

# Review of the Planning Service – Blaenau Gwent County Borough Council

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# Summary

## Summary

### What we reviewed and why

- 1 Council planning services are strategically important enablers underpinning many major and important developments, including new school builds and developing care homes. These developments can help councils achieve their corporate objectives and ambitions.
- 2 Blaenau Gwent County Borough Council (the Council), as a Local Planning Authority (LPA) has an essential role to play in identifying development needs; what areas need protection or enhancement; and in assessing whether a proposed development is in line with local and national policies.
- 3 We undertook this review of the Council's planning service as part of our 2022-23 Council Audit Plan. The review sought to provide assurance and insight as to whether the Council's planning service is effectively and sustainably meeting its objectives and contributing towards the achievement of the Council's corporate priorities. This work included a review of the performance of the planning service.
- 4 We undertook the review in February 2023. During our review, we noted that over the last 12-18 months, there have been several changes in personnel in key positions that align to and support the planning service and Planning Committee. The changes are:
  - Cabinet Member;
  - Chair of Planning Committee;
  - Planning Committee Legal Support Officer;
  - Director of Regeneration and Communities;
  - Team Manager - Development Management (Planning);
  - Development Management (Planning) Team Leaders;
  - Planning Officers;
  - Enforcement Officer; and
  - Planning Policy Manager.

### What we found

- 5 Our review sought to answer the question: Is the planning service effectively and sustainably meeting its objectives and contributing towards the achievement of the Council's corporate priorities?  
Overall, we found that Planning Committee performance is improving, and the planning service plays a key role in enabling delivery of the Council's corporate objectives, but the service's business planning and performance reporting do not demonstrate this important contribution. We reached this conclusion because:

- the profile of the planning service within the Council is improving with the service now seen as a key enabler to deliver the Council's corporate objectives;
- the Development and Estates business plan does not reflect the planning service's strategic role and, as the plan lacks performance data, the planning service is not adequately reporting its performance;
- officers in the planning service feel well-supported. There is a good team meeting structure and good flow of communication resulting in a positive 'one team' approach
- planning committee performance is improving but the service needs to increase the pace of its review of the committee's governance arrangements.

## Recommendations

### Exhibit 1: recommendations

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

Recommendations	
R1	Include performance measures in the Development and Estates business plan to demonstrate the service's performance ambitions and to enable effective monitoring of the service
R2	Include in the Development and Estates business plan the service's contribution towards delivering the Council's corporate objectives to demonstrate its important enabling role
R3	The Council needs to assure itself that the planning service has robust data quality arrangements to ensure that it reports accurate performance data so that staff, members, Welsh Government and the public can place reliance on its integrity to make accurate and informed decisions
R4	Full Council to consider the outcome of the scheme of delegation and planning protocol review by September 2023 and decide on future planning governance arrangements

# Detailed report

**Planning Committee performance is improving, and the planning service plays a key role in enabling delivery of the Council's corporate objectives, but the service's business planning and performance reporting do not demonstrate this important contribution**

**The profile of the planning service within the Council is improving with the service now seen as a key enabler to deliver the Council's corporate objectives**

- 6 The role and profile of the planning service (Development Management and Planning Policy) in supporting the Council in delivering its corporate ambitions is improving. Historically, the service had a relatively low profile and services and directorates were late in engaging the planning service on major project development. In 2022, the Council appointed a new Director for Regeneration and Communities. This appointment has raised the profile of the planning service corporately and its importance as an enabler to the Council delivering its priorities. The planning service is now contributing at an earlier stage in major projects to help establish if a project is feasible and advise on relevant local and national planning policies. This means the Council is receiving professional planning advice at the appropriate time before resources are spent on a major development that may not meet relevant planning policies.
- 7 This early engagement is through the planning service's representation on the Corporate Asset Management working group (CAMWG), Corporate Major Projects team and improved team meeting arrangements within the Regeneration and Community Services directorate. Under the new Director of Regeneration and Community Services, the working relationship between services within this directorate has shifted to a collaborative approach. The Director is ensuring links between services within the directorate are strong. There is improved communication through changes to team meeting structures leading to a greater understanding of the roles and priorities of the different services within that directorate.
- 8 CAMWG is the Council's corporate working group dealing with all property related matters and leads on key strategic projects for the Council. At the time of our fieldwork, these strategic projects focussed on the Corporate Asset Management Plan, the new operating model and the decarbonisation agenda. The planning service representation on CAMWG and the Corporate Major Projects team places the service at the forefront of major project development.
- 9 Going forward, those within the planning service believe it is well positioned to further the Council's ambitions, for example enabling connected communities. The

