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Archwilydd Cyffredinol Cymru  
Auditor General for Wales

# Findings of our Call for Evidence on Planning Services



WALES AUDIT OFFICE  
SWYDDFA ARCHWILIO CYMRU



The Wales Audit Office study team who delivered the work comprised Nick Selwyn, Emily Owen, Gareth Jones and Duncan Mackenzie, under the direction of Jane Holownia.

**Huw Vaughan Thomas**  
**Auditor General for Wales**  
**Wales Audit Office**  
**24 Cathedral Road**  
**Cardiff**  
**CF11 9LJ**

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**Mae'r ddogfen hon hefyd ar gael yn Gymraeg.**

# Summary report

- 1 The Auditor General for Wales undertakes a programme of local government studies. These studies focus on a single issue or policy area and review performance and use of resources by public bodies across Wales. The Auditor General consulted on his local government studies programme in December 2015 and adopted a three-year provisional programme – **Exhibit 1**. The three studies selected for 2018-19 focus on service areas where new legislation has recently been introduced.

## Exhibit 1: Auditor General’s programme of local government studies 2016-17 to 2018-19

2016-17	2017-18	2018-19
How local government manages demand: Homelessness services	Integrated Care Fund	Tackling violence against women, domestic abuse and sexual violence
Strategic commissioning of learning disability services by local authorities	Using data effectively	Value for money of planning services
Improving wellbeing through housing adaptations	How well do public services provide services to rural communities	Social Services and Well Being Act 2014

Source: Wales Audit Office

## Purpose of the call for evidence

- 2 In setting his programme in March 2016 the Auditor General notified local authorities that he intended to undertake a small evidence gathering exercise to determine the focus for his work but also gather evidence that can be used to judge how well public bodies are performing when conducting these reviews in 2018-19. In conducting the call for evidence the Auditor General sought responses on a series of questions focussed on:
  - current approaches;
  - the risks and opportunities presented by the recent changes in legislation and policy; and
  - how these are anticipated to influence and improve service delivery for citizens and service users.
- 3 We will conduct further work to develop ideas and themes for the study during 2018-19. The findings from this report will feed into this process and form part of our evidence base, from which we will produce our project brief outlining the scope and remit of the study. We will test progress by public bodies in addressing issues raised in the call for evidence.

# Detailed report

## Findings of our call for evidence on the Planning (Wales) Act 2015

- 1.1 The Welsh Government recognises that the planning system plays a central role in creating sustainable communities. [The Planning \(Wales\) Act 2015](#) (the Act) gained Royal Assent on 6 July 2015. The Act sets out a series of legislative changes to deliver reform of the planning system in Wales, to ensure that it is fair, resilient and enables development. The Act seeks to address five key objectives:
  - a a modernised framework for the delivery of planning services;
  - b strengthening the plan led approach through the introduction of a National Development Framework and Strategic Development Plans;
  - c improved resilience by allowing Welsh Ministers to direct local planning authorities to work together and for local planning authorities to be merged;
  - d frontloading and improving the development management system; and
  - e enabling effective enforcement and appeals to secure prompt, meaningful action against breaches of planning control and increase transparency.
- 1.2 An effective planning service will be at the front of shaping the character, development and prosperity of a local authority or national park. Given the requirements of the Act, it is important that planning authorities ensure that their services are fit for the future to ensure they meet both their statutory responsibilities but also support the delivery of corporate, regional and national priorities.
- 1.3 Our call for evidence was provided to planning authorities, the Welsh Government and national umbrella organisations to gauge their views on the planning system, changes in demand, resources and anticipated opportunities and risks in the next three-to-five years. We received responses from five local authority planning teams, all three national parks and two national umbrella organisations. Their responses, and evidence gathered from other sources, are summarised below. We will judge progress by public bodies in addressing these issues, risks and challenges when completing our review work in 2018-19.

