted and implemented	1	4	<ul style="list-style-type: none"> <li>Interim planning transformation lead officer in place and already driving improvement</li> <li>New principal planning posts being recruited and team leader post being filled permanently</li> </ul>

			<ul style="list-style-type: none"><li>• Revised s106 policy in place</li></ul>
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1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.



**Uttlesford District Council  
Local Planning Authority Peer Review**

**Fit for Purpose Local Planning Authority and  
Development Management Improvement Plan**

**August 2021**

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## **1. Executive summary and recommendations**

### **1.1 Introduction**

The East of England Local Government Association (EELGA) was appointed by Uttlesford District Council to undertake a peer review of the Council as the Local Planning Authority (LPA). The assignment was undertaken by EELGA Associates Malcolm Sharp and Simon Smith.

The brief was to formulate a strategy and operational development plan to ensure the LPA is fit for the purpose of fulfilling its statutory and regulatory obligations plus delivering against the vision and objectives of Uttlesford's Corporate Plan. The focus of this report is on the Development Management part of the Planning Service, but the report also makes reference to other aspects of the Council acting as a local planning authority.

The Planning Service is widely acknowledged to be an underperforming service. This is demonstrated in terms of planning policy activities through two failed Local Plans, and in terms of Development Management activities through the quality of development outcomes and bottom quartile performance against the Government's three key performance indicators.

From this baseline, achieving the Corporate Plan goal to 'deliver an outstanding planning and place-making capability with the right capacity to create quality outcomes with and for all our communities' will require significant transformative change.

### **1.2. LPA Transformation Strategy**

The strategic interventions outlined in the report are focussed on assisting Uttlesford to:

- Develop an LPA governance regime that is fit for purpose
- Create an outstanding planning and place-making capability with the right capacity and leadership to deliver quality outcomes with and for the district's communities,

and apply this regime to

- Reorientate the Council as an LPA from reactive planning to proactive, positive planning activities - for better place making
- Achieve 'better than policy' development outcomes.

A strong combination of member and officer leadership will be key to delivering this strategy. Therefore, the Council will need to address gaps in the member and officer governance regimes.

### **1.3. Corporate Context**

Elected in May 2019, the new administration has a mandate to fulfil its election pledges and Corporate Plan vision of 'Making Uttlesford the best place to live, work and play.'

There are four strategic objectives:

- Putting residents first
- Active place-maker for our towns and villages
- Progressive custodian of our rural environment

- Championing our district.

In addition, there is a cross-party desire to see a fully functioning planning service.

As Local Plan maker, the Council committed in the Corporate Plan to:

- Increase the voice and influence of residents in planning and other Council matters
- Fix the Local Plan so it is evidence-led, puts infrastructure before new homes, is controlled by local communities and not developers, and provides homes that are affordable for local people,
- Make sure the scale of development closely relates to the identified housing need, and that the Local Plan satisfies the Planning Inspectorate,
- Under the Local Plan new housing will be built in the locations that the evidence shows are the most sustainable.

As proactive place maker, the Council also committed in the Corporate Plan to:

- Focus on strategic master planning in partnership with towns and villages to create better resident centred places to live
- Encourage positive planning that values and protects our heritage
- Implement policies which create better (low carbon) homes and neighbourhoods that meet or exceed national standards
- Implement a Community Infrastructure Levy along with S106 to deliver strategic community projects and greater local benefits from development
- Increase the number of affordable homes delivered and different tenure options including social renting
- Meet or exceed national standards for open and green spaces

To fulfil these commitments, the Council commissioned this review to ensure the LPA is:

- Fit for the purpose of serving current and future generations - by preparing a timely and sound Local Plan in accordance with its obligations
- Making defensible planning decisions
- Realising the vision and strategic objectives of the Uttlesford Corporate Plan

The output of the review sets out an LPA transformation strategy and operations plan

A pre-condition of success is that all Members, (whether political leaders, opposition leaders, or members with and without roles in plan-making and development management), plus all LPA officers, are equally committed to delivering the strategy and plan.

#### **1.4. Institutional Context**

The Council has an ambition to ensure its role as the LPA is fit for the purpose of serving current and future generations by preparing a timely and sound Local Plan in accordance with its obligations, making defensible planning decisions, and realising its Corporate Plan vision and objectives. These are respectively to make Uttlesford the best place to live, work and play and be an 'active place-maker for our towns and villages.'

The Planning Service is widely acknowledged to be an underperforming service. This is reflected on the planning policy side through two failed Local Plans, as mentioned above, and on the

Development Management side through bottom quartile performance against the Government's three Key Performance Indicators for timely and quality of decision making and the quality of development outcomes.

From this baseline, the Corporate Plan goal to 'deliver an outstanding planning and place-making capability with the right capacity to create quality outcomes with and for all our communities' will require significant commitment to transformation, including capacity and capability assessment.

Previous reviews have focussed on specific parts of the planning service. They have mainly identified symptoms, as opposed to diagnosing causes, and made prescriptions at the operational level. The prescriptions have not been universally implemented due in part to lack of new resources and managerial and staff ownership.

The failure to act on the recommendations of previous reviews demonstrates that transformational change sought by the Council requires LPA wide ownership of recommendations, effective allocations and utilisation of Member, staff, and stakeholders' resources with focussed political and corporate management leadership.

The EELGA peer review has been able to provide a comprehensive review of the LPA as a whole and the elements within it. This has enabled the review to diagnose the institutional context and operational practices and identify links between them.

This, together with deliberative discussions with LPA staff, has informed and built ownership of recommendations to address the root causes of underperformance and promote continuous service improvement.

## **1.5. Financial Context**

Full details of the financial context are shown in **Appendix 2** – Officer Growth Bid for 2021/2022 and Approved Budget for 2021-22.

## **1.6. Recommendations**

Eight recommendations are made within this review, the most important is considered to be Recommendation 6 regarding Political Leadership and Corporate Management Board.

The recommendations reflect the findings of the review which are set out in detail within the report and each recommendation signposts to the relevant report section for ease of reference.

The strategic interventions and recommendations are grouped to reflect the key areas for improvement, under three core themes

- A. Recommendations for council leadership
- B. Recommendations to improve the Development Management process
- C. Recommendations for action by Members

**Appendix 1** outlines the eight recommendations and required actions

The recommendations in the report are:

### **Recommendation 1 - All Councillors and Members of the Planning Committee**

- All Member training to build an understanding of the mutual benefits of good Member and officer relationships and the Code of Conduct
- Before sitting on the Planning Committee, Members need to undertake mandatory training on planning matters and attend annual refresher courses. Members need to be encouraged to read the National Planning Policy Framework and observe a nationally recognised best practice LPA Planning Committee at work.

### **Recommendation 2 - All Councillors**

- To ensure the Council has a best practice Development Management Delegation Scheme and protocol for Member involvement in pre-application processes
  - see sections 6.14 – 6.17 of the main report
- To ensure all Members receive training in the to be updated delegation scheme, and pre-application processes

### **Recommendation 3 - All Councillors**

- To update the call-in protocol to include a gateway process based on material planning considerations to ensure the Planning Committee's time is used effectively
  - see sections 6.18 – 6.20 of the main report
- To ensure all Members receive training in the updated call-in process

### **Recommendation 4 - Members of the Planning Committee**

- To review Planning Committee procedures, timing, and practices
  - see sections 6.21 – 6.28 of the main report

### **Recommendation 5 – Service Leadership**

- The service will require reinvigorated, effective leadership and direction to deliver an operational development plan.
- This will require establishing new service operating procedures and practices exemplified as service pathways in accordance with a detailed action plan and programme.
- The pathways are detailed in the report as:
  - Customer interface and enquiry pathway (section 7.2)
  - Place making pathway (section 7.6)
  - Development Management pathway (section 7.10)
  - S106 Agreement pathway (section 7.11)
  - Enforcement pathway (section 7.13)
  - Member development management pathway (section 6.3)

### **Recommendation 6 - Political Leadership and Corporate Management Board (CMB)**

- This recommendation is the **most important** of the review.
- To develop the capabilities and capacities required to deliver the strategy, the political leadership (dominant regime) and the Corporate Management Board (subordinate regime) will need to:
  - Arrive at a shared commitment to the relevant corporate priorities and
  - Align their respective governance arrangements with those required to deliver them.

## Recommendation 7 - Chief Executive and Council

- The Chief Executive and CMB to advise the political leadership and opposition leaders on investment required – in management, officers, and tools – as a pre-condition of delivering the transformation strategy and action plan.
- Some requirements are highlighted in the Budget and Growth Bid (Appendix 2) with priorities for:
  - The appointment of a Development Management Transformation Manager (Fixed term contract) and arrangements for overseeing the new proposed service pathways and performance management systems over the longer term.
  - The appointment of 2 Principal Development Case Managers
  - Enhanced urban design capacity including the production of a local design guide and appropriate masterplans/design codes
  - Enhanced legal service capacities to support Local Plan making and Development Management most notably in negotiating and drafting (deliverable and enforceable) S106 Agreements
  - The production of a developers' contribution guidance document and appointment of a 106/CIL delivery officer
  - The Chief Executive and CMB to advise the political leadership and opposition leaders on a detailed action plan and programme to put in place and operate enhanced service pathways for:
    - Customer interface and enquiry pathway (section 7.2)
    - Place making pathway (section 7.6)
    - Development Management pathway (section 7.10)
    - S106 Agreement pathway (section 7.11)
    - Enforcement pathway (section 7.13)
    - Member development management pathway (section 6.3).

## Recommendation 8 - Chief Executive

- The Chief Executive should review the leadership requirements for delivering and sustaining an improved planning service, including succession planning for the Director of Public Services in anticipation of his retirement.
- The starting points for defining the job purposes and person specification are framed by the administration's political priority to be a place making LPA, the requirements for managerial leadership and delivery of the LPA transformation strategy and action plan.
- The Chief Executive should consider how best to ensure the Corporate Management Board has appropriate and sufficient planning advice and guidance to secure corporate ownership and direction in line with RTPI guidance.

## 2. Review background

- 2.1 The brief for the East of England Local Government Association Peer Review Team was to formulate a strategy and operational development plan to ensure the LPA is fit for the purposes of fulfilling its statutory and regulatory obligations and Corporate Plan vision and objectives.
- 2.2 The proposal envisaged the strategy and operational development plan would draw together recommendations arising from this review and other recent and current reviews to develop the LPA as one characterised by:

- *Community leadership:* Members – as community leaders – have professional support required to understand and mediate in an objective manner on conflicts between:
  - Government imperatives for and local resistance to development
  - different community interests
  - market interests and community wants
  - meeting the needs of the present whilst providing for future generations
- *Strategic governance:* Members and the Corporate Management Team share and keep up to date their vision and corporate priorities for the LPA and the outcomes required to realise the vision. Ensure the LPA fulfils its statutory and regulatory obligations and performance targets and maintain strategic oversight of the LPA’s resources including funding (Council funding, external income, and grants), people, IT and discretionary budgets, planning and infrastructure partnerships and service delivery models.
- *Strategic partnerships:* Gives effective political leadership and senior management priority to work with national and sub regional partners and Government agencies to identify and address sub regional physical and service infrastructure deficits and requirements
- *Plan making:* The LPA has capacities and competences to formulate a vision and strategic objectives for the future of Uttlesford and turn this vision into a timely, sound Local Plan which provides for identified housing, employment, transport, and infrastructure needs designed to contribute towards a net zero carbon future and net gains in natural capital
- *Place making:* The LPA has the capacities and competences to be a place making LPA which acts in partnership - with existing communities, the district’s Town and Parish Councils, neighbour LPAs, developers, and service providers - to promote, negotiate and deliver quality development and places with supporting and timely infrastructure and services
- *Service excellence:* The LPA managers and staff share a commitment to service excellence where the LPA’s activities are specified, procured, structured, resourced and managed to deliver:
  - responsive community leadership
  - effective strategic partnerships
  - sound plan making
  - quality place making
  - continuous improvement in governance, service operations, and culture.

These activities are defined through:

- service plan goals and KPIs
- service practices and procedures
- resource allocations
- performance management and culture.

The latter characterised through:

- behavioural norms
- rules and distinctive practices, for example:
  - team working

- matrix management
- openness
- accountability
- knowledge acquisition and transfer
- informing innovation and adoption of best practices.