service will also have a key role in taking forward the Council's decarbonisation agenda, both corporately and in the wider community. For example, by encouraging and supporting low carbon planning applications that use new technology or do things in a more environmentally friendly way.

- 10 The Planning Policy team has a pivotal role in shaping future local planning policies for the County Borough. The Planning Policy team is responsible for producing and monitoring the Local Development Plan (LDP)<sup>1</sup>. This Plan guides development and sets out the long-term future for the County Borough. It outlines how the Council can ensure that growth is delivered in the right places and guides how the growth will take into account the needs of local communities. The LDP forms the basis of planning decisions made by the Council and, where possible, links with the aims of the Corporate Plan.
- 11 The Council adopted its current LDP in November 2012. In 2018, Welsh Government approved a Delivery Agreement with the Council on its Replacement LDP. However, all work regarding public consultation paused due to the pandemic. In addition, the Council also experienced delays due to staff sickness, retirement and recruitment issues. These delays resulted in an updated Delivery Agreement timetable with Welsh Government. In the meantime, the current LDP remains valid. At the time of our fieldwork, the Planning Policy team was fully staffed and formal adoption of the replacement LDP is scheduled for early 2025.
- 12 Producing a LDP is both time intensive and costly. The Council has set aside a dedicated LDP reserve to fund the development of the replacement LDP. Members are aware of the additional costs of developing the plan and the Council is confident sufficient finances are set aside to cover those costs.
- 13 Currently, income targets for the planning service are set by finance officers. But there is scope for senior officers within the planning service to be more involved in this process. Their awareness of potential regeneration and major development projects means they are well placed to estimate the potential associated planning fees and contribute to more accurate financial planning.

**The Development and Estates business plan does not reflect the planning service's strategic role and, as the plan lacks performance data, the planning service is not adequately reporting its performance**

- 14 The focus for the Planning Policy team within the Development and Estates Business Plan 2022-27 (business plan) is clear. The team needs to 'review, develop and implement a replacement Local Development Plan (LDP)'. Critical actions with timescales are also clear, leading towards an adopted replacement LDP in Spring 2025. This is a positive and significant piece of work which will shape future developments in the County Borough.

<sup>1</sup> [Local Development Plans – Planning Aid Wales](#)

- 15 However, the planning service section in the business plan lacks detail. While the planning service is now represented and embedded within the corporate approach to considering and delivering major project and property developments, the service's role as a key enabler in this process is not reflected in the service's business plan. We are unable to determine from the business plan the ambitions and performance of the service and the significant role it has corporately.
- 16 There are two objectives for the planning service to 'deliver and embed the new Idox back-office software' and to 'deliver agreed improvements' such as the Planning Committee's scheme of delegation and planning protocol. Both these objectives focus on operational aspects of the service and do not convey the important role the service has corporately.
- 17 The business plan also lacks detail on the planning service's performance targets and any performance baseline data. While we were told this omission was intentional for officers to focus on implementing the new Idox IT software, this does not give officers a target to aim for, for example, timeliness in determining planning applications or investigating enforcement cases. The Council's performance management arrangements are based around its business plans. So, although the planning service understands its current and historic performance, the lack of data in the business plan does not allow for wider reporting of that performance.
- 18 The planning service is not adequately forward-planning. The business plan template covers five years, yet for the planning service there are only actions for 2022-23. During our fieldwork, we understood the importance and benefits to the service and residents of implementing the Idox system, but the service has not looked beyond this in the Business Plan. The service is missing an opportunity to clearly state its future contributions, how it integrates and is involved at a strategic level.
- 19 Ultimately, the business plan is not driving the planning service. It does not align to the corporate objectives and the lack of performance aspirations makes it difficult to effectively monitor the service and hold officers to account.
- 20 The Planning Committee does receive reports on the performance of the planning service in relation to a couple of national indicators set by Welsh Government. The latest report to the Committee was in July 2022 for the period October to December 2021. This report contained the latest comparable data available<sup>2</sup>. However, the service continues to collect and submit performance data to Welsh Government on a quarterly basis. So, although a lack of recent published data by Welsh Government impacts the planning service's ability to benchmark its performance against others, it should not preclude the service from reporting its own performance and comparing it over time. A summary of recent performance can be found in Appendix 1.

