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Uttlesford District Council

Chief Executive: Peter Holt

Scrutiny Committee

Date: Monday, 13th March, 2023

Time: 6.00 pm

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

Chairman: Councillor N Gregory

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

Substitutes: Councillors M Caton, P Fairhurst, R Pavitt and G Smith

Public Speaking

At the start of the meeting there will be an opportunity of up to 15 minutes for members of the public to ask questions and make statements, subject to having given notice by 12 noon two working days before the meeting. A time limit of 3 minutes is allowed for each speaker.

Those who would like to watch the meeting online, you can do so by accessing the live broadcast [here](#). The broadcast will start when 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 - 6

To consider the minutes of the previous meeting.

3 Local Plan – Project Plan to February 2023

7 - 15

To note an update on local plan progress, and risks and mitigations including staff resourcing.

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The agenda is split into two parts. Most of the business is dealt with in Part I which is open to the public. Part II includes items which may be discussed in the absence of the press or public, as they deal with information which is personal or sensitive for some other reason. You will be asked to leave the meeting before Part II items are discussed.

Agenda and Minutes are available in alternative formats and/or languages. For more information, please call 01799 510510.

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Agenda Item 2

**SCRUTINY COMMITTEE held at COUNCIL CHAMBER - COUNCIL OFFICES,
LONDON ROAD, SAFFRON WALDEN, CB11 4ER, on TUESDAY, 17
JANUARY 2023 at 6.00 pm**

Present: Councillor N Gregory (Chair)
Councillors G Driscoll, V Isham, R Jones, P Lavelle, G LeCount
(Vice-Chair), S Luck, G Sell and G Smith

Officers in attendance: J Clements (Interim Local Plan and New Communities
Manager), D Hermitage (Director of Planning) and C Shanley-
Grozavu (Democratic Services Officer)

Also Present: Councillors M Caton (Liberal Democrat and Green Alliance
Group Leader), J Evans (Portfolio Holder for Planning, Stansted
Airport, Infrastructure Strategy and the Local Plan) and N
Hargreaves (Deputy Leader of Council)

SC41 **APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST**

Apologies for absence have been received from Councillors Criscione and De Vries.

There were no declarations of interest.

SC42 **MINUTES OF THE PREVIOUS MEETING**

The minutes of the previous meeting were approved as a correct record.

SC43 **LOCAL PLAN UPDATE**

The Interim Local Plans and New Communities Manager provided an update on the current progress of preparing the Local Plan. He said that the rapid staff turnover had resulted in the loss of local knowledge and understanding of the broader context of the plan's preparation. However, to date, the Local Plan team were only approximately one week behind their project timetable.

Following the introduction, the Director of Planning highlighted that staff retention and recruitment was a top priority. This was echoed by the Portfolio Holder for Planning, Stansted Airport, Infrastructure Strategy and the Local Plan, who also gave thanks to the Interim Local Plans and New Communities Manager, as he was shortly stepping down from his role by mutual agreement.

The Chair asked if there were any other matters on the risk register which may need to be brought to members' attention. The Interim Local Plans and New Communities Manager explained that there was a range of risks which the team continued to monitor, including choosing sites for strategic growth and meeting the housing number target. Due to staff numbers, their focus was on site assessments and liaising with infrastructure provisors on strategic site viability, in order to be ready to start site selection at the end of March.

In response to a question about the approach in which transport surveys were undertaken, officers clarified that they would be unable to make any decisions on where to assess transport if they had no indication of sites. The Site Screening process filtered out potentially undeliverable sites and allowed officers to begin to make some assumptions which could be tested in the relevant studies. If these sites were not feasible, another set of sites could then be tested.

