

**AUDIT AND RISK MANAGEMENT COMMITTEE****MONDAY 18 NOVEMBER 2019**

<b>REPORT TITLE:</b>	<b>IMPLEMENTATION OF RECOMMENDATIONS OF THE LOCAL GOVERNMENT ASSOCIATION PLANNING PEER REVIEW</b>
<b>REPORT OF:</b>	<b>ALAN EVANS, DIRECTOR FOR ECONOMIC AND HOUSING GROWTH</b>

**REPORT SUMMARY**

The purpose of this report is to provide Members with an overview on the implementation of recommendations from the Local Government Association led Peer Review of Planning which was undertaken on 25<sup>th</sup>-27<sup>th</sup> June 2019.

**RECOMMENDATION**

That members of the Committee note the contents of the report.

## **SUPPORTING INFORMATION**

### **1.0 REASON FOR RECOMMENDATION**

- 1.1 To provide Members with the approach being taken to implement the recommendations of the Peer Review, progress made to date and next steps.

### **2.0 OTHER OPTIONS CONSIDERED**

- 2.1 No other options considered.

### **3.0 BACKGROUND INFORMATION**

- 3.1 Wirral Council commissioned the Local Government Association to undertake a peer review of the Planning service. The review took place on 25<sup>th</sup>-27<sup>th</sup> June 2019 involving the following peers:

- Paul Barnard – Service Director, Strategic Planning and Infrastructure from Plymouth City Council
- Bryony Rudkin – Labour Group peer, Deputy Leader Ipswich Borough Council
- Sean Anstee, Conservative Group Peer, Former Leader and Member of Trafford Council
- Nicola Sworosdki, Local Government Association (LGA)/Planning Advisory Service
- Robert Hathaway, Peer Challenge Manager and LGA Associate

- 3.2 In agreement with the Council the team specifically focused on:

- Progress and timetable for adoption of Local Plan
- Capacity of Planning Service to encourage, manage and support the implementation of growth and associated journey of planning applications
- Is the Planning Service 'open for growth' with a good customer focus?
- Corporate political and managerial leadership understanding and support to Planning service and adoption of Local Plan to deliver the Wirral Pledges
- Council and Planning Service partnership work with the Combined Authority to drive forward growth on the eastern side and especially at Wirral Waters
- Efficiency, effectiveness and resilience of the Development Management service and its work with Policy Planning and Regeneration in the context of low Housing Delivery Test figures and weak 5-year housing land supply figures.
- Operation of the Planning Committee and comment on areas that might assist in driving improvement, including proposals to create two Planning Committees to separate out major applications.

- 3.3 In delivering this focus the peer team explored the Planning Improvement Peer Challenge core components of;

- Vision and leadership - how the authority demonstrates leadership to integrate planning within corporate working to support delivery of corporate objectives;
- Management - the effective use of skills and resources to achieve value for money;
- Community engagement – how the authority understands its community leadership role and community aspirations, and uses planning to help deliver them;
- Partnership engagement – how the authority works with partners to balance priorities and resources to deliver agreed priorities; and
- Achieving outcomes - how the authority is delivering sustainable development outcomes for their area.

3.4 The peer review team produced a report after their visit which included 14 recommendations, attached at **Appendix 1**. The Peer Review report is available on the Council's website here <https://www.wirral.gov.uk/planning-and-building/planning-peer-review>

## **IMPLEMENTING THE RECOMMENDATIONS**

3.5 Since receiving the Peer Review report the Council has been implementing the findings and recommendations. A specific priority identified by the review team was the development of a single, cohesive Place Directorate, with all relevant services co-ordinated to deliver the Council's strategy for growth and regeneration, adopting a pro-active and enabling culture. Alongside this the Peer Review acknowledged the central role of completing the Local Plan to the timeline agreed with MHCLG, and the scale of the place-shaping challenge/opportunity facing Wirral at this time.

3.6 Establishing a single Place Directorate which supports a clear regeneration plan, and delivering the Local Plan have been the priorities for improvement over recent months, alongside continued delivery of Wirral's regeneration programme, recognised by the peer review team as one of the largest in the UK.

3.7 In terms of the Place Directorate, this is happening in two phases:

**Phase 1** – a “lift and shift” to bring relevant services together into one Directorate from 1<sup>st</sup> November, namely:

- Regeneration and Investment
- Planning and Major Growth
- Housing
- Asset Management
- Culture and Visitor Economy

**Phase 2** – design and business plan preparation of the Place Directorate by 31 December to ensure the required skills and capacity will be in place, addressing gaps such as urban design and heritage, and identifying the opportunities for procuring external resource and sharing skills across the City Region.