<sup>2</sup> Welsh Government publish a summary of the development management quarterly survey returns from LPAs on their [website](#). But the most recent return published is for October to December 2021.



- 21 Whilst reviewing the four most recent quarterly returns to Welsh Government, we found three instances of incorrect reporting of performance to Welsh Government. The incorrect performance reporting relates to: the percentage of Member made decisions against officer advice in quarter 1 of 2022-23; and the percentage of enforcement cases investigated within 84 days in quarter 4 of 2021-22 and Q1 of 2022-23. While the Council under reported its performance, we now have concerns as to the accuracy of the planning service's performance data, its data integrity and quality assurance arrangements, and whether it is reporting accurate information to Welsh Government, members and the public. The Council told us that the new Idox system, which it anticipates will 'go live' in early 2024, will help reduce the risk of future performance recording and reporting errors. The Idox system has inbuilt performance management capabilities which will simplify current processes and reduce the risk of error resulting from the current manual transfer of data between different systems. The performance data in Appendix 1 shows the correct data.
- 22 We did not see any recent scrutiny of planning performance. The service's performance reports to the Planning Committee are 'for information' and not for scrutinising. The reporting of the service's performance beyond the Planning Committee is limited as quarterly directorate performance reports contain little data on planning. Previously, the planning service produced an annual performance report which included a range of performance measures and compared performance against the previous year and the Wales average. However, the most recent report available on the Council website is for 2018-19<sup>3</sup>. The lack of performance reporting presents a risk that performance is not monitored. Those outside of the service either do not have assurance the service is performing as expected, or lack the opportunity to identify and, if necessary, scrutinise areas of poor performance in a timely manner.

**Officers in the planning service feel well supported. There is a good team meeting structure and good flow of communication resulting in a positive 'one team' approach**

- 23 Following several staff departures in recent years which led to capacity issues, the Council successfully recruited into the vacant roles. The planning service and Planning Policy team are now fully staffed.
- 24 The number and type of planning applications submitted to the service can vary throughout the year and senior officers within the service ensure planning officers have manageable caseloads. Each planning officer has an individual case load and applications are allocated out evenly. While enforcement officers have larger caseloads and a backlog of cases, senior officers are closely monitoring this. The service has previously used external consultants in the short-term to address an increase in officer caseloads and reduce any pressure on staff. Senior officers will

<sup>3</sup> Due to Covid-19, LPAs did not have to publish an annual performance report for 2019-20 or 2020-21. The Planning service did not produce a report for 2021-22 because published comparative data for the full year was not available.

re-engage with consultants again if caseloads increase to an unsustainable level for officers. Officers value this support.