Members discussion turned to the turnover of staff, which was reported to be 58% in the past 12 months, and had put the progress on the Local Plan's preparation at severe risk. The following was noted:

- The Director of Planning had conducted exit interviews with outgoing staff, but there was not a common theme for their resignations. Members raised concerns that further assurance needed to be made that it was not due to a culture problem.
- The small size of the Local Plan team had always reduced the ability to be resilient as typically, one person specialises in one area.
- There were a number of factors which made it difficult to recruit planning professionals. These included an increase of staff moving into the private sector and Brexit regulations making it more difficult to employ planners from countries such as Greece, where the planning system is based in many ways on the British system.
- All vacancies in the Local Plan team were advertised on a microsite for Uttlesford Planning jobs throughout December 2022. In addition, these posts were also advertised through other channels, as part of the wider service recruitment. This included in the Planning Magazine, the Planning Resource email bulletins and an article published about working for Uttlesford in Planning Resource. The email bulletin alone was shared to over 19,000 planning professionals.
- As a longer-term solution to recruitment, the Planning Department were looking at growing their own talent. This included attending the Uttlesford Career Fair, appointing more career grade planners and liaising with HR for apprenticeship funding. The Director of Planning had also joined the recruitment panel for Public Practice, an initiative supported by DLUHC, where organisations "bid" for professionals.
- There had been a review into advertisement and job descriptions of Planning staff, with each officer now having a learning and development plan. Officers felt the greater emphasis on career progression, as opposed to salary, would attract the right candidates to apply.
- Members raised concerns that there needed to be more senior staff in order to make an impact on the emerging Local Plan.
- The Director of Planning was looking into alternative delivery models for the Local Plan, including commissioning sections of the plan out to the Private Sector, creating a Council-run consultancy service, or retaining a consultancy as a knowledge bank to use if needed. These were not preferred options however.
- As a whole, the Cabinet were supportive of the Local Plan team and, as many of them had professional backgrounds, appreciated the problems of recruitment and retention. The Portfolio Holder for Planning, Stansted Airport, Infrastructure Strategy and the Local Plan

had fortnightly meetings with senior officers to regularly discuss these issues, alongside other matters.

Officers clarified that, if there was to be a delay to the Local Plan, then this would be clear in the upcoming weeks once the current round of recruitment was in its latter stages. They said that there were some advantages to a delay, such as the NPPF consultation and possible changes to housing target calculations, however the district would still remain open to speculative longer for even longer.

Members expressed concerns in regards to residents being ill-informed of the current progress of the Local Plan and some argued that they were not convinced that the current administration were as open as previous ones, in regards to their working group arrangements. The Portfolio Holder for Planning, Stansted Airport, Infrastructure Strategy and the Local Plan responded that a number of workshops had been undertaken where there was an opportunity for members to have an open discussion. Furthermore, there was a memorandum to the public and members were also in a position to provide updates to their Parish Councils. To date, only one public meeting of the Local Plan Leadership Group had been cancelled; the other "cancellations" were either provisional reserve dates which were no longer required or where a different format was held instead.

Officers added that, whilst it was good to have regular engagement, there needed to be boundaries to stop consulting and to start making decision which could be consulted on. Anything discussed in a public meeting could affect someone's interest, such as the value of land, and having certain discussions in these forums could be seen as prejudicing later decisions. Rather than having a demanding schedule of reporting, workshops were a space to tentatively discuss sensitive material and where no grandstanding otherwise displayed in public meetings would get in the way of the development of the plan. The draft Local Plan would have the explanations as to how the options were chosen and the evolution of judgements which interested parties could then comment on.

In response to a question about feeling pressure to deliver the Local Plan, officers indicated that they did not feel pressure from members or other staff, but were determined to get the right result for the district. The Portfolio Holder for Planning, Stansted Airport, Infrastructure Strategy and the Local Plan said that he did not see his role as political and sought to make decisions based on independent advice. He had accountability for the functions of the portfolio, but did not accept political discharge of the role.

The Chair requested that a further update be brought to the Committee before Council operations ceased for the pre-election period.

The report was noted.