## **Corporate Plan and Policy Context**

2.3 In May 2019, a new administration was elected with stated aims to:

- ‘Fix the Local Plan so it is evidence-led, puts infrastructure before new homes, is controlled by local communities and not developers, and provides homes that are affordable for local people,
- Make sure the scale of development closely relates to the identified housing need, and that the Local Plan satisfies the Planning Inspectorate,
- Under the Local Plan new housing will be built in the locations that the evidence shows are the most sustainable.’

2.4 The new Council has subsequently adopted a Corporate Plan with a vision of ‘Making Uttlesford the best place to live, work and play,’ and four strategic objectives:

- Putting residents first
- Active place-maker for our towns and villages
- Progressive custodian of our rural environment
- Championing our district

2.5 The Council is concerned to ensure that its role as the LPA is fit for the purpose of serving current and future generations by preparing a timely and sound Local Plan in accordance with its obligations, making defensible planning decisions, and realising its Corporate Plan vision and strategic objectives.

2.6 This review has involved two interrelated work streams. The first was concerned with the LPA’s role in Local Plan making.

This commenced with the Peer Review Team giving advice on whether to repair or withdraw the submitted Local Plan. Following a decision to withdraw the plan, the work stream continued with advice and inputs to help the LPA make the best possible start to preparing a new Local Plan and its delivery. The new Local Plan governance arrangements are being refreshed as work on the Local Plan is progressed. The Peer Review Team have concluded that, notwithstanding two failed plans, the Local Plan policy team is relatively well staffed compared to similar LPAs and has a budget sufficient to procure external specialist inputs necessary to secure a ‘sound’ Local Plan.

The second workstream was concerned with the LPA’s role in Development Management which includes handling planning applications, decision making, S106 planning obligations agreements, appeals, monitoring, and enforcement. The latter workstream is the primary concern of this report which commences with an analysis of the wider institutional and governance context.

## **3. Institutional Context**

3.1 The Council has an ambition to ensure its role as the LPA is fit for the purpose of serving current and future generations by preparing a timely and sound Local Plan in accordance with its obligations, making defensible planning decisions, and realising its Corporate Plan vision and objectives. These

are respectively to make Uttlesford the best place to live, work and play and be an ‘active place-maker for our towns and villages.’

3.2 The Planning Service is widely acknowledged to be an underperforming service. This is reflected on the planning policy side through two failed Local Plans and on the Development Management side through bottom quartile performance against the Government’s three Key Performance Indicators for timely and quality of decision making and the quality of development outcomes. From this baseline, the Corporate Plan goal to ‘deliver an outstanding planning and place-making capability with the right capacity to create quality outcomes with and for all our communities’ will require transformative capacity.

3.3 Previous reviews have focussed on specific parts of the planning service. They have mainly identified symptoms, as opposed to diagnosing causes, and made prescriptions at the operational level. The prescriptions have not been universally implemented due in part to lack of new resources and managerial and staff ownership.

This failure to act on the recommendations of previous reviews demonstrates that transformational change sought by the Council requires LPA wide ownership of recommendations, effective allocations and utilisation of Member, staff, and stakeholders’ resources with focussed political and corporate management leadership.

The EELGA peer review has been privileged to provide a comprehensive review of the LPA as a whole and the elements within it. This has enabled the review to diagnose the institutional context and operational practices and identify links between them.

This together with deliberative discussions with LPA staff has informed and built ownership of prescriptions to address the root causes of underperformance and promote continuous service improvement.

3.4 To understand the institutional context we begin with two helpful definitions:

*Institutions* are defined by ‘patterns of human action and relationships that persist and reproduce themselves over time independently of the identity of the biological individuals performing within them.’

*Governance* is defined as ‘those mechanisms by which the behavioural regularities that constitute institutions are maintained and enforced.’

3.5 These definitions point to the rigidity, predictability and path dependency of institutions which are reinforced by governance mechanisms. These mechanisms comprise externally imposed governance regimes comprising rules, standard operating practices and compliance procedures. For example, LPAs are the subject of Government rules and operating practices for Local Plan making and Development Management.

The compliance procedures for Local Plan making are exercised through examinations by independent Inspectors and modifications and for Development Management through Key Performance Indicators, the appeals system, and Secretary of State’s power to call in applications.

3.6 Whilst highly bounded governance regimes predetermine behaviours, local authorities produce widely different service outcomes. These differences arise where actors, as institutional entrepreneurs, manipulate and combine governance possibilities to create new capacities to make a

difference. Institutional entrepreneurs, reflect on choices, learn from mistakes, and exert transformative power.

Such transformative power can be observed in the top two performing local authorities in a government initiative, the Local Public Service Agreement. This agreement required local authorities to deliver stretching targets for several service areas over three years in exchange for reward monies. These local authorities were found to share five governance characteristics which were absent in the two lowest performing local authorities. By comparing the Council against these characteristics, it is possible to identify and make proposals to address gaps in the Council's transformative capacities to establish a fit for purposes LPA.

### Vision and Creating Public Value: Leader and Cabinet

High performing local authorities	Uttlesford District Council
Priority to a specific vision and public value goals	<ul style="list-style-type: none"> <li>Corporate Plan vision to be 'active place maker for our towns and villages'</li> <li>Corporate Plan public value goal to, 'deliver an outstanding planning and place-making capability with the right capacity to create quality outcomes with and for all our communities.'</li> </ul>

### Vision and Creating Public Value: Corporate Management Team

High performing local authorities	Uttlesford District Council
In full alignment with Leader and Cabinet vision and public value goals	<ul style="list-style-type: none"> <li>Client for EELGA Peer Review to prepare development plan to realise vision and public value goals</li> </ul>

### Rules: Leader and Cabinet

High performing local authorities	Uttlesford District Council
Commitment to invest to create transformative capacity as required	<ul style="list-style-type: none"> <li>Commitment to invest to create transformative capacity as required</li> </ul>

### Rules: Corporate Management Team

High performing local authorities	Uttlesford District Council
CMT and Service Leaders' commitment to focussed, entrepreneurial allocation and delivery of resources	<ul style="list-style-type: none"> <li>CMT has administered and adjudicated on Growth Bids (£240k allocation to Planning Service and £144k for Planning Solicitors) continued dependency on embedded procedures would delay delivery of resources</li> </ul>

### Standard Operating Procedures: Leader and Cabinet

High performing local authorities	Uttlesford District Council
Commitment to innovations in governance to create transformative capacity	<ul style="list-style-type: none"> <li>Corporate Plan priorities to change operating procedures to build planning and place-making capabilities and capacities</li> </ul>

### Standard Operating Procedures: Corporate Management Team

High performing local authorities	Uttlesford District Council
Crisp, entrepreneurial delivery of political priorities	<p>CMT has overseen:</p> <ul style="list-style-type: none"> <li>Local Plan: Local Development Scheme and Statement of Community Involvement to inform programme for submission (2023) and adoption (2024)</li> <li>CMT to demonstrate entrepreneurial delivery of transformation plan measures: <ul style="list-style-type: none"> <li>Policy tools and governance mechanisms needed to do the job</li> <li>Service pathways for: <ul style="list-style-type: none"> <li>Customer interface and enquiries</li> <li>Place making (pre-applications)</li> <li>Development Management</li> <li>S106 agreements</li> <li>Enforcement</li> <li>Member development</li> </ul> </li> </ul> </li> <li>LPA: Build capabilities and capacities to create public value envisaged in the Corporate Plan</li> </ul>

### Compliance Procedures: Leader and Cabinet

High performing local authorities	Uttlesford District Council
Highest political commitment to Performance Management System (PMS) to deliver vision and public value goals	<ul style="list-style-type: none"> <li>Governance regime and PMS required to drive development of 'outstanding planning and place-making capability' with the 'right capacity to create quality outcomes'</li> </ul>

### Compliance Procedures: Corporate Management Team

High performing local authorities	Uttlesford District Council
Top team proactive focus on Performance System Management priority targets, strongly	<ul style="list-style-type: none"> <li>CMT and service managers proactive focus on new Local Plan but no evidence that PMS is being used as a tool to drive</li> </ul>

enforced through 'star chamber' reviews by the Leader, Portfolio Holder and Chief Executive	improvement of the Development Management service from bottom quartile of Government's KPIs
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### Cultural Norms: Leader and Cabinet

High performing local authorities	Uttlesford District Council
Council and its contributing partners and stakeholders as one team with collective responsibility to deliver shared goals	<ul style="list-style-type: none"> <li>▪ Council giving disproportionate attention to: i) Parochial voices as opposed to balancing the collective interests of the district.</li> <li>ii) Stakeholders with weak transformative powers whilst remaining hesitant to engage strategically with those with such powers, Essex County Council, and land promoters</li> </ul>

### Cultural Norms: Corporate Management Team

High performing local authorities	Uttlesford District Council
Roles and responsibilities of partners and stakeholders clearly defined and managed through strong networks and problem-solving mechanisms	<ul style="list-style-type: none"> <li>▪ Weak links between LPA relevant Corporate Plan priorities and LPA operational practices</li> <li>▪ Weak links between LPA partners and stakeholders</li> </ul>

3.7 The above comparisons show the Council Leader and Cabinet share three of the five characteristics of the Leaders and Cabinet of local authorities which have delivered significant improvements in service outcomes. These flow from the Council's Corporate Plan vision and priorities for the LPA, its collective appetite to change the LPA's standard operating procedures and critically invest 'what it takes' to deliver transformational change. Together these amount to a new governance regime with further work required to develop enforcement procedures through performance management systems and a new cultural norm for the co-production of shared goals with the stakeholders who matter most.

3.8 The comparisons show the Corporate Management Team working towards full alignment with the Leader and Cabinet's vision and public value goals. Key innovations being the new Local Plan vision for a net zero carbon future, a more comprehensive Local Plan making governance regime and extended community engagement in the new Local Plan Issues and Options stage.

3.9 The Corporate Plan agenda for transforming the Council's LPA role and effectiveness will change the Council's relationships and in turn the Council itself as these relationships and related networks create new possibilities. Some of these possibilities include networked governance with Essex County Council (in respect of master planning, education provision and infrastructure planning, funding and delivery), Town and Parish Councils (in pre-planning applications discussions), developers (in positive planning initiatives such as master planning, co-production of advance infrastructure and innovations in zero carbon development) and rural communities (in reimagining the countryside with farming, water management and environment interest groups).

## **4. Development Management Service and POS Enterprise Review (2018)**

### **The Development Management service**

4.1 The Development Management service is a vital part of the Council's role as the Local Planning Authority through which to implement planning policy and enable quality outcomes for sustainable development. It provides pre-planning application advice to members of the public, businesses, developers, and agents, registers planning applications, considers planning applications for compliance with the policies set out in the National Planning Policy Framework, the adopted Local Plan and relevant policy documents. It makes decisions under the officers' delegated authority and as appropriate makes recommendations to the Planning Committee for decisions. It negotiates Section 106 planning obligation agreements with developers and enforces against breaches of planning approvals, conditions, obligations and planning law in general.

4.2 The Development Management service as defined in this review comprises: Support and Registration team, the Development Management Teams (north and south), Planning Solicitors in Legal Services, the Enforcement Team, and the Planning Committee.

4.3 The Development Management Teams are led by the Development Manager and two area Development Management Team Leaders. The development management staff comprise three senior planning officers, ten career grade staff (of whom 4 are studying to qualify as planners) and agency staff. The service contracts with Essex County Council's Place Services for specialist advice on historic building conservation, landscape, ecology, and habitat matters. Essex County Council in its roles as Highways Authority and other infrastructure needs under its control. Felsted and Thaxted Parish Councils and Great Dunmow Town Councils have Neighbourhood Plans, and a further eight areas are designated.