- 25 Officers told us they feel well supported by senior officers. Senior officers give autonomy and have trust in the staff. For example, the service introduced new planning application sign off arrangements in the last year. Planning officers can now countersign each other's household applications. Team leaders or the team manager countersign non-householder applications. This approach is building confidence amongst the staff.
- 26 There is a good internal team meeting structure and communication which staff value. The team manager and team leaders meet weekly to discuss future projects, workloads etc. In addition, the service holds fortnightly planning surgeries and enforcement surgeries to discuss any difficult, complex planning applications or enforcement cases. There are fortnightly full team meetings which include planning officers, enforcement officers and planning technicians. Every six weeks, the full team meet face to face for both a formal and informal catch-up. These arrangements develop a strong 'one team' approach.
- 27 Officers feel supported with any training needs. Officers are frequently asked if there are any gaps in knowledge, any training requirements, or subjects that they might want to learn more about. There is acknowledgement in the service that knowledge has been lost as some more experienced staff retired or left, so current officers are actively encouraged to learn and develop.
- 28 There is no undue pressure placed on planning officers to determine an application in a certain way. At the planning surgeries, officers discuss the merits of an application against local and national planning policies and consider differing views from colleagues. Officers view this arrangement as useful as occasionally planning policies can be subjective.
- 29 While the officers work well together and demonstrate a strong commitment to the service, there is frustration that the current IT system is cumbersome and not public facing which generates additional work for officers. The Council is the only LPA in Wales not to have a planning application search function on its website. As a result, planning applications and supporting documents are not available to view online. Interested parties need to request these either by phoning, e-mailing or writing to the service. The basic IT system does not allow comments of support or objection to be made directly on the system. Anyone wishing to comment on a planning application must forward comments via letter or e-mail to the service. It is time-consuming for both residents and officers to ask for and send information pertaining to any planning application. As a result, the Council is not adequately involving the public by enabling them to view the applications under consideration by the service.
- 30 In 2022, the Council procured a new planning IT system using planning fees generated by a major planning application in the County Borough. By early 2024, the service intends to implement the Idox system. This is an industry recognised development management (planning) software. The implementation will improve

the planning function on the Council's website and back-office functionality for officers. The software is expected to reduce repetition, eliminate the need for staff to respond to queries and complete administrative tasks. In turn, the new system will create additional capacity within the team by freeing up officers' time.

- 31 Preparing to introduce the software is impacting staff capacity and workload in the short term. A planning officer and enforcement officer are working on implementing the new system which includes completing a comprehensive data cleansing exercise. This involvement results in a need to reduce their caseloads, with colleagues needing to meet the demand. Senior managers are closely monitoring capacity and are prepared to engage an external consultant if required.

### **Planning Committee performance is improving but the service needs to increase the pace of its review of the committee's governance arrangements**

- 32 A key reason for us to review the Council's planning service was the historically high number of member decisions contrary to officer recommendations. This is one of several national indicators for planning which LPAs report to Welsh Government<sup>4</sup>. The latest all-Wales annual performance information produced by Welsh Government<sup>5</sup> is for 2018-19. In that year, the Council's performance of 28.6% (Percentage of Member made decisions against officer advice) was significantly worse than the Wales average of 9.2% and the Council ranked 24<sup>th</sup> out of 25 LPAs.
- 33 Despite Welsh Government not publishing an annual report since 2018-19, the LPAs do submit quarterly performance returns to Welsh Government. The latest publicly and comparable available data is for October - December 2021 (Q3 2021-22). In addition, the Council's planning service sent us their quarterly returns for the period October 2021 to September 2022 (Q3 2021-22 to Q2 2022-23). With these two data sources, we can see the Council's performance up to September 2022. Exhibit 2 below provides an overview of performance concerning member decisions contrary to officer recommendations.
- 34 As shown in Exhibit 2, member decisions contrary to officer recommendations remained high and significantly above the national average up to and including Q4 2021-22. There is a considerable reduction in member decisions contrary to officer recommendation in Q1 2022-23. In Q2 2022-23, members did not make any decisions contrary to officer recommendations. We consider that the noticeable reduction in the number of member decisions against officer advice can be

<sup>4</sup> In November 2014, Welsh Government adopted a [Planning Performance Framework](#), which includes a suite of performance measures and targets for LPAs to report on.

<sup>5</sup> Welsh Government, [All Wales Planning Annual Performance Report 2018-19](#), December 2019

attributed to the creation of the new Planning Committee following the local government elections in May 2022.

- 35 The previous Planning Committee received a number of planning applications called into the committee by local ward members. Officers recommended many of these applications as refusals as, in their professional opinion, they did not meet local or national planning policies. However, when called into the planning committee, the committee approved a number of these applications – as demonstrated by the high number of member decisions contrary to officer advice. To improve the performance of the committee and for members to better understand the planning policies, ongoing training, learning and development opportunities for members is important.