Councillor Smith left the meeting at 19:30

Meeting ended 19:58

Committee: Local Plan Scrutiny

Date: 13 March
2023

Title: Local Plan – Project Plan to February 2023

Report Author: Dean Hermitage – Director of Planning

N

Summary

1. This report provides an update on local plan progress, and risks and mitigations including staff resourcing.

Recommendations

2. That the Committee note the conclusions of the report on risk and project management and timeline implications.

Financial Implications

3. Within existing local plan budget.

Background Papers

4. None

Impact

Communication / Consultation	The Developer Contributions SPD (referred) was subject to a seven week consultation period between 17 November 2022 and Friday 6 January 2023.
Community safety	None
Equalities	None
Health & Safety	None
Human Rights / Legal	None
Sustainability	None
Ward-specific Impacts	Covers all wards
Workforce / Workplace	None

Situation

Risk Register Update

5. The latest version of the local plan risk register is attached as *Appendix 1*.
6. There are eleven risks identified, five of which have been updated this quarter (updates in italics). **Risk ID Ref 2 – Staffing Risks** has been a critical issue since January and was reported to Scrutiny Committee on 17 January 2023. At that time there were four vacancies in the team; two planner posts; the team manager; and the transport planner post. At time of writing, two permanent career grade planners have joined the team (end of February). The team has been without a Manager since early January, with the Director of Planning directly managing the team with support from the directorate’s Business & Performance Manager. This has not been ideal in terms of being able to dedicate sufficient time to the management of the team. A replacement Team Manager joins on 16 March (initial 6 month contract), along with a permanent, replacement Transport Planner. The recruitment piece will be completed on 24 April when a permanent principal planner joins (the manner in which Interim and remaining staff have performed their roles during this time is commendable).
7. In the past two months we have thus recruited four new planners to the Local Plan Team – three on permanent contracts. The existing team members have coped remarkably well in the circumstances, working ever-more collaboratively, briefing new officers, and prioritising time-sensitive tasks (see section below). During this time the team has also supported the ‘making’ of a neighbourhood plan and prepared and carried out consultation on the Developer Contribution Supplementary Planning Document, which will assist UDC in securing planning obligations (via S106) until a new local plan is adopted.
8. The team has absorbed some of the pressures as a result of reduced people resources, and as we approach Q4 of 2022/3 is running approximately four weeks behind the programme established at the beginning of Q3. Throughout March and early April we will be briefing, training and bringing four new recruits up to speed. The incoming team manager will also need to review work to date and coalesce his professional views with the work undertaken up to now. It is not a good point in the process to introduce a new local plan manager who will now be required to take ownership of the work recently undertaken.
9. In terms of **Risk ID Ref 8 – Timetable Slippage**, despite the mitigations in place it is likely a Regulation 18 version of the local plan, to the standard required, may necessitate more time than set out in the published LDS. The LDS currently sets out a Reg18 consultation commencing late August 2023. Depending on how quickly new, key staff members can read, align and run with work already undertaken, officers are to request an extension to late October 2023.
10. A number of mitigations have been put in place to prevent significant and short-notice staff losses including:

- Focus on attracting permanent staff with longer notice periods
- Supporting new staff in learning and development (including university courses funded by the apprenticeship levy)
- Mentoring / coaching of staff
- Increased in-person interaction and team building

11. Recruitment and retention of planning professionals remains a nationwide issue. The latest Local Government Workforce report¹ suggests planning is the single most difficult local government profession to recruit to (see table below). Indeed, only this week it was reported that Portsmouth City Council experienced a similar situation to that we saw in January; the immediate loss of a number of planning staff. Portsmouth reports it is now at risk of government designation.

Table 9: Please indicate for which of the following occupations, if any, your authority is experiencing recruitment difficulties – counties, districts and single tier roles

	Counties	Districts	Single tiers	All councils
	%		%	%
Planning officers	83	63	47	58
Legal professionals	67	50	53	53
ICT professionals	83	31	45	43
Chartered surveyors	50	35	40	39
Engineering professionals	58	6	42	27
HR and industrial relations officers	33	19	32	26
Finance officers (other than s151)	50	22	21	24
Heavy goods vehicle drivers	17	28	17	22

LGA Workforce Survey 2022 – professions for which local government experiences recruitment difficulties

12. Of course, with the private sector growing and the draw of major projects in London boroughs, it remains possible that further staff leave the team during the Reg18 period. We cannot continue to allow the local plan slip if a similar significant-loss situation were to arise again. As such, the following additional mitigations are being explored as ‘further’ and ‘last resort’ measures and to add further resilience:

- Planning Service developing relationship with Public Practice (a DLUHC-supported not-for-profit, public sector recruitment specialist). Public

¹ [LG Workforce Survey 2022 - Final for Publication - Tables Hard Coded.pdf \(local.gov.uk\)](#)

Practice recruited our Urban Design Officer, and soon-to-join Conservation Officer on our behalf.