- 3.8 The Peer Review recommendations have been developed into an implementation plan which incorporates other priorities not explicitly referenced in the recommendations, specifically procurement of a new IT System for Development Management (part of a larger corporate project to replace IT systems for regulatory and environmental services), and the need to review Wirral's approach to Community Infrastructure Levy and Section 106.
- 3.9 It is important that the Implementation Plan is comprehensive and simple to understand for staff, Members and partners. The improvements have been structured into four workstreams:
- i. Developing and embedding Wirral's growth and place-shaping strategy
  - ii. Establishing an integrated "Place" Directorate
  - iii. Modernising Planning
  - iv. Adopting the Local Plan
- 3.10 The Implementation Plan is set out in detail in **Appendix 2** including progress made to date and next steps for each of the workstreams. This Implementation Plan has been cross-checked with the Housing Delivery Test Action Plan which was required by the Ministry for Housing Communities and Local Government, to demonstrate our plan for delivering housing to meet agreed need. Wirral's action plan is available on the Council's website here <https://www.wirral.gov.uk/planning-and-building/local-plans-and-planning-policy/housing-delivery-action-plan>
- 3.11 Delivery of the Implementation Plan will continue, and progress updates provided to staff, Members and partners through the Council's governance processes and the growth and regeneration communication strategy.

#### **4.0 FINANCIAL IMPLICATIONS**

- 4.1 The Peer Review included a recommendation to establish an integrated Place Directorate with appropriate skills, competence and confidence to deliver the regeneration and growth agenda. The design of this Directorate is underway with an initial "lift and shift" phase to be in place from 1 November, and the full Directorate to be designed and costed by 31 December 2019. The Directorate design will be costed and funding sources maximised including external grants, appropriate capitalisation, and income generation. This will be done within the Council's budget setting process.

#### **5.0 LEGAL IMPLICATIONS**

- 5.1 There are no direct legal implications arising from this report, but the Peer Review included a recommendation on the role of Legal advice in creating an enabling approach to regeneration and growth. Action on this recommendation is included in the Implementation Plan at **Appendix 2**.

#### **6.0 RESOURCE IMPLICATIONS: STAFFING, ICT AND ASSETS**

- 6.1 The Peer Review Implementation includes recommendations which impact on staff and ICT. These are addressed in the Implementation Plan at Appendix 2 as follows:

**Staffing** – recommendation to form an integrated Place Directorate **actions 2.1-2.4**

**ICT** – importance of the corporate project for replacement IT system for Regulatory and Environmental services, including Development Management, **action 3.5**

- 6.2 There are no direct asset implications arising from this report, but the new integrated Place Directorate includes the asset management service. In addition, many of the regeneration and growth projects delivered by the Directorate have asset implications which are dealt with on a project by project basis.

## **7.0 RELEVANT RISKS**

- 7.1 The key risk in implementing the recommendations of the Peer Review is ensuring sufficient capacity and skills to undertake the change required alongside the day to day running of services. This is being managed through the use of short-term external resource, and flexible use of internal resources to focus on priorities, particularly the Local Plan.

## **8.0 ENGAGEMENT/CONSULTATION**

- 8.1 The Peer Review team engaged with a number of partner organisations when undertaking the review, and the Directorate will continue engagement and updates with these partners on progress in implementing the recommendations. The single narrative and communication activity for the Council's growth and regeneration strategy (action 1.1) is central to this ongoing engagement.

## **9.0 EQUALITY IMPLICATIONS**

- 9.1 There are no specific equality implications arising from this report.

## **10.0 ENVIRONMENT AND CLIMATE IMPLICATIONS**

- 10.1 One of the key principles of the design of the new Place Directorate is that it will enable the achievement of the Council's environmental and Climate Emergency priorities.