**Exhibit 2: Member decisions contrary to officer recommendations**

Member decisions made Contrary to Officer Recommendation (%) – Blaenau Gwent		Wales average (%)	Ranking
Q1 2021-22	33%	15.38%	24 <sup>th</sup>
Q2 2021-22	40%	10%	22 <sup>nd</sup> **
Q3 2021-22	80%	13%	24 <sup>th</sup> *
Q4 2021-22	43%	Not available	Not available
Q1 2022-23	16.5%	Not available	Not available
Q2 2022-23	0%	Not available	Not available

\* Denotes one LPA did not submit quarterly data.

\*\* Denotes two LPAs did not submit quarterly data.

- 36 Planning Committee members received appropriate training as part of their induction. In June 2022, Planning Committee members received training on the legislative basis for planning, Planning Policy, Development Management and member code of conduct. Additionally, in September 2022, training on planning for

non-committee members took place. This training is important as through the Council's scheme of delegation, members can call planning applications to committee, but call-ins must be based on material planning considerations.

- 37 The Planning Committee members are eager to learn and are proactive in seeking officer support and advice. In response, officers organised briefings on House of Multiple Occupation (HMO), Phosphates and Enforcement. Future training is scheduled on S106<sup>6</sup>.
- 38 Each Planning Committee agenda contains an item on member training and briefings. This provides members with a formal way in which to raise any further training needs.
- 39 The current Chair of the Planning Committee is knowledgeable on committee procedures, planning issues and manages the committee meetings well. The Chair is proactive and, alongside officers, is seeking improvements to the Planning Committee's governance and supporting arrangements.
- 40 While there have been significant improvements in the performance of the Planning Committee since the local elections in May 2022, there remains a risk that sustaining such improvement is overly reliant on the behaviours and actions of individuals and not matched by improved governance arrangements supporting the Committee.
- 41 It is therefore encouraging that the service is taking steps to improve the governance arrangements by reviewing its scheme of delegation and planning protocol. Any new arrangements need to be robust and provide a strong operational framework for the Planning Committee and its membership.
- 42 Officers were aware of the previous Planning Committee's performance regarding decisions contrary to officer recommendations and made efforts to address it. For example, in 2021, the service began an internal review. The review looked at the main stages of the journey of a planning application: the role of officers, members of the planning committee and non-committee members, highlighted best practice and any Council shortcomings. It appears to us to be an appropriately honest and self-reflective review.
- 43 However, this work paused due to changes in personnel and re-started in 2022 following the local elections. There are two key documents which are the subject of this ongoing review: the scheme of delegation; and planning protocol that together can provide a council and planning committee with robust procedures and arrangements if well written and followed by all. We recommend the Council prioritises the planning service's completion of this important work.
- 44 While undertaking this review, we looked at the Council's current scheme of delegation. We observed that any planning application submitted by an elected member or by an officer from the planning service can be determined under officer delegated powers and not by the Planning Committee. Although this approach is

<sup>6</sup> [QG15-007.pdf \(senedd.wales\)](#)

permitted, it is good practice for such applications to be determined by the Planning Committee in order to safeguard officers and members against any perceived conflicts of interest and to promote independence and transparency.

- 45 A culture of learning exists within the service and officers make use of professional networks to learn and share. Conversations with other LPAs have informed decisions around the new IT system and plans to strengthen the planning committee. The service is also looking at other LPA's arrangements and procedures to inform changes to the scheme of delegation and planning protocol. Where appropriate, the service also seeks advice from internal colleagues. For example, involving the legal team before submitting changes to the scheme of delegation and planning protocol to the constitutional working group.