- Director of Planning, Business & Performance Manager and HR Manager are working with the LGA and neighbouring councils to explore potential regional recruitment and retention approaches in planning.
- Director of Planning and Business & Performance Manager exploring 'alternative delivery models' (i.e. externalised services) such as outsourcing, forming a Community Interest Company, a Public Service Mutual, a Local Authority Trading Company etc. [This is a 'further option' option, is long-term and would require full member agreement].
- Director of Planning exploring externalising local plan production to a private company [last resort option].

13. Other updates to the Risk Register can be found in the appendix, including the noting of UDC's response to the recent government consultation on the NPPF and planning reforms. Officers will continue to monitor central government reforms in order to ensure best possible positioning in terms of our local plan timetable.

Project Plan

14. The project plan is now monitored and updated in real time using MS Project software.

15. Since the last meeting of Scrutiny Committee a sub-team of officers has been working on the SLAA. Officers have applied the updated site assessment methodology (which was reviewed at LPLG 10 November 2022) to approx. 165 of 299 sites put forward in the call for sites and continues to work through the remaining 134 plus the approx. 130 sites identified from other sources (employment land and housing land monitoring etc). This exercise will complete late April / early May. Further information on this work is published with the LPLG papers for 13 March 2023.

16. Draft policy areas have been reviewed for NPPF compatibility with general compliance.

17. Settlement hierarchy revisited and updated using responses from the latest Parish Survey.

18. Further transport work is being commissioned in conjunction with Essex CC. This will explore potential development scenarios in the vicinity of the A120 corridor.

19. The Developer Contribution SPD has been through consultation, subjected to minor amendments, and is to be taken to Members for proposed adoption later this month.
20. The team is approximately four weeks behind the previously established timetable. This slippage is as a result of staff resources throughout January, February and early March.
21. Officers are now, and will accelerate work on, refining a development strategy and site selection methodology in liaison with the LPLG. This work will then steer site the site allocations work – i.e. enable a series of proposed sites for development to be identified. This is next significant tranche of work and is programmed to take place from May. Further information is published with the LPLG papers for 13 March 2023.

Conclusions

22. Work is progressing in accordance with the latest published LDS and project plan, although has slipped approximately four weeks due to loss of staff, resources having being put into recruitment, and now the onboarding and briefing of new members of staff in what is a very difficult recruitment landscape.

Risk Analysis

Risk	Likelihood	Impact	Mitigating actions
Failure to successfully Project Manage the Local Plan will result in an unsound Plan	2 – Recruitment and retention of planning staff remains a national issue.	4 - Lack of an adopted (or advanced emerging local plan) leading to potentially unacceptable development.	Staffing mitigations in place and further mitigations being developed. Project management system in place.

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.