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## **APPENDICES**

Appendix 1 – Peer Review Recommendations  
Appendix 2 – Table of progress and next steps

## **BACKGROUND PAPERS**

1. Planning Peer Review Report
2. Housing Delivery Action Plan

**SUBJECT HISTORY (last 3 years)**

<b>Council Meeting</b>	<b>Date</b>
None	

## APPENDIX 1 – PLANNING PEER REVIEW RECOMMENDATIONS

1. Implement an integrated Place Directorate as a matter of urgency to drive delivery of the vision for Wirral set out in the Strategic Regeneration Framework and to drive emerging growth targets in the Local Plan. Take urgent steps to appoint a “Strategic Director of Place” position. Ensure that the Directorate possess the necessary skills, competence and confidence to deliver on the long-term vision in partnership with the private sector and other public sector agencies.
2. Urgently adopt a Local Plan, with a clear spatial vision and continue to ensure sufficient resources are allocated to taking it through to adoption, and develop stronger internal processes to secure deeper cross-party ownership to the commitments it contains on housing, employment and infrastructure. The political leadership should ensure they create a conducive political environment necessary to ensure the Local Plan is agreed and delivered by Council.
3. Develop a stronger corporate narrative around the necessity of growth for Wirral and the benefits this will bring to local communities and the pivotal role of the Local Plan in shaping this, supported by a resourced and shared Communications Strategy.
4. Investigate the use of independent facilitation of the Leader’s Local Plan Working Group and wider membership of the Council, to foster ownership and collaboration in order to broaden support and ownership of the Local Plan. The alternative is to accept democratic planning powers may be removed from Wirral Council by the Secretary of State for Housing, Communities and Local Government.
5. Urgently develop a housing supply position through a housing trajectory and produce a HDT action plan (by Aug 2019). This must be embedded in the Local Plan to provide further certainty and should be a Key Performance Indicator (KPI) monitored by the Senior Leadership Team and Cabinet.
6. Explore the benefits for creating a dedicated Housing Delivery Team, integrated within the planning function, to proactively drive forward delivery of the Local Plan housing sites.
7. Finalise at pace, arrangements for a new ‘Strategic’ Planning Committee to provide the clarity needed to focus on delivering major projects that will support delivery of the growth ambitions in the Local Plan to help meet the Housing Delivery Test and provide sufficient homes to meet local needs.
8. Explore ways to establish opportunities for informal (non-decision making) pre planning briefing for members of the planning committee and ward councillors.
9. Review the Scheme of Delegation, in line with the wider review of governance underway, in order to ensure this supports efficient and effective decision-making and the growth ambitions of Wirral.
10. Ensure appropriate governance arrangements take a risk aware approach in relation to legal and procurement processes to ensure the delivery of future growth projects.

11. Ensure high level representation and clarity of any financial 'ask' to the CA, Local Enterprise Partnership (LEP) and partners such as Homes England, including building strategic alliances with partners.
12. Review ways to re-establish commitment for the need of design excellence in new public and private schemes including use of Design Reviews and ensuring that the Council has urban design and conservation skills and capacity to support Planning Committee decision making.
13. Modernise the planning function to meet challenges of customer focus, faster pace, IT, agile working, and speed of decisions such as 'discharge of conditions' and 'reserved matters' applications post planning approval.
14. Embed a performance management culture within the planning function including lessons from benchmarking.

## Peer Review Recommendations - Implementation Plan

### APPENDIX 2

Ref	Action and Lead	Progress to date	Further action required	Link to Peer Review Recommendation
<b>1</b>	<b>Develop and Embed growth and place-shaping Strategy</b>			
1.1	<p><b>Develop a clear growth and place-shaping narrative and communication strategy</b></p> <p>Alan Evans</p>	<p>Recruited dedicated growth and regeneration Communication Manager starting 4-11-19</p> <p>Initial focus on regeneration narrative for Combined Authority and Homes England meeting on Nov 6</p> <p>Worked with partners on promotions of individual projects</p>	<p>Complete Communication Strategy for growth and regeneration by 30-11-19, followed by regular campaigns and briefings on growth and regeneration activity, linked initially to Local Plan timeline (see action 4.5)</p> <p>Further development of strategy and narrative for housing supply, including affordable housing, linked to Local Plan timeline – ongoing alongside Local Plan Communication Strategy</p>	PR3
1.2	<p><b>Complete Housing Delivery Test Action Plan, and use housing delivery as performance indicator</b></p> <p>David Ball</p>	<p>Housing Delivery Test Action Plan completed 19-08-19, approved by MHCLG and published on Council's website</p> <p><a href="https://www.wirral.gov.uk/planning-and-building/local-plans-and-planning-policy/housing-delivery-action-plan">https://www.wirral.gov.uk/planning-and-building/local-plans-and-planning-policy/housing-delivery-action-plan</a></p>	<p>Agree definition of Performance Indicator to be used in corporate performance management 30-11-19</p>	PR5
1.3	<p><b>Increase regional engagement including Homes England</b></p> <p>Alan Evans</p>	<p>Significant joint work undertaken with Homes England resulting in £6million Housing Improvement Fund grant for Wirral Waters.</p> <p>Negotiation underway for next phase of City Region and Homes England funding to support regeneration programme across Wirral.</p>	<p>Complete negotiations for next phase of Homes England funding as part of discussions with the Combined Authority and explore options for best delivery vehicle eg Mayoral Development Zone, Town Growth Deal. Aim for agreed approach by 31-12-19</p>	PR11