# Appendix 1

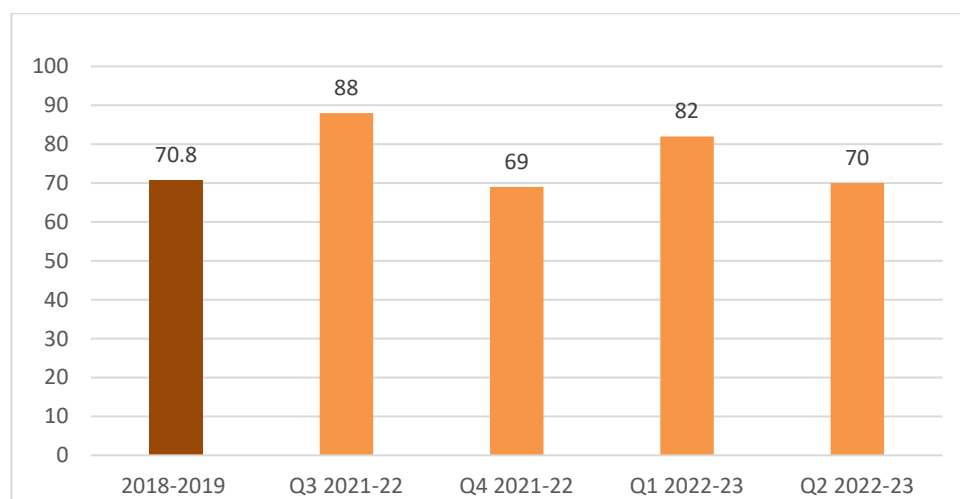
## Planning service performance

This appendix sets out performance data for the planning service. It is based on:

- Welsh Government's [All Wales Planning Annual Performance Report for 2018-19](#) which provides comparative data against other LPAs. 2018-19 is the latest full year performance data available and is presented in the first column in each exhibit below.
- The four most recent quarterly returns submitted by the Council to Welsh Government. Quarterly performance is shown in the orange columns of each chart.

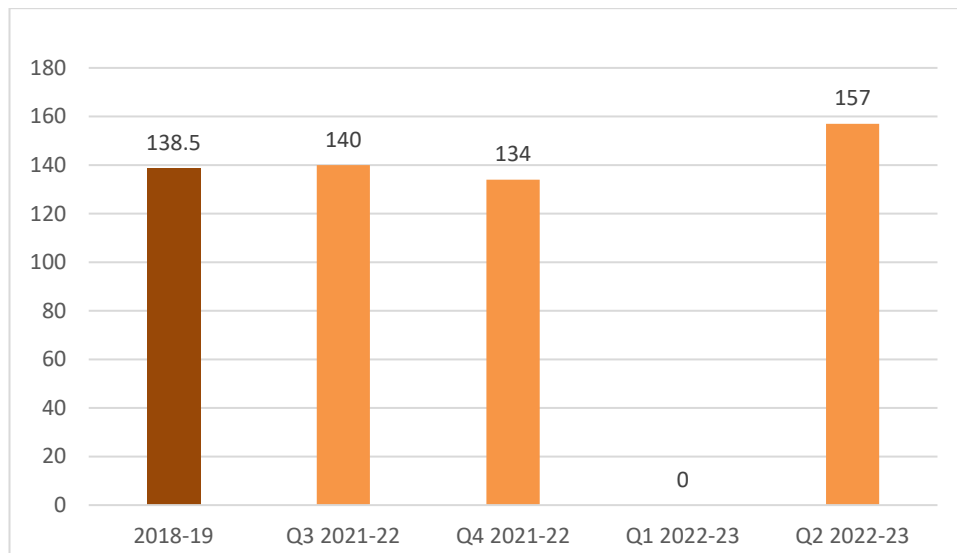
The most recent comparative data published by the Welsh Government is for 2018-19. So we are unable to determine how the Council has improved in comparison to other LPAs since then.