Appendices

Appendix 1 – Local Plan Risk Register

Appendix 2 - Extract of Local Plan Project Plan 03.03.23








LOCAL PLAN RISK REGISTER
DATE OF LATEST REVISION - 22.02.23

ID REF.	DATE RAISED	RISK DESCRIPTION	RISK SCORE			MITIGATION MEASURES	AFTER RISK MITIGATION			ASSIGNED OFFICER	STATUS	UPDATES & COMMENTS	COMPLETE DATE
			LIKELIH OOD	IMPACT	TOTAL SCORE		LIKELIH OOD	IMPACT	TOTAL SCORE				
1	24.08.20, description amended 20.12.22	Insufficient non-staff resources to complete the plan in timely fashion	3	4	12	Effective project plan, approved budget and successful bids for external funding.	1	4	4	DH		Resources required for e.g. evidence work and staffing not completely predictable.	
2	24.08.20, descr. amended 20.12.22	Staffing risks. Insufficient capacity, skills, knowledge and effective working to complete the plan in timely fashion.	4	5	20	Retain experienced interim staff for a period to enable a hand over of knowledge.	4	5	20	DH		22/02/2023 - Currently with no head of Service the team is being managed by the Director of Planning with support from the Business and Performance Manager. Two career grade planners have recently started within the team, however they have no local plan preparation experience and we are relying heavily on intern senior and principal officer. An Interim head of Service is due to commence on the 16/03/2023 and a permanent Principal on 24/04/2023. A request has been submitted to CMT to retain interim experienced additional support for a further three months to allow for knowledge to be passed to the incoming officers.	
3	24.08.20	Evidence base flawed, incomplete or not up to date	2	4	8	Effective project management and governance	1	4	4	JC		A review of the evidence work to date is being undertaken to ensure it is up to date to an appropriate standard for the Draft Plan and that we are progressing appropriately towards the more demanding and crucial needs in advance of the later examination of the submission plan. This work is due to be completed by the end of December. Not all evidence requirements can be anticipated, and this is borne in mind on an ongoing basis (e.g. several strands of additional transport work are needed in connection with the current review/testing of the 'new settlement' options) with potential implications for budget and timescale.	
4	24.08.20	Failure to address corporate vision and objectives	2	3	6	Effective governance and project management	1	3	3	DM/JC		Note that there can be tensions between corporate vision & objectives and those of national policy & legislation.	
5	07.09.20, descr. & mitig. amended 20.12.22	Lack of political consensus, e.g. unable to agree a plan meeting national requirements	5	5	25	Establish LPLG with regular briefings and engagement with members. Also see	2	5	10			(a) The general consensus of the Council membership on growth, development and protection of amenities is somewhat at odds with national requirements. (b) Upcoming elections may exacerbate this and divisions in the Council membership, and increase the risks. (c) If the Council does not accept the majority of the officer recommendations (post-elections), as they are fully entitled to do, then there will be some delay to the publication of the Draft Plan. (d) If the Council is unable to agree a plan that meets the requirements (e.g. housing growth target) then there will be a major delay.	
6	19.11.21	Plan is found to be unsound because choice of proposed sites not supported by the evidence base	2	5	10	Robust evidence base driving the selection of proposed sites.	1	5	5			22/02/2023 - The site selection methodology is being reviewed and will be shared with LPLG in the future - date to be confirmed.	
7	10.10.22	The proposed changes to the timetable extend the period for which the district is at risk of speculative development.	4	4	16	The pressure of time is in tension with robustness and quality (see evidence etc. risks), requiring astute judgment in balancing these concerns and managing and how tasks are undertaken.	3	4	12			22/02/2023 - Given the recent staffing issues it is likely that a further extension to the timetable may be required.	
8	10.10.22	The timetable proposed in the LDS slips. There are always unknown factors/issues arising in the production of a Local Plan that require consideration and may result in slippage. Government intervention would significantly damage the reputation of the Council	4	4	16	The Local Plan preparation's project plan is actively managed, and reported to COB and Scrutiny Cttee.	3	4	12	JC		22/02/2023 - If there is a need and agreement to extend the timetable, the project plan will be updated as will the LDS. Government intervention would be unlikely being that almost 40 other councils have announced pauses / slippage.	

Appendix 2 - Extract of Local Plan Project Plan 03.03.23 – Local Plan Scrutiny Committee 13.03.23