### **Review method**

4.4 The EELGA Development Management review was informed by:

- 1) Desk top review of Development Management's resources: funding (fee income) and budget allocations.
- 2) Desk top review of the Development Management performance management metrics and data, notably the PS1 and 2 and KPI returns.
- 3) Desk top review of previous and then current reviews. In this report we have cited, in Sections 4.5 – 4.14 below, the key recommendations of the POSE Peer Review March 2018. We have incorporated points relevant to the review objectives made in the Planning Obligations Task Group draft report and the Chadwick review into the complaint from Saffron Walden Town Council. The Planning Advisory Service Review of Major Planning Applications Process has been paused during the lockdowns.
- 4) Four rounds of engagement with stakeholders as follows:
  - i) Group meetings were held with the Support and Registration Team; Development Management Area Teams and Enforcement Team and one to one meetings were held with the Head of Development Management, the two area Team Leaders and Legal Services staff. In parallel interviews were held with representatives of two Town Councils and four land promoters / house builders. Members were engaged through a 'Members' voices' consultation and invitations to speak

directly to the review team. All meetings and consultations were conducted in confidence to enable all parties to speak freely and candidly about their experiences with the service and future requirements.

ii) In the second round, in-confidence workshops were held to enable members of the Support and Registration Team, Development Management Area Teams, Enforcement Team and Management Team to:

- Check back on the issues raised in the first round of meetings,
- Assist in framing solutions to the issues,
- Discuss how actions arising can be delivered and a positive culture towards performance management and continuous improvement be established

iii) Consultation with the service Management Team, staff, and client group to comment on the review report and proposals for the LPA transformation strategy and plan

iv) Allowance has been made for a presentation if required to an All-Member Workshop, for Members to consider and comment on the key findings and draft final transformation strategy and plan.

## **The POSE review 2018**

4.5 In March 2018, POSE, the consultancy arm of the Planning Officers Society, having reviewed the Council's planning service, concluded

The overall view of the Review Team was that the Service was not operating to a level that is consistent with the Council's objective to provide a very good planning service (2018 POSE Section 1.7).

4.6 The POSE Review Team found 'many well motivated and competent officers committed to providing a good service to the public' (2018 POSE Section 1.6) but there was 'a problem of attracting permanent staff to the authority.... The Review Team was told that salaries were not competitive but there has not been the opportunity to test this. Recruitment of planning staff is a national problem and most authorities throughout the country rely on temporary and agency staff to a greater or lesser extent. Salaries, reputation, and the type of work can all be factors in recruitment. The Council needs to understand what factors are relevant for Uttlesford and how they can be addressed' (2018 POSE Section 1.9)

4.7 The report identified two main priorities for the Development Management service, performance management (as the overarching priority) and the roles of the Development Management Manager and Team Leaders (2018 POSE Section 1.10).

## **Performance management**

4.8 The review reported the Council's Development Management performance against the Government's key criteria as follows:

- i) For major applications, lowest quartile,
- ii) For non- major applications, 3<sup>rd</sup> quartile, well below where a good authority would be.
- iii) The 'quality' indicator (performance at appeal), at a level where there is a risk of intervention

4.9 The report further commented,

‘More worrying is that neither staff nor Members were sufficiently aware of performance levels and the monitoring and management of performance was found to be very weak’ (2018 POSE Section 1.7).

4.10 The POSE Review Team advised the Council to:

- Review the performance management process to establish a clear set of priorities performance criteria which relate to external comparisons - nationally set criteria, national or comparator group average or upper quartile performance
- Tailor the criteria and associated performance reporting for the appropriate audience objectives: corporate, departmental, service, team or individual

4.11 The specific recommendations arising were:

- Review the performance monitoring process to ensure corporate, department and service priorities are regularly monitored at the appropriate levels and to the right timescales
- Quarterly monitoring of (Government) CLG current and proposed ‘designation’ criteria
- Regular reporting of the key performance indicators to Members

4.12 The POSE Review Team identified:

An urgent need to clarify the management responsibilities in development management. The Development Management Manager and the Team Leaders do not manage performance regularly or effectively and performance management information is not readily available.

Both Team Leaders carry a significant caseload and in this respect act as ‘senior professionals’ as well as managers. The conflict this creates between dealing with major applications, managing team and personal workloads and performance and management staff create competing priorities which are difficult to reconcile. The authority need to be much clearer on where the responsibilities lie which may involve restructuring and / revisiting roles (2018 POSE Section 1.11).

4.13 The fourth specific recommendation was to:

- Review the roles of the Development Management Manager and the Team Leader to ensure their respective management and professional roles are clarified.

4.14 The following table summarises POSE’s 2018 criteria for assessing a ‘fit for purpose’ LPA. In section 5 below we have added criteria to reflect recent developments in planning practice, made assessments of the LPA’s current performance against these benchmarks and made recommendations to match them.

## POSE 2018 Review: What good looks like

### 1) Local Plan Making and Delivery

i) A Local Plan evidence base tested by the PAS checklist and ii) A proactive approach to the duty-to-co-operate with relevant partners
A comprehensive Infrastructure Delivery Plan signed off by all relevant partners.
Evidence of at least a 5-year housing land supply to meet OAN
An up to date fully NPPF compliant Local Plan reflecting corporate objectives, in place at the earliest opportunity.

### 2) Development Management

A proactive approach to implementation including masterplans and/or development briefs for significant sites, regeneration schemes and proactive care for the historic environment.
A pre-applications service including PPAs and charges, a protocol for involving Councillors on significant cases and MOUs with key consultees.
A clearly expressed policy towards the use of S106 obligations setting out where they will be required, for what purpose and the necessary mechanisms to ensure delivery
An efficient proactive Development Management service that: i) Meets all statutory and local targets ii) Offers good customer care and consistent planning advice, iii) Uses up to date technology iv) Delivers, enables, monitors, and enforces quality outcomes
i) An effective scheme of delegation, ii) Mandatory training for Councillors especially those sitting on the Planning Committee iii) Clear and transparent Committee procedures iv) Clear co-ordinated professional planning advice available to Members

### 3) Resources

i) A valued, motivated, and skilled officer corps, ii) Working as an integrated planning service with iii) Appropriate performance management systems and iv) Training opportunities
Adequate resources to deliver all the above.

## 5. Summary of Findings

5.1 The Development Management case handling service is in a worse position than that reported in the Planning Officers' Society Enterprise (POSE) review 2018. For example, in the two years from 1<sup>st</sup> January 2019 to 31<sup>st</sup> December 2020, the Council was ranked 342/353 LPAs in England against the Government's KPI for speed of handling major applications. During this period 45 of 67 (67.3% against an England average of 88%) of major applications were determined within 13 weeks (10 cases) and the time agreed with applicants via PPAs and Extensions of Time (35 of 49 cases). To be the bottom performer in the top, second and third quartiles, the LPA would have had to determined

56, 61 and 65 of the applications within the above times. The performance on major applications leaves the Council close to being at risk of being 'designated' under current MHCLG criteria.

5.2 Coinciding with declining performance since the POSE review, the service has fewer officers with the expertise to handle minor and major planning applications. It currently relies on an interim to represent the Council at appeal hearings. The remaining skill base is also fragile due to continued dependence on temporary contract staff. Since the last review, the Council has succeeded in recruiting career grade staff. However, line management and support for these staff is limited as both Team Leaders, as found in the POSE review, continue to act as 'senior professionals' with heavy caseloads. A further success is the production of excellent monitoring data but there is little evidence this is used as a management tool to inform and inculcate a continuous improvement culture. Notwithstanding high caseloads and complaints from all quarters, staff to their credit remain committed to do the best they can. Recruitment of additional senior staff with proven place making experience is an urgent priority.

5.3 Members of the LPA staff interviewed for the review – across Support and Registration, Development Management (case handling), Enforcement and Legal Services - identified a service that is on the back foot engaged in reactive work and expending scarce resources addressing the symptoms of an under resourced service. Examples include:

- Making requests for amendments to planning applications (as there is insufficient time to promote better applications in the pre-application stage)
- Refusing applications due to lack of time to seek amendments
- Excessive use of extensions of time beyond the time within which the Government expects LPAs to consider planning applications
- Handling call ins from Members
- Preparing appeals, noting due to poor applications, overturns, and non-determination, the refusal rate of 19% of all applications has risen since Q1 2019 to 28%, markedly higher than the national average of 12%, and
- Enforcement against non-compliance with conditions and Section 106 obligations (in some cases due to allowing developers' Solicitors to draft the agreements in the absence of sufficient in-house Planning Solicitors).

5.4 The cumulative pressures have led to a conveyor belt culture characterised by a dominant narrative of how many cases each officer is has completed and how many cases they are handling. To operate the conveyor, staff, who in some cases have more than 70 cases, are routinely working in the evening and weekends. Their work though is too often reduced to an administrative role. The service needs to be proactively leveraging the planning system to promote better placemaking and development outcomes for the built and natural environments, community, and economic well-being.

5.5 Having considered the innovations in governance and service procedures and practices, we turn to the resources required to enable transformative change.

5.6 The Development Management service comprises 1 No. Development Management Manager, 2 No. Team Leaders and 11 No. planning officers. The latter being 10 fte after allowing for No. 2 part time and No. 4 Career Grade staff with study leave.

## Staff Competencies: Development Management Applications

	Everything Else		Minors		Majors	
	Mar 18	Dec 20	Mar 18	Dec 20	Mar 18	Dec 20
Competent experienced	10	12	8	5	6	4
Gaining experience	-	1	1	4	1	1
Not ready	-	-	1	4	3	8
	12	13	12	13	12	13

## Staff Competencies: Appeal Types

	Written Reps		Hearings		Inquiries	
	Mar 18	Dec 20	Mar 18	Dec 20	Mar 18	Dec 20
Competent experienced	12	13	5	4.5	1	1
Gaining experience	-	-	-	-	-	-
Not ready	-	-	7	8.5	11	12
	12	13	12	13	12	13

5.7 Against a background of increasing demands on the service, more staff with more experience and competencies are required. In the period March 2018 to December 2020, the staff cohort has increased by 1 fte but has fewer collective competencies and experience to handle minor applications (from 8 to 5fte) and majors (from 6 to 4fte).

This is due to failure to retain experienced staff and then having failed to recruit suitably qualified successors a decision to recruit and train new entrants. Even this approach is falling short as the two Team Leaders are diverted from supporting the development of their staff to carry heavy caseloads. Worse still, one of the Team Leaders is a locum on a six-month contract and the only officer with sufficient experience to represent the Council at planning inquiries.

The cost cutting strategy is proven to be a false economy, not just in service performance and outcomes but in the high cost of interims. A stark warning for any future administration set on making cuts to this service in the cause of 'efficiencies.' In retrospect the Council's money would have been better spent on bidding in the market to secure experienced staff.

5.8 In 2018 the POSE review referred to recruitment of planning staff being a national problem and the widespread reliance on agency staff. POSE noted 'salaries, reputation, and the type of work can all be factors in recruitment.' Market conditions have not changed, but recognition of the consequences of lacking experienced development managers has. The Council now needs to create attractive development management roles and bid in the market until it can recruit the right candidates to lead the pre-application, development management and S106 pathways for majors.

5.9 In parallel, the Council needs to start work on a long-term LPA wide solution to securing the professional expertise needed to be a good LPA. The proposed changes to the NPPF place greater emphasis on highly specialist skills and expertise in design, ecology, and mitigating and adapting to climate change through the planning system. In this context, the Council needs to explore opportunities presented by the shared service model. This model creates scale and a breath of work and specialisms and management roles that are attractive to good quality candidates. Small district LPAs standing alone will be likely to struggle.

5.10 In Section 4.14 we summarised the POSE review team’s view of ‘what good looks like.’. As the template is three years old, we have added further criteria to take account of subsequent developments in planning policy and practice.

5.11 We have benchmarked the Council’s current position against the resulting 15 criteria of what ‘good looks like’ and recommended actions to match them. The criteria are grouped under Local Plan making and delivery, development management and resources.

## Local Plan Making and Delivery

### 1) POSE Review 2018

- i) A Local Plan evidence base tested by the PAS checklist and
- ii) A proactive approach to the duty-to-co-operate with relevant partners

EELGA findings 2021	Action points 2021
<ul style="list-style-type: none"> <li>i) New governance and project management put in place</li> <li>ii) Work commenced on evidence base and issues and options</li> <li>ii) Local Plan making duty-to-co-operate meetings underway</li> </ul>	<ul style="list-style-type: none"> <li>i) Local Plan team to undertake PAS checklist</li> <li>ii) Local Plan team to record and issue notes of duty-to-co-operate meetings and formal confirmation of arising</li> <li>iii) Strategic partnerships to be fostered</li> </ul>

### 2) POSE Review 2018

A comprehensive Infrastructure Delivery Plan signed off by all relevant partners.