### Exhibit 3: Average time to determine ALL planning applications, in days



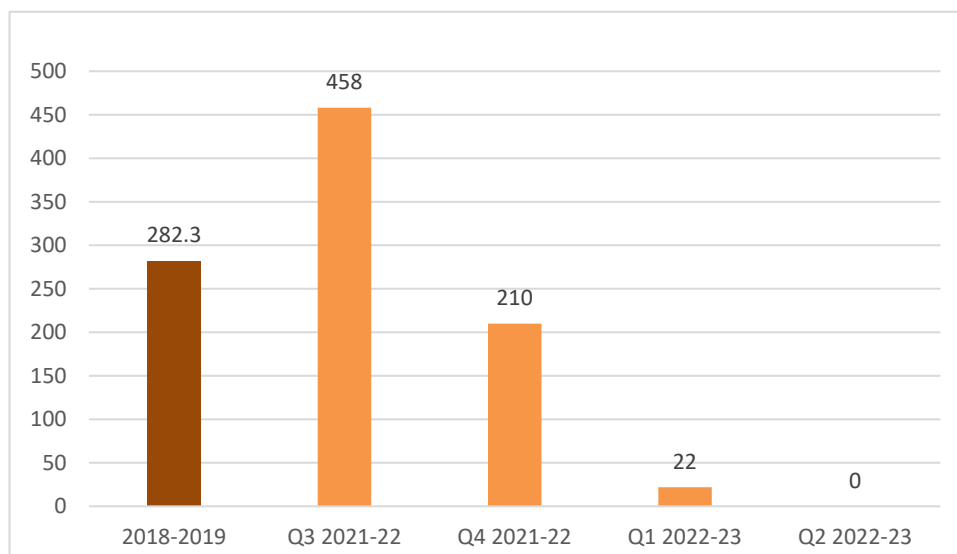
In 2018-2019, the Council's performance was 70.8 days, better than the Welsh average of 80.7 days and ranked 13th out of 25 LPAs.

**Exhibit 4: Average time to determine MAJOR planning applications, in days**



In 2018-19, the Council's performance was 138 days, significantly better than the Wales average of 231.8 days and ranked 9<sup>th</sup> out of 25 LPAs. Between Q3 2021-22 and Q2 2022-23, the Council maintained its performance. The zero entry in Q1 2022-23 reflects the fact the Council did not issue any decision notices for major applications in that quarter.

**Exhibit 5: Average time taken to take Positive enforcement action, in days**

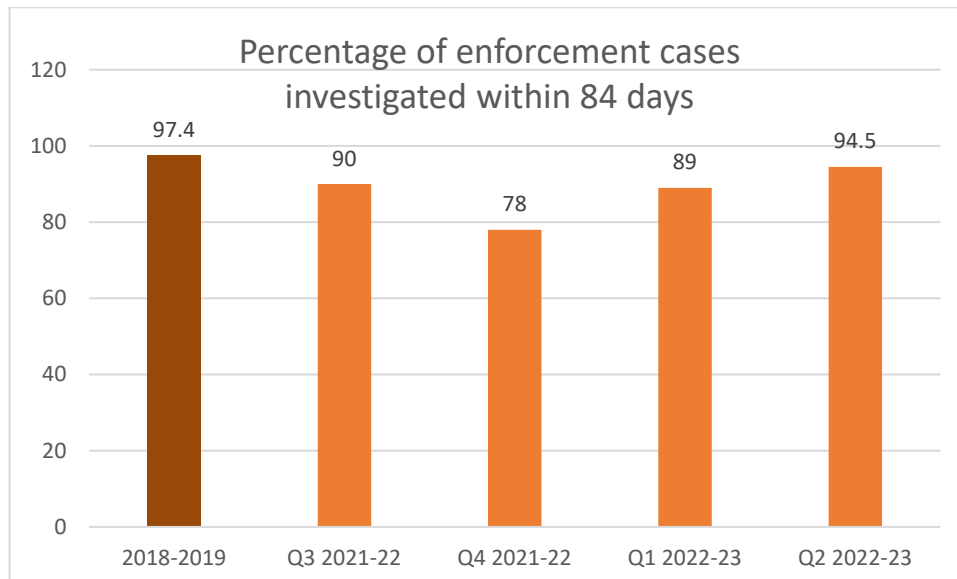


In 2018-19, the Council's average performance was 282.3 days. This was worse than the Wales average of 184.6 days and the Council ranked 22<sup>nd</sup> out of 25 LPAs. There was a