42	<input type="radio"/>	▼ Sites			9/26/2022	5/1/2023		• Medium	<div style="width: 37%;"></div>	37%
43	<input checked="" type="checkbox"/>	Review SLAA technical consultation responses 750		JD JH GH	9/26/2022	10/31/2022		• Medium	<div style="width: 100%;"></div>	100%
44	<input checked="" type="checkbox"/>	Update and develop Site assessment methodolo...		JD JH GH	9/26/2022	10/31/2022		• Medium	<div style="width: 100%;"></div>	100%
45	<input checked="" type="checkbox"/>	SLAA Site Assessments Strategic	<input type="checkbox"/>	JD GH JH JC	12/12/2022	2/28/2023		• Medium	<div style="width: 100%;"></div>	100%
46	<input type="radio"/>	SLAA Site Assessments Non Strategic	<input type="checkbox"/>	GH DM LB JB	12/12/2022	3/31/2023		• Medium	<div style="width: 15%;"></div>	15%
47	<input type="radio"/>	Site Selections Methodology	<input type="checkbox"/>	GH Graham Holmes	4/3/2023	5/1/2023	45FS	• Medium	<div style="width: 0%;"></div>	0%
48	<input type="radio"/>	Site Allocations Policies		GH LB DM	4/3/2023	5/1/2023	45FS	• Medium	<div style="width: 0%;"></div>	0%
49	<input type="radio"/>	Strategic Scale Sites	<input type="checkbox"/>	LB GH				• Medium	<div style="width: 0%;"></div>	0%
50	<input type="radio"/>	Review SN paper from 2021, amended by JW Jun...		LB Lois Bowser	12/9/2022	3/17/2023		• Medium	<div style="width: 0%;"></div>	0%
51	<input type="radio"/>	Present hierarchy to LPLG			2/1/2023	3/13/2023		• Medium	<div style="width: 0%;"></div>	0%
69	<input type="radio"/>	▼ Parish profile Milestones			12/5/2022	7/12/2023		• Medium	<div style="width: 37%;"></div>	37%
70	<input checked="" type="checkbox"/>	Review design of parish profile forms		LB Lois Bowser	12/5/2022	1/13/2023		• Medium	<div style="width: 100%;"></div>	100%
71	<input checked="" type="checkbox"/>	Agree content of profiles		LB Lois Bowser	1/16/2023	1/30/2023	70FS	• Medium	<div style="width: 100%;"></div>	100%
72	<input type="radio"/>	Collate photos		LB Lois Bowser	1/31/2023	3/21/2023	71FS	• Medium	<div style="width: 40%;"></div>	40%
73	<input type="radio"/>	Complete profiles of parishes with the key settl...		LB Lois Bowser	3/22/2023	5/17/2023	72FS	• Medium	<div style="width: 0%;"></div>	0%
74	<input checked="" type="checkbox"/>	Complete profiles of the parishes with small to...		LB Lois Bowser	12/5/2022	2/6/2023		• Medium	<div style="width: 100%;"></div>	100%
75	<input type="radio"/>	Complete profiles of parishes with villages (c19)		LB Lois Bowser	2/7/2023	4/25/2023	74FS	• Medium	<div style="width: 0%;"></div>	0%
76	<input type="radio"/>	Report progress verbally to LPWG		LB Lois Bowser	4/26/2023	7/12/2023	75FS	• Medium	<div style="width: 0%;"></div>	0%

Appendix 2 - Extract of Local Plan Project Plan 03.03.23 – Local Plan Scrutiny Committee 13.03.23

90	<input type="radio"/>	▼ Local Housing Needs Assessment			2/9/2021	3/31/2023	• Medium	<div style="width: 0%;"></div>	0%
91	<input type="radio"/>	LHNA Interim Report		Lois Bowser	12/5/2022	2/20/2023	• Medium	<div style="width: 0%;"></div>	0%
92	<input type="radio"/>	LHNA Draft Report		Lois Bowser	2/20/2023	3/20/2023	• Medium	<div style="width: 0%;"></div>	0%
93	<input type="radio"/>	LHNA Final Report			2/9/2021	3/31/2023	• Medium	<div style="width: 0%;"></div>	0%
158	<input type="radio"/>	▼ SPD Consultations			11/10/2022	5/31/2023	• Medium	<div style="width: 72%;"></div>	72%
159	<input checked="" type="checkbox"/>	Climate Change SPD			12/5/2022	12/5/2022	• Medium	<div style="width: 100%;"></div>	100%
160	<input checked="" type="checkbox"/>	Shop Front Design Guide SPD			12/5/2022	12/5/2022	• Medium	<div style="width: 100%;"></div>	100%
161	<input checked="" type="checkbox"/>	Draft Developer Contributions Consultation		 	11/10/2022	2/17/2023	• Medium	<div style="width: 100%;"></div>	100%
162	<input type="radio"/>	Design Code SPD prep and consultation starting ...		 	3/1/2023	5/31/2023	• Medium	<div style="width: 40%;"></div>	40%