EELGA findings 2021	Action points 2021
Brief for IDP currently out to tender	IDP will need to inform spatial strategy options and site development planning requirements for net zero carbon future

### 3) EELGA new fit for purpose test

Evidence to inform policy set for a net zero carbon spatial strategy, place making, construction, transport, energy supply and management

EELGA findings 2021	Action points 2021
Opportunities to collaborate with neighbour LPAs being explored	Officers to liaise with ECC counterparts to prepare high level Member meeting to explore joint working (transport studies, master planning, S106) and strategic infrastructure planning (see 5 below)

### 4) EELGA new fit for purpose test: Evidence to inform policies for net gain in habitat

EELGA findings 2021	Action points 2021
Opportunities to collaborate with neighbour LPAs being explored	Progress discussions with Greater Cambridge Joint Planning Service re: water management strategy etc.

### 5) EELGA new fit for purpose test

Effective cross boundary multi-agency infrastructure planning, funding, and delivery partnerships

EELGA findings 2021	Action points 2021
Commissioned work to build new coalitions to identify shared strategic infrastructure and investment requirements and hence policy and funding priorities	Progress cross border multi-agency collaborations re: strategic transport corridors A505 / A11 and A120 / M11

### 6) POSE Review 2018: Evidence of at least a 5-year housing land supply to meet OAN

EELGA findings 2021	Action points 2021
No 5-year land supply	Need to engage positively with promoters of emerging major applications to bring forward appropriate applications in advance of the Local Plan adoption

### 7) POSE Review 2018 An up to date fully NPPF compliant Local Plan reflecting corporate objectives, in place at the earliest opportunity.

EELGA findings 2021	Action points 2021
i) Submitted Local Plan withdrawn 2020. ii) New governance and LDS to make new Local Plan for submission 2023	Progress forward programme to prepare Reg 18 plan re: evidence base, call for sites assessments and Local Plan Leadership Group meeting agendas

## Development Management

### 1) EELGA new fit for purpose test Effective Member / Officer working

EELGA findings 2021	Action points 2021
Poor – lack of trust evident	i) Member training to underpin the value of positive member / officer working and compliance with the code of conduct ii) Officers to include Members in pre application work and timely response to enquiries

### 2) POSE Review 2018 A proactive approach to implementation including masterplans and/or development briefs for significant sites, regeneration schemes and proactive care for the historic environment.

EELGA findings 2021	Action points 2021
i) No formal arrangements for effective joint working with ECC ii) Emerging initiative for master planning and associated studies for Saffron Walden East iii) Local Listings and Historic Gardens Review	i) Specify joint working requirements and governance arrangements with ECC ii) Draft implementation programme (in response to call for sites assessments) iii) Procure call off contract with place making consultancy as part of place making LPA

**3) POSE Review 2018** A pre-applications service including PPAs and charges, a protocol for involving Councillors on significant cases and MOUs with key consultees.

<b>EELGA findings 2021</b>	<b>Action points 2021</b>
i) Pre-apps: Extended response times failing to deliver value for money ii) PPAs: Lack of and weak ties with key consultees and additional resources required to provide value for money. Losing credibility in the market and increasing risk of appeals against non-determination iii) No evidence that Members are enabled to be involved at early stages so tend to be involved late in the process	i) Pre-apps: Put in staff resources and working arrangements to deliver advice in a timely manner ii) PPAs: Build PPA co-producer team to operate in a more co-ordinated, comprehensive, and timely manner iii) Propose and work in accordance with a protocol for Member involvement in pre-app and other early stages

**4) POSE Review 2018** A clearly expressed policy towards the use of S106 obligations setting out where they will be required, for what purpose and the necessary mechanisms to ensure delivery

<b>EELGA findings 2021</b>	<b>Action points 2021</b>
No policy or guidance in place.	i) Brief for Obligations SPD and appropriate housing, open space, and other standards ii) MoU with stakeholder infrastructure delivery partners, notably ECC, Local Councils iii) Brief for and preparation of a CIL

**5) POSE Review 2018** An efficient proactive Development Management service that:

- i) Meets all statutory and local targets
- ii) Offers good customer care and consistent planning advice,
- iii) Uses up to date technology
- iv) Delivers, enables, monitors, and enforces quality outcomes

<b>EELGA findings 2021</b>	<b>Action points 2021</b>
i) Performance regressing against statutory KPI's since 2018 ii) Service reactive, on the backfoot with excessive workloads ii) Decision making has excessive call ins overturns, refusals, and appeals ii) S106 obligations are inconsistent due to lack of guidance iii) IT enhancements identified iv) Limited roles in proactive enabling and delivering quality development	i) Recruit required staff without delay ii) Implement proposed pathways to put service on the front foot ii) Members to adopt best practice call in protocol, and delegate applications recommended for approval ii) Recruit Planning Solicitors without delay iii) Implement IT enhancements without delay iv) Shift resources to proactive, positive planning as per pathways

**6) POSE Review 2018**

- i) An effective scheme of delegation,
- ii) Mandatory training for Councillors especially those sitting on the Planning Committee
- iii) Clear and transparent Committee procedures
- iv) Clear co-ordinated professional planning advice available to Members

<b>EELGA findings 2021</b>	<b>Action points 2021</b>
i) Good practice delegation scheme ii) Mandatory training: Some Members inexperience of the planning system and their role in it, insufficient Member engagement in the pre-app stage iii) Pre-meeting briefings lack transparency, poor Committee procedures, agenda management, time keeping and ill -considered decision making (leading to appeals) iv) Professional planning advice hampered by excessive workloads lack of appropriate toolkit and lack of an up-to-date Local Plan	i) Need to update call-in protocol ii) Mandatory training needs enforcing ii) Replace all Member briefings with Chair / Vice Chair briefings and encourage Members to engage in pre application meetings and contact case officers in advance of Planning Committee iii) Refresh and implement meeting template for Planning Committee including public speaking and avoiding repetition and non-planning matters iv) Additional staff and DM toolkit

## Resources

### 1) POSE Review 2018

- i) A valued, motivated, and skilled officer corps,
- ii) Working as an integrated planning service with
- iii) Appropriate performance management systems and
- iv) Training opportunities

<b>EELGA findings 2021</b>	<b>Action points 2021</b>
i) Not valued: Evidence of public criticism and verbal abuse i) Highly motivated, but overloaded i) Lack of experienced case officers ii) Lacks effective, timely co-ordination with stakeholders notably ECC and Local Councils iii) Wealth of excellent data but not being applied to address process issues and inform resource requirements / allocations iv) Career grade staff on day release but Team Leaders have insufficient time to give one to one management and support	i) Establish positive member / officer working, with referral procedures for breaches i) DM Team Leaders to allocate 75% of their time to supporting staff i) Recruit more experienced DM case officers ii) Introduce and enforce S106 pathway iii) Establish a PMS to establish a shared identity – everyone’s job to deliver transformation, Confirm tasks and embed them in service plans and accountabilities Report to transformation lead managers, exception reports to CEx and Cabinet

### 2) POSE Review 2018 Adequate resources to deliver all the above.

<b>EELGA findings 2021</b>	<b>Action Points 2021</b>
Historic lack of resources recent Growth Bid allocation of £240k incorporated in 21/22 budget with £144k for No 2 Legal Solicitors	CMB to attach highest priority to entrepreneurial delivery of the recommended resource allocations

## 6. MEMBER GOVERNANCE OF THE LPA

6.1 Effective Member governance is required to establish and sustain a fit for purpose LPA required for place making and best available development outcomes

6.2 The new context calls for all Members to fulfil their LPA responsibilities. This applies to all Members who have multiple roles in the work of the LPA.

The collective community leadership role in establishing a vision and strategic objectives for the LPA, representing, and championing the LPA in community, partnerships, and other third-party contexts. In budget making roles making decisions on relevant budgets and wider resources. In plan making as members of the Local Plan Leadership Group and Scrutiny and as ward members who input to and comment on planning applications.

Those Members who exercise the Development Management functions of the Council, as the Local Planning Authority, have specific responsibilities to act in the interests of the whole community and make transparent justifiable decisions based on national planning policy, the development plan and other relevant material planning considerations.

To assist Members in fulfilling their respective roles as members of the LPA, the following recommendations are made to provide training and protocols to foster positive Member / officer relationships and equip Members to engage in appropriate pre-application discussions and fulfil best practice roles in plan making, Development Management and scrutiny of the LPA.

### **The Member Development Management Pathway**

6.3 In this section we consider Member roles along the Development Management pathway. Before Members take their first step on the pathway, they need to undertake training to gain understanding of the benefits of good Member and officer relationships, the Planning system, and their roles within it.

### **Member and Officer Relationships**

6.4 Member understanding of the value of mutual respect between Members and officers and the various roles each plays in the planning system is critical to a 'fit for purpose' LPA. In short the term 'the planners' refers not just to professional planners but to Members and officers working together to carry out the duties of the Council as LPA.

6.5 During the review, some Members referred to positive working relationships with officers but other Members expressed a lack of trust in the officers. The Planning Committee appears to be an arena for confrontation, officers criticised, and external professional technical evidence dismissed. Such conduct harms Member / officer relationships and those concerned need to be aware of the impact this has on the welfare of officers. For the Council as employer, this is a cause of concern. Poor conduct also tarnishes the Council's reputation with Government, its local government peers, the communities it serves and local government labour markets.

6.6 All Members need to pay regard to the LGA's guidance which includes the following:

Councillors and officers are indispensable to one another and mutual respect and communication between both is essential for good local government. Together, they bring the critical skills, experience and knowledge required to manage an effective public sector organisation. Councillors provide a democratic mandate to council, whereas officers contribute the professional and managerial expertise needed to deliver the policy framework agreed by councillors" (LGA – A Councillor's workbook on councillor/officer relations).

6.7 In presenting professional advice, Members should allow officers to explain their advice and ask questions in a respectful manner.

Officers cannot respond to personal criticism in the same way that politicians can and have to temper their remarks accordingly. Mutual respect and good communication are the key to establishing good councillor and officer relations. Close personal familiarity should be avoided – in simple terms, ‘be friendly, but don’t be friends. (LGA - A Councillor’s workbook on councillor/officer relations).

### **Member understanding of the Planning System and their roles**

6.8 Planning application decisions can have the significant consequences for promoters, individuals, and communities. Just as Magistrates have training before they sit on the bench then so should Members have mandatory introductory and annual refresher training before they can sit on the Planning Committee.

6.9 Member roles in planning are helpfully defined in Planning Practice guidance as follows:

Local authority members are involved in planning matters to represent the interests of the whole community and must maintain an open mind when considering planning applications. Where members take decisions on planning applications, they must do so in accordance with the development plan unless material considerations indicate otherwise. Members must only take into account material planning considerations, which can include public views where they relate to relevant planning matters. Local opposition or support for a proposal is not in itself a ground for refusing or granting planning permission unless it is founded upon valid material planning reasons.

6.10 The guidance makes it clear Members of the Planning Committee are not sitting in their ward capacity, for a parochial interest or as a member of a particular grouping. Members are not expected to be planning professionals but to listen to the professionals and apply judgement, balancing the relevant material planning matters on the basis of demonstrable evidence in each case. Decision making should be policy led and in accordance with a presumption in favour of sustainable development. In most cases the direction of travel will be readily apparent. Officers on the other hand should give clear substantiated professional advice taking full account of the Council’s approved planning policies, set by Members, and all relevant material planning matters, whilst respecting Members’ right to take a different view of the relevant balance between factors in each case.

6.11 When the Committee takes a different view to officers, Members must be prepared to articulate the reasons for their decision themselves (although they may turn to officers for the technical wording). Similarly, officers have a duty to advise Members if they feel any reasons Members wish to rely on cannot be justified and to warn of any risks associated with Members’ preferred course of action, although Members are of course at liberty to accept, or reject, that advice. These processes rely on trust between officers and Members. It is also important for officers to be available to deal with Members queries or follow up requests as soon as they become available.

### **Recommendation 1 - All Councillors and Members of the Planning Committee**

- 1) All Member training to build an understanding of the mutual benefits of good Member and officer relationships and the Code of Conduct
- 2) Before sitting on the Planning Committee, Members need to undertake mandatory training on planning matters and attend annual refresher courses. Members need to be encouraged to read the National Planning Policy Framework and observe a nationally recognised best practice LPA Planning Committee at work.

### **Place Making and Pre-Application Discussions for Development Management**

6.12 It is apparent Members are working on the back end of the Development Management pathway, and not properly enabled to be at the front end. This tends to result in call-ins, requiring applications to be considered at Committee that would be more appropriately dealt with under the delegation scheme and overturning applications recommended for approval. These individual and collective actions reflect a lack of trust between members and officers and are failures of process. They appear to be made without regard to the impacts on the quality decision making, performance of the LPA, costs pressures they add to an already overloaded and failing system. Above all they reflect a lack of understanding of where in the planning process better place making and development outcomes can be secured.