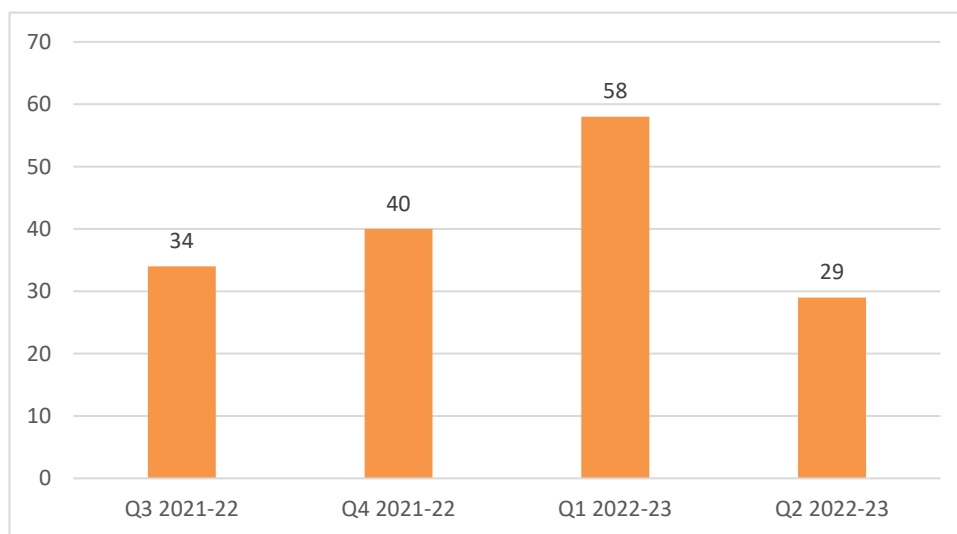
significant decline in performance in Q3 2021-22, but performance improved significantly in Q4 2021-22 when performance was better than in 2018-19. The zero entry in Q2 2022-23 reflects the fact there were no positive action cases in that quarter.

**Exhibit 6: Percentage of enforcement cases investigated within 84 days**



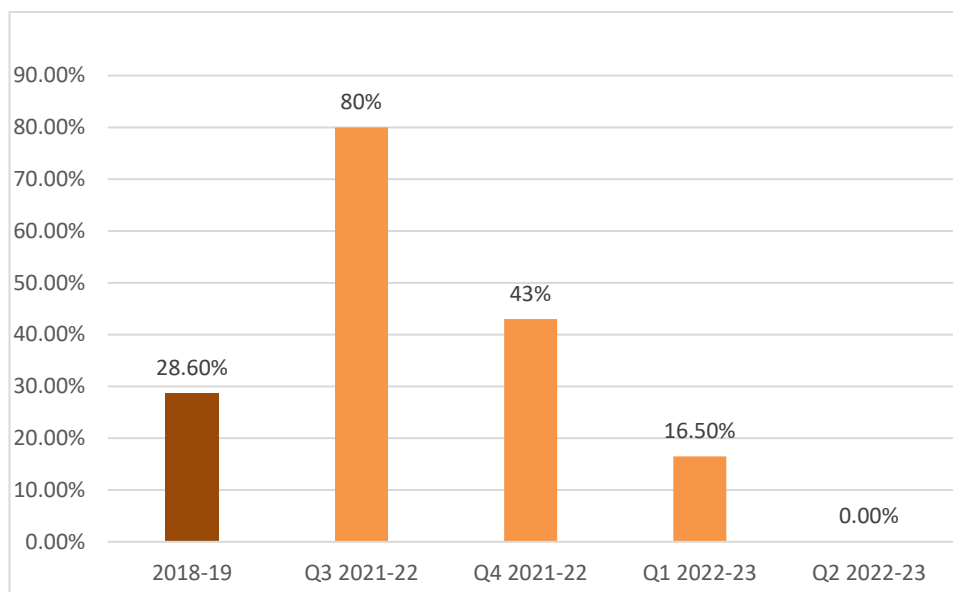
In 2018-19, the service investigated 97.4% of enforcement cases within the 84 days set by Welsh Government. This was significantly better than the Wales average of 76.9% and the Council ranked 4th.

**Exhibit 7: Average time taken to investigate enforcement cases, in days**



Since changing its performance framework indicators in 2017, the Welsh Government no longer reports on the average time taken to investigate enforcement cases. As a result, there is no full year performance data available for this performance measure for 2018-19. As councils continue to submit this data, we have included the quarterly return data here.

**Exhibit 8: Percentage of Member made decisions against officer advice**



In 2018-19, 28.6% of member decisions went against officer advice. This was significantly worse than the Wales average of 9.2% and the Council ranked 24<sup>th</sup> out of 25 LPAs. Performance improved from Q1 2022-23 when the new Planning Committee was established.





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