Ref	Action and Lead	Progress to date	Further action required	Link to Peer Review Recommendation
1.4	<p><b>Review governance for delivery the strategy, including potential for Developers Forum</b></p> <p>Sally Shah</p>	<p>The majority of the regeneration programme and project governance is in place.</p>	<p>Establish Developer Forum by 30-11-19</p> <p>Undertake review of governance arrangements for regeneration programme and individual projects to ensure efficient approach 30-11-19</p>	
<b>2</b>	<b>Establish integrated Place Directorate</b>			
2.1	<p><b>Undertake initial “lift and shift” phase</b></p> <p>Alan Evans</p>	<p>Phase 1 of Place Directorate to be in place for 1<sup>st</sup> Nov namely:</p> <ul style="list-style-type: none"> <li>- Regeneration and Investment</li> <li>- Planning and Major Growth</li> <li>- Housing</li> <li>- Asset Management</li> <li>- Culture and Visitor Economy</li> </ul>	<p>After Phase 1 focus will be on design of services required for delivery – see 2.2</p>	PR1
2.2	<p><b>Design new functions and staff structures, including Housing Delivery Team</b></p> <p>Alan Evans</p>	<p>Work has begun to define functions and skills required for the Directorate including gaps such as urban design and capacity for transport and infrastructure project design.</p> <p>Initial Housing Delivery Team established from existing resource to focus on creating housing pipeline which maximises use of brownfield land, linked to Local Plan.</p> <p>Dedicated Development Management team for Wirral Growth Company in place.</p>	<p>Complete design of future “Place” Directorate, including identifying what resource is required internally and which procured externally, to ensure sufficient skills and capacity to deliver one of the largest regeneration programmes in the UK. Design complete by 31-12-19 for implementation by 1-4-20</p> <p>Review options to establish a permanent Housing Delivery Team to take projects from initial idea through to development, including use of commercial housing expertise by 31-12-19</p>	PR1 and PR6

Ref	Action and Lead	Progress to date	Further action required	Link to Peer Review Recommendation
2.3	<p><b>Develop “SLA” with Legal and Procurement to promote an enabling culture</b></p> <p>Alan Evans</p>	<p>New staffing structure agreed for Legal Team which includes additional capacity to support the regeneration and growth agenda.</p>	<p>Recruitment to additional posts in new Legal structure.</p> <p>Agree culture, behaviours and operating arrangements required for regeneration, legal and procurement to be an enabling Council 30-11-19</p> <p>Consider alternative resourcing models for Place Directorate where Legal and Procurement capacity is integrated in regeneration delivery 31-12-19</p>	PR10
2.4	<p><b>Embed Performance Management Culture in “Place” services</b></p> <p>Alan Evans</p>	<p>Planning performance key indicators included in corporate performance reporting, and performance has stabilised since additional staff resource recruited.</p>	<p>Continue focus on performance improvement, specifically including housing supply, as part of staff development to underpin new Place Directorate 31-3-20</p>	PR14
<b>3</b>	<b>Modernise Planning</b>			
3.1	<p><b>Form a Strategic Planning Committee, and identify opportunities for informal briefing for members on planning matters</b></p> <p>David Ball</p>	<p>High level options for Strategic Planning Committee identified as part of Council’s review of Governance.</p> <p>Member drop-in sessions have taken place on Wirral Waters and Wirral Growth Company.</p>	<p>Prepare options paper on Strategic Planning Committee options to consider at Planning Committee.</p> <p>Continue informal Member briefings on regeneration projects as and when required.</p>	PR7 and PR8
3.2	<p><b>Review the Scheme of Delegation in line with the Council’s Governance review to ensure it supports effective decision-making</b></p> <p>Phil McCourt</p>	<p>Consideration has been given to the Planning requirements in the review of Council Governance, and the potential requirements of the Scheme of Delegation.</p>	<p>Scheme of Delegation to be updated to reflect decision on Strategic Planning Committee as part of Council’s Governance review, to be established by 1-4-20.</p>	PR9