6.13 Members need to be enabled to work at the front end of the Development Management pathway, collaborating creatively with officers in master planning and pre-planning applications discussions. At these points, the Council and its stakeholders are best placed to secure better place making and planning obligation outcomes. This does not rule out call in or overturns, when appropriate but in line with best practice would minimise the need for 'too late in the day' interventions.

### **Development Management Delegation Scheme**

6.14 Members need to ensure the LPA has a best practice delegation scheme and a proportionate call-in protocol. The application of these documents would free up resources for both Members and officers to focus on the pre-application stages and allow the Planning Committee to concentrate on significant applications requiring deliberation on the balance between all the material planning matters at stake.

6.15 A good delegation scheme should a) calibrate the delegation rate and b) be inclusive (everything is delegated except...) to ensure the most appropriate proposals are identified as matters for the Planning Committee.

6.16 The Council's current delegation rate of 95% for all delegations is in line with the national rate. This equates to the Committee considering up to 80 of the 1,600 applications it receives per annum. The resources necessary to take cases above this rate through the Planning Committee are significantly more than those required delegated authority.

6.17 The Council has an inclusive delegation scheme which is consistent with the thrust of legislation, guidance, and good practice. Thought though needs to be given to defining exceptions based solely on scale. For example, a small proposal (say in a conservation area giving rise to sensitive material matters) might need to be a Committee matter whilst a large-scale proposal (for a

'shed' on an industrial estate) may give rise to few if any matters requiring the Committee's attention. Similarly, where the Council has an appropriate suite of detailed guidance such as masterplans and design guidance / codes, once an outline permission has been granted most reserved matters should be capable of delegated approval. A recent a reserved matter application which was refused at Planning Committee and is now the subject of an appeal is a clear failure of process and a significant waste of scarce resources.

### **Recommendation 2 - All Councillors**

- 1) To ensure the Council has a best practice Development Management Delegation Scheme and protocol for Member involvement in pre-application processes (see sections 6.14 – 6.17 above).
- 2) To ensure all Members receive training in the to be updated delegation scheme, and pre-application processes

### **Call in protocol**

6.18 Call in protocols, like planning decisions themselves should be based on material planning matters alone. Good practice schemes have a clear gateway process and have the following characteristics:

- **Timely:** A call-in should be made within two weeks after the publication of the weekly list of applications. This will enable the LPA to establish and make transparent the decision-making path for the application (see ii) Referral below) and help ensure it can be considered within the nationally set time limits for applications (8 weeks for minors and 13 weeks for majors respectively) and given the appropriate resource allocation.
- **Referral:** The Chair and/or the Vice Chair of the Planning Committee to check whether the call-in is built on relevant planning matters (not merely because it is controversial for other reasons or to make political points).
- **Committee matter:** The application should only ultimately proceed to Committee (from call in as opposed to be scheduled for committee in any event) where the Member or Members concerned wish to speak against the officer recommendation be it for grant or refusal.

6.19 The Council's current call-in regime simply provides a five-week period time limit after publication of the weekly list of applications. In the absence of a referral mechanism Members have free reign to call in applications for material or non-material planning grounds. There is no provision to allow for call-ins to be withdrawn where the Member or Members concerned do not wish to speak against the officer recommendation (which is made at a stage later than the timetable for call-ins)

6.20 In recent months, the number of call ins have escalated. These appear to have contributed to more overturns, more refusals, and more appeals which add further to an already overloaded system. This is contrary to good practice LPAs where both call-ins and overturning officer's recommendations at Planning Committee are exceptions. This is another example of a failure of process.

### **Recommendation 3 - All Councillors**

- 1) To update the call-in protocol to include a gateway process based on material planning considerations to ensure the Planning Committee's time is used effectively (see sections 6.18 – 6.20 above)
- 2) To ensure all Members receive training in the updated call-in process

### **Planning Committee Matters**

6.21 Once operating an effective delegation and call-in system, the Planning Committee will be dealing in the most part with the most complex cases. In any event, Members will be well informed about such applications through:

- Pre-application processes, a locus for Members to have an early and effective opportunity to understand and comment on all aspects of complex proposals (as encouraged by current national policy and guidance (see the place making pathway in section 6)
- Pro-active community advocate role: for Members to engage with Planning officers to seek out details of emerging planning applications so fewer issues need to be raised after submission of the application or publication of the Committee report.

### **Pre-Committee Briefing**

6.22 Under current procedures, officers provide a technical briefing for all Members of the Committee after the Committee papers have been published. These briefings provide:

- An opportunity for Members to request clarification of technical matters and hence avoid wasting time at the Committee and a need to defer decisions
- An opportunity for officers to receive an early indication of Members thinking and hence prepare responses to their issues

On the other hand, briefings carry two risks

- Pre-determination, the meeting discussion expands beyond technical queries into the merits of the case,
- Public suspicion of decisions being made behind closed doors in advance of the committee itself.

6.23 On balance it is not good practice to hold a pre briefing for the whole committee and in any event not necessary if Members are involved at the pre-application stage and seeking earlier information about applications. It is good practice, for key officers to meet with the Chair and Vice-Chair to discuss the agenda and arrangements for the Committee following publication of the Planning Committee papers.

### **Planning Committee Meeting**

6.24 Planning Committee meetings are the LPA's shop window. The way business is conducted, the way decisions are made, as well as the decision themselves, provide insights into the competence or otherwise of the LPA. The competencies relating to the chair in steering the meeting and speakers, the officers in making presentations and addressing questions and the Committee Members in raising relevant questions and holding discussions related to material considerations.

6.25 The Planning Committee needs to become a panel where Members have an understanding of the planning system and their committee role. The Committee needs to consider evidence relating to material planning matters and come to a decision in an orderly formal and highly structured manner. As matters stand, Committee proceedings are less than business like.

There is considerable wasted time, unnecessary repetitive speeches and consideration of minor matters that were more suitable for delegated decision-making. The Council's refusal rate is high. In the period up to including Q4 2018, the refusal was running at 19% of all applications (national average 12%). Since Q1 2019, the refusal rate has risen more than double the national average.

Through this the Council is incrementally handing over local democratic control over decision making and setting of conditions to Government Inspectors and potentially the terms of S106 planning obligation agreements to developers through unilateral undertakings. One respondent, a housebuilder, has concluded 'in Uttlesford it will be easier to appeal after 13 weeks on grounds of non-determination than risk a Council decision to refuse an application.'

6.26 The POSE review referred to a "generous" arrangement for public speaking and recommended the Council to follow a good practice example. A particular aspect of good practice is as follows. To allow fair and equal time, once a ward member and town/parish representative have spoken, objectors to and supporters of an application either share or rely on a spokesperson for their typically 3-minutes slot.

To ensure transparency, all the material issues and views expressed during the consultation are made available to all and captured in the officer's report and therefore known to the Committee. The purpose of public speaking is simply to draw attention to specific points. On these grounds it is not acceptable to introduce new material at the Committee decision making stage.

6.27 It is wholly exceptional for a Planning Committee to sit for a whole day as was the case with the meeting in February 2021. This and the number of call ins, refusals and overturns give rise to serious concerns about the effective functioning of the Planning Committee.

In accordance with the national delegation rate, Planning Committee meetings should be handling an average of 6 or 7 items. This would enable the Committee to conduct its business within 2 – 3 hours during a morning, afternoon, or evening. The latter additionally allows for greater inclusive accessibility for the public to witness the Committee's proceedings

6.28 This review has presented the Planning Committee with a significant opportunity to improve its effectiveness and reputation to the benefit of the district. As the Local Plan emerges to provide the blueprint for development to meet objectively assessed needs, the role of the Planning Committee will be critical in encouraging developers to invest in planning applications for better place making, infrastructure and development outcomes.

#### **Recommendation 4: Members of the Planning Committee**

To review Planning Committee procedures, timing, and practices (see Sections 6.21 – 6.28 above)

## 7. Development Management – Operational Transformation Plan

7.1 Through their collective voices, staff across the Support and Registration Team, Development Management Area Teams, Planning Solicitors and Enforcement Team have proposed measures to put the service on the front foot so it can act as a proactive place maker.

Their critique of the service and the review team’s knowledge of the sector, have informed the following:

- Recruit senior staff, with experience of place making to reduce dependence on agency staff and free up the two Team Leaders to increase their commitment from 25 to 75% of their time to supporting and mentoring their staff
- Focus resources at the front end of the development management process
- Improve co-ordination between applicants, consultees, the public, Members, Town and Parish Councils and Legal Services to provide clear service pathways as follows:
  - Customer interface and enquiry pathway: better web-based access to guidance and advice for those considering a planning application,
  - Pre-application pathway: More and better pre-application advice and guidance with master planning as required
  - More, better, and timely Planning Performance Agreements, for example, integrated with ECC
  - More straight forward Section 106 negotiations based on updated guidance, standards templates to achieve consistency and streamlined process to achieve timely completions of agreements,

Leading to:

- More planning applications considered within the 8 and 13 week timetables with improved service and place making outcomes
- Fewer appeals due to fewer call ins, overturns, and non-determination
- Rising reputation as a good LPA and performance in the Government’s KPIs

### **Recommendation 5: Reinvigorating the service**

The service will require reinvigorated, effective leadership and direction to deliver an operational development plan.

This will require establishing new service operating procedures and practices exemplified as service pathways in accordance with a detailed action plan and programme.

The pathways are summarised in this report as: Customer interface and enquiry pathway (Section 7.2), Place making pathway (Section 7.6), Development Management pathway (Section 7.10), S106 Agreement pathway (Section 7.11), Enforcement pathway (Section 7.13) and Member development management pathway (Section 6.3).

## The Customer Interface and Enquiry Pathway

7.2 Staff have reported the regular duty system (which is staffed by a Development Management case officer during conventional office hours) is an ineffective use of staff resources. From experience most planning enquires fall into three categories.

- Routine enquiries, for example, the need for planning permission or progress with applications. These can usually be dealt with through a user-friendly self-service website. Where such questions become complex, customers can submit their enquiry and request an appointment. A model set of web pages are described in Sections 7.4 – 7.5 below.
- Other enquiries, these arise from customers who need to discuss details of a specific case. These are best dealt with by through an appointment with the relevant case officers and Place Services consultants to reduce interruptions to their case management workloads. The appointment system to be designed to log calls, record responses dates and headline outcomes.
- Conveyancing Solicitors property search enquiries, much of the planning history data from 1947 is held on microfiche and needs to be digitalised to improve response times and save staff time.

7.3 To inform updates to the web pages and support continuous professional development, a Local Plan policy officer needs to be nominated to provide all staff with briefings (available from professional bodies /press) on the planning and development management implications of new and amendments to existing legislation.

7.4 The Council web site would need to direct planning enquiries to a dedicated web page menu of on-line solutions to include:

- Scripts in response to frequently asked questions with links to advice and guidance
- Progress with planning applications
- Committee meeting dates, reports, and decision notices
- Submit by e mail response to consultations
- Submit by e mail details of requests for an appointment with a relevant officer

7.5 For applicants, the web pages to provide information on:

- *Fees*: A transparent schedule of fees for pre-planning application discussions, PPAs, planning applications, S106 legal and monitoring fees
- *Validation*: Information and document requirements to ensure registration of planning applications on receipt by the LPA
- *Process and timetable*: A flow chart and description of how the Council handles planning applications of different types with reference to the timetable, steps (for example requests for amendments, consultation notices, conditions, reserved matters) decision making (delegated and Committee decisions), decision notices and as required S106 agreements
- *How to monitor your planning application*: Walk through the web / Planning Portal on how applicants can monitor progress with their application and apply for an appointment to discuss specific matters relating to their application
- *Planning obligations*: The S106 Council (to be prepared) and ECC guidance documents, relevant standards and required planning obligations for difference types of development with reference to the relevant NPPF and emerging / adopted Local Plan policies, Neighbourhood Plans, legislation, local evidence base and standards
- *S106 agreements pathway*: A walk through the S106 agreement making template and information requirements, pathway, and timetables

- *Discharge of conditions and deeds of variation*: A walk through requirements, processes, and procedures.
- *Extensions of time*: Procedure when officers request extensions of time
- *Complaints and appeals*: Procedures for making a complaint and submitting an appeal

**Key Deliverables:**

- To provide an enhanced customer friendly web site with FAQs and self-service capabilities
- To digitalise all planning histories or provide administrative resources to ensure rapid access to existing records
- To establish an appointment system (and cease duty planner system)
- To institute regular staff briefing on planning policy and processes

**The Place Making Pathway**

Pre-planning application stage objectives, tools, and procedures

7.6 The pre-planning stage provides the LPA with its best opportunity to secure requirements for development sites and shape emerging development proposals. The key matters being policy compliance, design (facades, materials, massing, layout, and orientation), access arrangements, conditions, and planning obligations requirements for infrastructure and wider facilities.

Greater investment of time at this stage would result in better applications that can be validated on receipt, require few if any amendments and approved within time with prompt completion of related S106 agreements. This in turn leads to savings in time and money due to a decline in requests for amendments, appeals (following decisions to refuse and non-determination) and complaints from the public.

7.7 At the critical pre-planning application stage, the LPA needs the right tools and procedures to do the job, notably structured pre-planning applications procedures including appropriate involvement of Members and third parties.

7.8 The established priority is to prepare and progress a sound Local Plan to adoption. Key documents of the Local Plan evidence will be the Urban Capacity and Peripheral Landscape Studies, Transport Studies, Infrastructure Delivery Plan, Uttlesford Design Guide / Design Codes, and S106 planning obligations guidance and S106 information pack including standards.

7.9 For significant proposals, a Senior Development Manager would convene a multi-agency / multi-disciplinary team liaise with local Members and representatives of the relevant Town and Parish Council. The purposes being to provide land promoters with comprehensive pre-planning application guidance, the Planning Performance Agreement service and S106 information pack and headline requirements.

In the case of strategic scale and sensitive sites, the discussions with the land promoters would include collaborations on and funding for preparing masterplans and infrastructure delivery plans. In most cases this would require the appointment of a dedicated project manager at the promoter's expense.

**Key Deliverables:**

- To progress emerging Local Plan in a timely manner, assemble robust evidence base including Infrastructure Delivery Plan, objectively assessed needs, landscape and heritage

studies etc along with effective community engagement and strategic infrastructure partnerships

- To prepare a Planning Obligations Policy and Guidance document including appropriate standards
- To prepare a Districtwide Design Guide (building on the Essex Design Guide)
- To plan and deliver a programme of Masterplans / Design Codes for strategic sites and areas of significant change
- To refresh the protocol for positive pre-application engagement with promoters, developers, and applicants (including sites emerging as part of the Local Plan process) and appropriate Member involvement

## Development Management Pathway

7.10 The steps along the pathway are:

- Receipt of planning applications by the Support and Registration Team for acknowledgement and either validation or requests for missing required information.
- DM Team Leaders to operate a triage system to provide for a more sophisticated allocation of staff time and support for case management. Such an approach was recommended in the POSE Review 2018 and was suggested by a member of staff with experience of a successful triage system. In addition to being an efficient way of working it would formalise and routinise dedication of more management time with and support for the case officers which include career grade staff. The key elements of the system tailored for the LPA being:
  - Allocation of applications into five categories:
    - Category 1 - Straightforward and potentially acceptable, requires little or no negotiation, fast track approval
    - Category 2 – Policy compliant application may need some limited negotiation to improve then approve
    - Category 3 – Significant consideration and negotiation necessary (probably most majors in practice) need to allocate sufficient time probably a PPA and project management approach / regular reviews
    - Category 4 – Applications which do not appear to be policy compliant but worth limited time to investigate and negotiate to see if they can be made acceptable otherwise refuse.
    - Category 5 – Non policy compliant applications potentially seek withdrawal or otherwise fast track refusal.
  - Post triage initiation meetings:
    - Minors and others: The Team Leader and case officer to review applications, identify and diagnose issues, provide consistent advice on possible solutions, set tasks against a standard check list and signpost sources of help and advice
    - Majors: The Major Applications Managers to convene multi-agency / multi-disciplinary teams (assembled for pre-application discussions and PPAs) to review the application, agree issues, solutions, action plan, allocation of tasks and programme
  - Post case initiation:
    - Minors and others, ad hoc discussions where more detailed consideration prompts a need to consider alternative courses of action

- Majors / problematic cases, weekly meetings of multi-agency, multi-disciplinary teams to report / review progress, address key issues and update forward programme
- Reports
  - Delegated: To be drafted in accordance with a standard template for recording information and evidence material to consideration of the application
  - Committee: To be drafted with a more comprehensive template to include the results of consultations on and as a minimum the agreed in principle heads of terms for S106 agreement

Good practice would also include regular training and updates on emerging good practice, policy issues and an opportunity to review implemented planning permissions with Members of the Planning committee, possibly through six monthly tours.

### **Key Deliverables**

- Additional experienced officer capacity to manage significant major applications
- Focus DM Team Leaders on support and mentoring of teams and reduce their casework from 75% to 25% of their time
- Effective triage of applications
- Regular one to one and team knowledge exchange meetings
- Consistent use of templates for delegated decision making
- Constructive use of performance data to promote and foster continuous improvement
- Officer development and joint officer / Member tours to review development outcomes

### **S106 Agreements Pathway**

7.11 The S106 Agreements Pathway will be an integral element of the Development Management Pathway for applications where such agreements are required. The complexities of planning for, negotiating and securing S106 agreements is amplified by the range of stakeholders who in turn face complexities in defining and meeting their own service obligations.

The interested parties range from the ‘big ticket’ obligations required by the Council’s Housing Service (affordable housing), Essex County Council (highways, school places and youth facilities) and NHS Clinical Commissioning Groups (health services) to Town and Parish Councils’ place making items, open space, allotments, SUDS, and community facilities.

The Council as LPA is responsible for ensuring all interested parties are given equal access to the pre-planning discussions and post application negotiating process. It also has responsibility for mediating between claims on grounds of proportionality and affordability.

7.12 The practical and governance steps along pathway are:

- To formalise roles and responsibilities of the parties concerned with framing, negotiating, and completing S106 agreements:
  - Updated S106 planning obligations guidance note with all obligations based on NPPF and emerging and adopted Local Plan policies and standards and Neighbourhood Plans (with links to the relevant documents)

- S106 information pack available on the web site to include the guidance notes, template, legal and monitoring fees and briefing on the S106 pathway
- Protocols with the relevant parties setting out the S106 process, procedures, entitlements, and obligations
- Pre- application initial meeting to include S106 as a standing agenda item for high-level discussions on requirements and briefing on the S106 agreement pathway. A key task at this stage is for the LPA to mediate between the competing claims on grounds of proportionality and affordability as failure to do so is a major source of delay in completing S106 agreements and issuing decision notices
- PPAs to include S106 as a standard service offer to comprise consultations with corporate services and third parties and detailed negotiations with the applicant. These will involve the interested parties and concern the obligations required to make the application acceptable. They will culminate with in principle agreement on heads of terms prior to reporting to Planning Committee for decision making
- Protocol with corporate and third-party consultees including Town and Parish Councils to enable the Council to manage major planning applications within 13 weeks. This may require an 8-week maximum period to raise realistic and justified requirements to allow for mediation between competing claims and negotiations which may require:
  - The Council's Planning Solicitors to assist with the negotiations
  - Third-party consultees adjust their governance arrangements

Planning Committee reports to include results of consultations, justifications for the full schedule of obligations and at least the negotiated and agreed in-principle S106 obligations as a precondition of informed decision making

- Subject to Planning Committee (conditional) approval, case officers to submit full instructions and completed information template to Legal Services' in-house Planning Solicitors to finalise the first draft S106 agreement. The Solicitors to develop and draw on a library of bespoke clauses which can be used as and when required.
- Legal to seek with applicants, completion of all S106 agreements within the allowed time limit.

### **Key Deliverables**

- Additional in-house legal capacity, with a new framework contract for specialist legal advice and service level agreement to define responsibilities and procedures
- Planning Obligation guidance and procedures
- Establish protocol for corporate and third-party consultees including Town and Parish Councils, Essex County Council, and any other relevant infrastructure providers in terms of roles, responsibilities, and timely responses, recognising the LPA has ultimate responsibility for decision making

## The Enforcement Pathway

7.13 Effective promotion of the four pillars of enforcement - public value, prevention, intervention, and enforcement - requires a more integrated approach between Members, Town and Parish Councils, colleagues in Development Management and Legal Services.

### Governance steps

7.14 The practical and governance steps along the enforcement pathway are:

- Public value
  - To promote greater public understanding of the roles and responsibilities, powers and procedures of planning enforcement, environmental health, and Essex County Council as the Highway Authority:
  - Collaborate on common explanatory templates and signposting
  - Promote these templates on the Council's respective web sites, other relevant media
- To develop and promote training events on enforcement procedures, ethos, and limits of powers and communications protocols with Members of the District Council and the Town and Parish Council clerks to:
  - Help manage community expectations (which often go beyond what the team has powers to meet)
  - Keep Members and the clerks informed of progress with cases of highest community interest
  - Enlist the support of these stakeholders most notably where high-profile cases demand extensive communications with local communities and areas are subject to large scale development over one or more sites
  - Report on the team's work, the prevention measures, the issues resolved and explanations for difficulties with resolving outstanding / long running complaints
- To manage the continuing resource implications of vexatious complainants, consider case reviews with representatives of the relevant agencies chaired by an independent mediator to recommend actions that can and cannot be taken
- To promote greater resilience for the Enforcement Service. The elements of resilience include: continuity in Building Control's cross checking approved planning drawings with completed buildings, Support and Registration's triage and support work, Team Leader's case assessment and triage and backfilling vacancies and long-term leave. The latter may require aligning recruitment with market availability. There would be merit on in assigning career grade staff stints with the team to give them first-hand experience of the enforcement service
- To make the service more efficient by aligning and using automatic document templates and printing with those provided for Development Management
- To formalise the triage case assessment procedure to identify:
  - Complaints that do not amount to enforceable breaches in law
  - Enforcement 'majors' defined as serious and high visibility breaches
  - Enforcement 'minors' defined as low profile breaches

- Send formal confirmation of decisions on complaints to the relevant parties, with advice and referrals as appropriate for those cases that will not be progressed and explanation of the next steps for new cases.
- For new cases, hold one to one case initiation meetings to identify and diagnose issues, provide consistent advice on possible solutions and for majors contact the relevant Town or Parish Council to define partner roles (things to do and not do) and reporting arrangements.

### **Prevention**

- To collect, record and undertake more detailed data analyses to develop and keep up to date intelligence on the source and types of complaints, those complaints that are not valid and those that are by type and significance, root causes of complaints, actions taken and possible preventative measures
- To promote upstream solutions with stakeholders to design out / prevent downstream enforcement issues, recent sources have included:
  - Unnecessary and over specified planning conditions
  - Poorly drafted S106 agreements by applicant's Solicitors
  - Excessive use of extensions of time which increases risk of builders starting on site in advance of planning application decisions

### **Interventions**

- To negotiate pragmatic solutions to breaches of planning control. Such solutions to be subject of regular liaison with complainants, ward Members and Town and Parish Council clerks and monitoring for compliance with agreed actions. In the event of the pragmatic approach failing, proceed to formal action if it is expedient in the public interest to do so.

### **Enforcement**

- In the last resort, enforce against breaches as appropriate through Enforcement Notices, Stop Notices, Temporary Stop Notices, Breach of Condition Notices, Planning Contravention Notices and Enforcement Injunctions and related monitoring.

### **Key Deliverables**

- Promote positive engagement with Town and Parish Councils by way of training and establishing effective ways of working which recognises the discretionary nature of the service and the principle of taking action where it is expedient in the public interest to do
- Invest in and use the enforcement module of the planning processing system

## **8. Strategic Interventions and Resources**

8.1 In this section the review team sets out the transformation strategy for the LPA including resource requirements and allocations.

## LPA Transformation strategy

8.2 The strategic interventions are to:

- Develop the Council's governance regime that is fit to create an outstanding planning and place-making capability with the right capacity to create quality outcomes with and for all the district's communities
- Reorientate the Council as LPA from reactive planning to proactive, positive planning activities for better place making and development outcomes with appropriate leadership and resources.

## Transformative governance

8.3 In Section 3.6 we benchmarked the Council's governance regime for the LPA against the five elements of governance required to power transformative change. A key pre-condition of success is for the political leadership and senior managers to be equally committed to delivering the politically identified priorities and governance arrangements.