Ref	Action and Lead	Progress to date	Further action required	Link to Peer Review Recommendation
3.3	<p><b>Improve and modernise key planning processes including increased use of Pre-Planning Agreements, discharge of conditions</b></p> <p>Alan Evans</p>	<p>Detailed review undertaken by planning consultant, Mike Kiely, on how to improve pre-planning agreements, discharge of conditions and enforcement policy.</p>	<p>Implement improvements to these processes in line with timescale of new IT project by 31-3-20 (see action 3.5)</p>	PR13
3.4	<p><b>Establish approach to design excellence including potential for design panel</b></p> <p>Alan Evans</p>	<p>Design quality has been managed on a project by project basis to date.</p> <p>Peel put all proposals through Places Matter design review.</p>	<p>Design of Place Directorate (action 2.2) will identify what Wirral requires in order to promote design excellence, and how to resource it. The option of an urban design panel to be included in this. Definition of requirement by 30-11-19 and implemented by 1-4-20.</p>	PR12
3.5	<p><b>Introduce new Development Management &amp; Planning Services software (part of wider Council project to replace IT system for Regulatory and Environmental Services and Housing Standards Service, to rationalise of the Council's IT applications</b></p> <p>David Ball</p>	<p>Detailed procurement process underway with closing date for tenders being 28-10-2019</p> <p>Evaluation of tenders submissions is currently underway; 3 suppliers have bid for the tender.</p>	<p>Provider to be selected through procurement process, demonstrations of suppliers' software will take place Nov 2019; decision expected on outcome of procurement exercise Nov/Dec 2019. Implementation timetable to be agreed with the successful provider, but likely to take up to 6 months for Planning.</p>	

3.6	<b>Improve use of Community Infrastructure Levy (CIL) and S106</b>  Alan Evans	Review of current S106 process undertaken	Undertake options appraisal for both CIL and S106 to identify how to maximise their contribution to regeneration by 31-12-19	
<b>4</b>	<b>Adopt Local Plan</b>			
4.1	<b>Deliver Local Plan process to timeline agreed with MHCLG</b>  Alan Evans	Significant progress made on developing evidence base and strategy for consultation under Regulation 18, including engagement with stakeholders.  Monthly updates to MHCLG on progress against agreed timeline.	Continue to work to MHCLG agreed timeline with key milestones being: <ul style="list-style-type: none"> <li>- Consultation documentation to Cabinet Nov 19 and Council Dec 19</li> <li>- Consultation on strategy under Regulation 18 during Jan-Feb 2020</li> <li>- Publication of the Local Plan under Regulation 19 Sept/Oct 2020</li> </ul>	PR2
4.2	<b>Develop Evidence base and arrangements for future management</b>  David Ball	Preparation of the Local Plan has included development of a comprehensive evidence base covering housing, economy, infrastructure and environment. This will be published as part of the Regulation 18 consultation in January/February.	Design of the future Place Directorate (see action 2.2) to identify accountability and responsibility for ensuring the evidence base is maintained and used to inform all relevant Place-based policy and strategy 31-12-19	

4.3	<p><b>Establish pipeline of housing and regeneration projects</b></p> <p>Alan Evans</p>	<p>Initial project pipeline identified, and housing element being updated by initial housing delivery team (see action 2.2)</p> <p>Project delivery underway for a number of existing projects.</p>	<p>Continue development of pipeline to cover housing, employment and other regeneration projects, informed by Local Plan evidence base. Responsibility and accountability for the pipeline to be clear as part of future Place Directorate design by 31-12-19 (see action 2.2)</p> <p>Project delivery to continue, and progress reported as an important element of the growth and regeneration communication strategy (see action 1.1)</p>	
4.4	<p><b>Consider use of independent chair of Local Plan Working Group</b></p> <p>Alan Evans</p>	<p>Fortnightly meetings continued for Local Plan Members Advisory Group. Group has agreed to continue with current charring arrangements.</p>	<p>Continue with fortnightly meetings and revisit Charring arrangements if considered necessary.</p>	PR4
4.5	<p><b>Develop and implement Local Plan communication strategy</b></p> <p>David Ball</p>	<p>Local Plan Communication strategy developed with initial focus on consultation in January and February under Regulation 18.</p>	<p>Continue with implementation of Communication Strategy throughout Local Plan timetable</p>	PR1