The benchmarking identified gaps between best practice governance regimes and those of the Council and those between the political leadership and senior managers.

## Performance management

8.4 A Performance Management System is key element of a best practice governance regime. It provides an essential tool for the leadership and Corporate Management Board to ensure the LPA transformation strategy and operations plan creates and leverages the capabilities and capacities required to deliver a fit for purpose planning authority and continuous improvement.

The performance management regime should measure performance against the Government's three development management Key Performance Indicators and Local Performance Indicators designed to maximise public value from the planning system. Such value to be defined as:

- facilitating better place making, infrastructure and community benefits from new development
- protecting and enhancing the built and natural environments for a net zero carbon future and net gains in habitat.

### **Recommendation 6: Political Leadership and Corporate Management Board (CMB)**

This recommendation is the most important of the review. To develop the capabilities and capacities required to deliver the strategy, the political leadership (dominant regime) and the Corporate Management Board (subordinate regime) will need to:

- a) Arrive at a shared commitment to the relevant corporate priorities and
- b) Align their respective governance arrangements with those required to deliver them.

The main tasks require:

- Leader, Cabinet and CMB to vest high political and corporate priority for the LPA objectives, promote a one team culture where all Members and officers and service delivery partners

share a commitment to and collective responsibility for working together to deliver these objectives

- Leader, Cabinet and CMB to build, promote and support cross border, multi-disciplinary strategic infrastructure planning and delivery partnerships and through new relationships and related networks create new possibilities for the LPA. Some of these possibilities include networked governance with Essex County Council (in respect of master planning, education provision and infrastructure planning, funding, and delivery), cross boundary strategic infrastructure partnerships and developers (in positive planning initiatives such as master planning, co-production of advance infrastructure and innovations in zero carbon development) and rural communities (in reimagining the countryside with farming, water management and environment interest groups).
- CMB to direct early and rapid implementation of the operations transformation plan proposed in this review, most notably introducing the new operating procedures (exemplified as service pathways) supported by a senior Development Management Transformation Manager and accelerate delivery with early and justified resource allocations
- CMB and the Leader and Cabinet to establish a high-profile Performance Management System to which all relevant Members and officers will be committed to and accountable for, led by a senior performance management manager reporting to the Director with quarterly reports to CMB and Cabinet.

In this context, the Chief Executive will need to ensure the Council has sound officer leadership in place, the right staff resources and tools required to the deliver the transformation strategy and action plan.

## Resources

8.5 The Planning Services budget information is summarised in **Appendix 2**. At the time of the review, Planning Services and Legal Services were promoting budget growth bids. The Peer Review team endorses budget allocations to correct the imbalances in management capacities and in skills and experience to manage complex major planning applications in Legal Services to negotiate, draft and execute Section 106 planning obligations agreements. Further investment will be required to put in place the recommended 'toolkit.'

However, the required service transformation will only materialise if the above investments are matched with a fully aligned commitment by Members and officers to deliver the strategic and operational development plans. The key matters include leadership capacities and capabilities to drive forward the envisaged service transformation and inculcate a culture of continuous improvement.

The Peer Review team envisage the strategic and operational plans will yield exceptional returns in the form of a higher performing Development Management service, better place making and development outcomes for existing communities and new residents. The plans should create a virtuous circle in which the LPA has the capacities and competencies to generate significant sums from planning performance agreements and hence sustain investment back into the Development Management service.

The ambition being to reverse the current position where applicants are questioning the value of planning performance agreements as a worthwhile investment.

8.6 The single most urgent investment is to appoint a senior, suitably experienced, manager, on a fixed term contract, to oversee delivery of a detailed transformation plan and programme based on the review recommendations. This should include a permanent post to ensure the proposed service pathways and performance management systems are embedded over the medium term and continuous transformation over the long term.

8.7 Secondly, there is an urgent need to appoint two experienced Development Management Principal Officers to lead on the most significant major applications. Whilst leading on the processing of their cases at pre application and application stages they should have a key role in corralling and leading the multi-disciplinary virtual teams (inside and outside the Council) necessary for successful place-making. Uttlesford's environment has many special qualities and there are many challenges including significant growth to meet the identified housing and other needs.

The impact of the resulting development possibly including whole new communities requires a proactive approach and an experienced planning team. The strengthening of the skill base in this way would leave those in team leader posts with management capacity to mentor and oversee less experienced staff dealing with the bulk of the 'minor' and 'other' applications which also collectively can have a significant impact.

8.8 Key to good place-making is specialist urban design expertise, something that is also being emphasised by the Government in their proposed changes to NPPF and associated guidance. This has implications for the Council's budget in two ways. First, in enhancing in house capacity as referenced in the growth bid but also in budget allocations to produce a local design guide and masterplans/design codes for significant schemes. The latter may be work which can be funded by development promoters. In certain circumstances the Council may wish to be a founding and or a co-funder, for example where a settlement is faced with separate schemes and there is a need to set an overall strategy.

8.9 Another missing part of the 'toolkit' is a developers' contribution guidance document. The County Council and good practice LPAs have such documents to provide developers with certainty and consistency and help maximise contributions. The Council needs to prepare a guidance document by drawing on the Infrastructure Delivery Plan (IDP) which is being prepared for the Local Plan. This leads to consideration of the Community Infrastructure Levy (CIL).

8.10 The Government through its White Paper has, among other things, indicated it is considering replacing the CIL with a national levy. Whether Government decides to amend the CIL or introduce a national levy, managing infrastructure priorities and continuing to optimise S106 Agreements will remain a critical LPA role. The IDP baseline and implications for growth is critical not only to the success of the emerging Local Plan but also to inform developer contributions policy and negotiations in the interim.

The Council currently deals with S106 negotiations on a case-by-case basis through the relevant Development Manager and enforcement through a Section 106 Monitoring Officer. This is a matter for further consideration as other LPAs find it effective to appoint a senior S106/CIL officer. The role involves managing the implementation of infrastructure priorities (keeping the IDP as a living document / implementation tool to inform case officers), and liaison with infrastructure providers, sending out invoices, checking monies due and working with enforcement officers who can check compliance with conditions and starts on site or trigger points for S106 obligations.

8.11 The above key investments are critical. Whilst the review team have not considered other proposals in the growth bid here, some will be essential to delivering the service pathways referred to in section 7, for example to deliver a fit for purpose self-service customer experience. These are matters to be developed in more detail as part of the transformation action plan.

### **Recommendation 7 - Chief Executive and Council**

The Chief Executive and CMB to advise the political leadership and opposition leaders on investment required – in management, officers, and tools – as a pre-condition of delivering the transformation strategy and action plan. Some requirements are highlighted in the Budget and Growth Bid (at Appendix 2) with priorities for:

The appointment of a Development Management Transformation Manager (Fixed term contract) and arrangements for overseeing the new proposed service pathways and performance management systems over the longer term.

The appointment of 2 Principal Development Case Managers

Enhanced urban design capacity including the production of a local design guide and appropriate masterplans/design codes

Enhanced legal service capacities to support Local Plan making and Development Management most notably in negotiating and drafting (deliverable and enforceable) S106 Agreements

The production of a developers' contribution guidance document and appointment of a 106/CIL delivery officer

The Chief Executive and CMB to advise the political leadership and opposition leaders on a detailed action plan and programme to put in place and operate enhanced service pathways as described above: Customer interface and enquiry pathway (Section 7.2), Place making pathway (Section 7.6), Development Management pathway (Section 7.10), S106 Agreement pathway (Section 7.11), Enforcement pathway (7.13) and Member development management pathway (Section 6.3).

### **Leadership**

8.12 To drive the strategic priorities and to deliver a fit for purpose LPA leadership will be critical. Above we have outlined the importance of Leader, Cabinet and CMB setting the agenda. To achieve this the role of a suitably qualified and experienced Director is essential to i) ensure that Planning Services structure, management, resources and performance is appropriate to deliver quality outcomes, ii) drive the transformation plan and iii) lead UDC in developing strategic partnerships.

### **Recommendation 8 - Chief Executive**

The Chief Executive should review the leadership requirements for delivering and sustaining an improved planning service, including succession planning for the Director of Public Services in anticipation of his retirement.

The starting points for defining the job purposes and person specification are framed by the administration's political priority to be a place making LPA, the requirements for managerial leadership and delivery of the LPA transformation strategy and action plan.

The Chief Executive should consider how best to ensure the Corporate Management Board has appropriate and sufficient planning advice and guidance to secure corporate ownership and direction in line with RTP1 guidance.

## APPENDIX 1 – Recommendations and Actions

The recommendations and actions are grouped to reflect the key areas for improvement, under three core themes

- A. Recommendations and actions for council leadership
- B. Recommendations to improve the Development Management process
- C. Recommendations and actions for Members

### A. Recommendations and actions for council leadership

#### Recommendation 6: Political Leadership and Corporate Management Board (CMB)

This recommendation is the most important of the review. To develop the capabilities and capacities required to deliver the strategy, the political leadership (dominant regime) and the Corporate Management Board (subordinate regime) will need to:

- Arrive at a shared commitment to the relevant corporate priorities and
- Align their respective governance arrangements with those required to deliver them.

The main actions to drive this recommendation require:

- Leader, Cabinet and CMB to vest high political and corporate priority for the LPA objectives.
- Promote a one team culture where all Members, officers and service delivery partners share a commitment to and collective responsibility for working together to deliver these objectives
- Leader, Cabinet and CMB to build, promote and support cross border, multi-disciplinary strategic infrastructure planning and delivery partnerships and through new relationships and related networks create new possibilities for the LPA.
- Some of these possibilities include:
  - Networked governance with Essex County Council (in respect of master planning, education provision and infrastructure planning, funding, and delivery)
  - Cross boundary strategic infrastructure partnerships and developers (in positive planning initiatives such as master planning co-production of advance infrastructure and innovations in zero carbon development)
  - Rural communities (in reimagining the countryside with farming, water management and environment interest groups).
- CMB to direct early and rapid implementation of the operations transformation plan proposed in this review, most notably introducing the new operating procedures (exemplified as service pathways), supported by a senior Development Management Transformation Manager, and accelerate delivery with early and justified resource allocations.
- CMB and the Leader and Cabinet to establish a high-profile Performance Management System to which all relevant Members and officers will be committed to and accountable for, led by a senior performance management manager reporting to the Director with quarterly reports to CMB and Cabinet.
- In this context, the Chief Executive will need to ensure the Council has sound officer leadership in place, with the right staff resources and tools required to the deliver the transformation strategy and action plan.

## **Recommendation 7 - Chief Executive and Council**

The Chief Executive and CMB to advise the political leadership and opposition leaders on investment required – in management, officers, and tools – as a pre-condition of delivering the transformation strategy and action plan. Some requirements are highlighted in the Officer Growth Bid for 2021-22 & Approved Budget for 2021-22 (Appendix 2) with priorities for:

- The appointment of a Development Management Transformation Manager (Fixed term contract) and arrangements for overseeing the new proposed service pathways and performance management systems over the longer term.
- The appointment of two Principal Development Case Managers
- Enhanced urban design capacity including the production of a local design guide and appropriate masterplans/design codes
- Enhanced legal service capacities to support Local Plan making and Development Management most notably in negotiating and drafting (deliverable and enforceable) S106 Agreements
- The production of a developers' contribution guidance document and appointment of a 106/CIL delivery officer

The Chief Executive and CMB to advise the political leadership and opposition leaders on a detailed action plan and programme to put in place and operate enhanced service pathways as described above:

- Customer interface and enquiry pathway (Section 7.2)
- Place making pathway (Section 7.6)
- Development Management pathway (Section 7.10)
- S106 Agreement pathway (Section 7.11)
- Enforcement pathway (7.13)
- Member development management pathway (Section 6.3).

## **Recommendation 8 - Chief Executive**

The Chief Executive should review the leadership requirements for delivering and sustaining an improved planning service, including succession planning for the Director of Public Services in anticipation of his retirement.

The starting points for defining the job purposes and person specification are framed by the administration's political priority to be a place making LPA, the requirements for managerial leadership and delivery of the LPA transformation strategy and action plan.

The Chief Executive should consider how best to ensure the Corporate Management Board has appropriate and sufficient planning advice and guidance to secure corporate ownership and direction in line with RTP1 guidance.

## **B. Recommendation to improve the Development Management process**

### **Recommendation 5 – Reinvigorating the Service**

The service will require reinvigorated, effective leadership and direction to deliver an operational development plan.

This will require establishing new service operating procedures and practices exemplified as service pathways in accordance with a detailed action plan and programme. Key deliverables for the service pathways are shown below.

The pathways are summarised as:

- Customer interface and enquiry pathway (Section 7.2)
- Place making pathway (Section 7.6)
- Development Management pathway (Section 7.10)
- S106 Agreement pathway (Section 7.11)
- Enforcement pathway (Section 7.13)
- Member development management pathway (Section 6.3).

Operational service outputs to include:

- Timely 'right first time' registration of planning applications
- Timely consideration of planning applications within the 8- and 13-week Government determined time limits or agreed extensions of time
- Declining allocation of scarce resources at the back end of the development management service on fewer appeals due to fewer call ins, overturns, and non-determination of applications
- Rising reputation as a good LPA with continuous improvement against the Government's KPIs and local PIs

#### ***The Customer Interface and Enquiry Pathway***

##### **Key Deliverables:**

- To provide an enhanced customer friendly web site with FAQs and self-service capabilities
- To digitalise all planning histories or provide administrative resources to ensure rapid access to existing records
- To establish an appointment system (and cease duty planner system)
- To institute regular staff briefings on planning policy and processes

#### ***The Place Making Pathway***

##### **Key Deliverables:**

- To progress emerging Local Plan in a timely manner, assemble robust evidence base including Infrastructure Delivery Plan, objectively assessed needs, landscape and heritage studies etc along with effective community engagement and strategic infrastructure partnerships
- To prepare a Planning Obligations Policy and Guidance document including appropriate standards

- To prepare a Districtwide Design Guide (building on the Essex Design Guide)
- To plan and deliver a programme of Masterplans / Design Codes for strategic sites and areas of significant change
- To refresh the protocol for positive pre-application engagement with promoters, developers, and applicants (including sites emerging as part of the Local Plan process) with appropriate Member involvement.

### ***Development Management Pathway***

#### **Key Deliverables**

- To reduce the LPA's dependence on agency staff by recruiting two senior development case managers with experience in place making and assembling and leading multi-disciplinary and multi-agency teams to handle significant major planning applications
- To focus Development Management Team Leaders on support and mentoring of teams and reduce their casework from 75% to 25% of their time
- To put in place and operate an effective triage of applications
- To provide and record regular one to one and team knowledge exchange meetings
- To put in place and make consistent use of templates for delegated decision making
- To make constructive use of performance data to promote and foster continuous improvement
- To plan and conduct joint officer / Member tours to review lessons and best practice from development outcomes

### ***Section 106 Pathway***

#### **Key Deliverables**

- To put in place additional in-house legal capacity, with a new framework contract for specialist legal advice and service level agreement to define responsibilities and procedures
- To apply the proposed planning obligations guidance document and procedures
- To establish a protocol for corporate and third-party consultees including Town and Parish Councils, Essex County Council, and any other relevant infrastructure providers in terms of roles, responsibilities, and timely responses, recognising the LPA has ultimate responsibility for decision making

### ***Enforcement Pathway***

#### **Key Deliverables**

- To promote positive engagement with Town and Parish Councils through training and establishing effective ways of working which recognises the discretionary nature of the service and the principle of acting when it is expedient in the public interest to do so
- Invest in and use the enforcement module of the planning processing system

## C. Recommendations for actions by Members

### Roles and Responsibilities of Members in Improving the Development Management System

The new context calls for all Members to fulfil their LPA responsibilities.

This applies to all Members who have multiple roles in the work of the LPA.

- The collective community leadership role in establishing a vision and strategic objectives for the LPA, representing, and championing the LPA in community, partnerships, and other third-party contexts.
- In budget making roles, making decisions on relevant budgets and wider resources.
- In plan making as members of the Local Plan Leadership Group and Scrutiny and as ward members who input to and comment on planning applications.
- Those Members who exercise the Development Management functions of the Council, as the Local Planning Authority, have specific responsibilities to act in the interests of the whole community and make transparent justifiable decisions based on national planning policy, the development plan and other relevant material planning considerations.

To assist Members in fulfilling their respective roles as members of the LPA, the following recommendations are made.

These include the provision of practical support (tools, protocols and training) to foster positive Member / officer relationships and equipping Members to engage in appropriate pre-application discussions to fulfil best practice roles in plan making, Development Management and scrutiny of the LPA.

***However it is the consistent and effective discharge of member roles and behaviours, supported by the application of appropriate tools and training, that will ensure Members play their critical part in improving the efficiency, effectiveness and impact of the Development Management system.***

#### Recommendation 1 - All Councillors and Members of the Planning Committee

- All Member training to build an understanding of the mutual benefits of good Member and officer relationships and the Code of Conduct
- Before sitting on the Planning Committee, Members need to undertake mandatory training on planning matters and attend annual refresher courses. Members need to be encouraged to read the National Planning Policy Framework and observe a nationally recognised best practice LPA Planning Committee at work.

#### Recommendation 2 - All Councillors

- To ensure the Council has a best practice Development Management Delegation Scheme and protocol for Member involvement in pre-application processes (see sections 6.14 – 6.17 above).

- To ensure all Members receive training in the to be updated delegation scheme, and pre-application processes

### **Recommendation 3 - All Councillors**

- To update the call-in protocol to include a gateway process based on material planning considerations to ensure the Planning Committee's time is used effectively (see sections 6.18 – 6.20)
- To ensure all Members receive training in the updated call-in process

### **Recommendation 4 - Members of the Planning Committee**

- To review Planning Committee procedures, timing, and practices (see Sections 6.21 – 6.28)

## APPENDIX 2 – Officer Growth Bid for 2021-22 & Approved Budget for 2021-22

### Budget and Growth Bid

A2.1 The Council budget for 2021/22 for the Planning Service comprises four lines, each the outcome of a complex local government accounting protocols and procedures.

### Planning Service Budget for 2020/21 and 2021/22

	2020/21	2021/22
Planning Management	£ 410k	£ 422k
Planning Policy	£ 912k	£1,660k*
Planning Specialists	£ 219k	£ 210k
Funds for additional resources to support the Local Plan		£ 240k**
	£1,541k	£2,532k

\* Includes £640k from 'Use of Reserves' under the heading 'Sustainable Communities to support specialist consultancy and additional fees relating to the Local Plan.'

\*\* Corporate Management Funds for additional resources to support the Local Plan

A2.2 The Development Management service is funded through planning application fees. Additional income in 2020/21 of £341k arose mostly from a carry forward of £68k, staff savings of £48.5k, a discretionary right to add 20% to standard planning application fees (£194k) and higher than forecast income from Planning Performance Agreements (£25k).

A2,3 Of these monies £85k will be carried forward and £256k were allocated as follows:

- £113k Locum Team Leader
- £58k Career Grade posts
- £55k for the Place Service contract (six months)
- £25k Environment Services Officer (0.5fte)
- £5k for local heritage

A2.4. The Council's response times to paid for pre-planning application advice are wholly unacceptable, promoters who have paid for PPAs are complaining they see no benefit from the fees they have paid. The alternative approach open to developers is to make appeals against non-determination of planning applications. In this scenario, income that should be enabling positive planning would be lost, the costs of reacting to appeals would mount and some S106 obligations would be lost due to developer unilateral undertakings.

A2.5 The Service Growth Bid for 2020/21 requested the following:

Description (Grade) + (SCP at 04/21)	Cost	Cost one off	Funding source
2 No. Senior/ Principal Planning officer (8/9/10) + (32 - 40)	£95 - £117k		CTF then PPA
2 No. Programme Project officers (5) + (18)	£66k		20% fee income 80% CTF then PPA
1 No. Enforcement Officer (6) + (24) IDOX improvements	£38k	£10k	CTF
1 No. Urban Designer (9) + (36)	£53k		MTFS to 03/24

1 No. admin. To input S106 agreement to monitoring system (4) + (12)		£14k	
1 GIS Apprentice	£20k		CTF
Heritage Strategy and Bespoke Article 4s (Local Listings and Historic Gardens review)		£40k	CTF
1.5 No. Dedicated Planning Lawyers (report to Legal Service) (8/9) and (32/36) 0.5 fte current post would round up to a No 2 fte	£80k		CTF / part PPA / part cost recovery from S106 legal fees
S106 Aviation Monitoring Officer (8/9) + (36)	£60k		Subject to appeal outcome
0.5 fte Admin for S106 Aviation Monitoring Officer (4) + (12)	£15k		Subject to appeal outcome
Highways officer (to be shared with and based in Chelmsford)	£30k (TBC)		PPA in ECC partnership
	£479k	£64k	

A2.6 The Council's budget for 2021/22 allocated growth budgets of £240k for the Planning Service and £179k for Legal Services. The latter was mostly funded from savings arising from restructuring. In this section we note the existing commitments and the priorities for these allocations:

**Commitment: To provide capabilities and capacities to meet Government requirements for better design and digital plans and Council's requirements for better place making**

Description (Grade) + (SCP at 04/21)	Cost	Cost one off	Funding source
1 No. Urban Designer (9) + (36)	£53k		MTFS to 03/24
1 GIS Apprentice	£20k		CTF
<b>Cost to Planning Service Growth Budget</b>	<b>£20k</b>		

**Priorities: To provide capabilities and capacities to assemble and co-ordinate multi-disciplinary, multi-agency teams and Member engagement in pre-planning application discussions and delivery an effective Planning Performance Agreement service required to elicit better major planning applications and S106 agreements and hence development outcomes**

Description (Grade) + (SCP at 04/21)	Cost	Cost one off	Funding source
2 No. Senior/ Principal Planning officer (8/9/10) + (32 - 40)	£117k		CTF
1 No. Programme Project officer (5) + (18)	£33k		20% fee income 80% CTF
2.5 No. Dedicated Planning Lawyers (report to Legal Service) (8/9) and (32/36)	£180k		£144k from Legal Service Growth budget £36k from S106 legal fees
Highways officer (to be shared with and based in Chelmsford)	£30k (TBC)		PPA in ECC partnership
<b>Cost to Planning Service Growth Budget</b>	<b>£143.40k</b>		

**Priority: To provide capabilities and capacities to drive delivery of the transformation strategy and operations plan. The transformation manager role being to act as project manager of the Performance Management System and delivery of the six pathways for service procedures and practices.**

Description (Grade) + (SCP at 04/21)	Cost	Cost one off	Funding source
1 No. Senior Transformation and Performance manager (8/9/10) + (32 - 40)	£58.5k		CTF
<b>Cost to Planning Service Growth Budget</b>	<b>£58.5k</b>		

**Priority: To reduce time spent by the Enforcement Team on administrative tasks and provide inputs to the Local Plan evidence base and emerging policy framework for Development Management**

Description (Grade) + (SCP at 04/21)	Cost	Cost one off	Funding source
Enforcement Service IDOX improvements		£10k	CTF
Heritage Strategy and Bespoke Article 4s (Local Listings and Historic Gardens review)		£40k	CTF
<b>TOTAL COST TO PLANNING SERVICE BUDGET</b>	<b>£221,900</b>	<b>£50k</b>	

Low priority: The remaining – unfunded - parts of the Growth Bid amount to funding pressures of between £64.4k to £139.4k subject to the Stansted Airport appeal outcome. The recommendations are:

- i) 1 No. (PPA) Programme Project Officer, revisit once impacts are known of new service pathways with the No.2 Development Managers (Majors) and No1 PPA Programme Project Officer
- ii) 1 No Enforcement Officer, revisit once impacts are known of new service pathways
- iii) Inputs to S106 agreements to monitoring system can be undertaken in house
- iv) 1 No Aviation Monitoring Officer and 0.5 No. administrative officer, revisit once the Stansted Airport appeal has been determined

Description (Grade) + (SCP at 04/21)	Cost	Cost one off	Funding source
1 No. Programme Project officers (5) + (18)	£33k		20% fee income 80% CTF
1 No. Enforcement Officer (6) + (24)	£38k		CTF
1 No. admin. To input S106 agreements to monitoring system (4) + (12)		£14k	
S106 Aviation Monitoring Officer (8/9) + (36)	£60k		Subject to appeal outcome
0.5 fte Admin for S106 Aviation Monitoring Officer (4) + (12)	£15k		Subject to appeal outcome
<b>Cost to Planning Service Growth Budget</b>	<b>£64.4k</b>	<b>£14k</b>	