## Continuing reductions in resources and difficulties retaining staff with sufficient knowledge and experience are reducing planning authorities' ability to deliver their statutory responsibilities

- 1.4 Within planning services, every respondent to our call for evidence raised concerns about the resource they had available to deliver the planning service in their area. This ranged from reductions in the overall numbers of staff employed in the service, to gaps in back office, administration and support staff. Whilst respondents felt that they are able to carry out all their statutory and service functions, concerns about resilience in the service and the long-term viability of existing staff structures were frequently raised. Many anticipate further cuts to their budgets and resources, including the non-replacement of retiring staff, and the loss of specialist officers such as ecologists. Some respondents also noted that staff and resource reductions in other local authority departments will also impact on the work of planning services – for example, in areas such as environmental health, highways and biodiversity.
- 1.5 One common theme from respondents was a growing concern that the reduction in staff was resulting in a loss of experience and knowledge. Training in specialist planning policy and specific types of planning applications was consequently seen as a growing issue of concern. The loss of both knowledgeable and specialist officers is recognised as a key service risk which will reduce the capacity and ability of planning teams to maintain and deliver services.
- 1.6 Additionally, respondents noted that applications for different types of schemes and developments (for example, landscape architecture) are becoming more common, which can require officers to develop new skills and knowledge to handle. Uncertainty also exists within local planning authorities with regard to the future demand for the service. Some authorities think demand will remain constant, or decline. However, many others feel that external factors, such as the impact of Brexit, the strength of the economy and changes in policy and focus from the Welsh and UK governments will result in growing demand.

## Management of planning applications and the use of planning agreements continue to be challenging for planning authorities

- 1.7 Engagement with the public and applicants during the planning process was noted as an area with potential for improvement by some respondents. Several authorities are looking for a better electronic/on-line interface to manage applications. Another suggested that a change in legislation to allow on-line notification of major applications, Environmental Impact Assessments and Listed Building Consent should be explored – one planning authority stated they have spent £70,000 in the past five years on press notices, a process that is not evaluated to measure its effectiveness. This figure, they assert, is bound to increase now that authorities are required to also place Welsh language advertisements.
- 1.8 A regular comment from respondents was that mortgage lenders need to adapt their policies and become more flexible when providing mortgages on buildings included in Section 106 agreements for affordable housing and infrastructure development. Additionally, some planning authorities suggested a Wales-wide approach (a ‘common template’) for applicants’ solicitors to draft up Section 106 agreements on behalf of the planning authority would reduce the time taken to get decision notices issued.

## The introduction of Strategic Development Plans is seen as positive by most respondents

- 1.9 Respondents highlighted the potential benefits of the recent introduction of Strategic Development Plans (SDP) which will allow for planning and development to be viewed in a collaborative perspective. The changes also strengthen regional working and the development of regional strategies. However, respondents felt this will also produce additional demands on planning offices. A number noted that whilst the Welsh Government’s expectation is that Local Development Plans<sup>1</sup> (LDP) will become ‘light touch’, in reality this is unlikely to change. The requirement to produce both SDPs and an LDP, which remains a statutory duty placed on all local planning authorities, will stretch reduced resources further.

1 A local plan sets out local planning policies and identifies how land is used, determining what will be built where, and provide the framework for development across Wales.

## Whilst the Welsh Government is providing some good support and assistance to planning authorities, there are areas of planning activity where their input and approach needs to improve

- 1.10 Some respondents commented positively on the support and assistance provided by Welsh Government. In particular, Planning Policy Wales, Technical Advice Notes and Chief Planning Officer letters were highlighted as helpful in shaping and directing their work.
- 1.11 However, others identified a range of issues where the support and assistance of the Welsh Government needs to improve. These include providing more in-depth and regular training to authority planning committee members and town and community councils and more focused and regular meetings between planning authorities and Welsh Government officials, particularly when new guidance and/or policy is being introduced to ensure it is properly embedded. Whilst Welsh Government officials are helpful in providing advice and guidance, there is concern that their views are given undue weight in plan preparation and specifically at Examination<sup>2</sup>.
- 1.12 Some respondents felt that emerging Wales-wide standardised procedures such as the scheme of delegation need to be carefully worded to ensure local inputs and influences are captured and supported. Some respondents also felt that the Welsh Government's policy approach was resulting in arm's length micro-managing of local authorities, which was considered unhelpful. Specifically, respondents noted that guidance on legislative changes is often poor and the changes are often impractical to implement showing a lack of understanding of the practical challenges of delivering planning services on the ground.
- 1.13 Two North Wales planning authorities noted that the previous provision of two Welsh Government planning officers based in their Llandudno office has now stopped. This leaves no permanent planning provision in North Wales for planning authorities to call upon. A number of responses also noted that indicators used to measure planning services were quantitative, not qualitative. Whilst the responses accepted that qualitative data is hard to produce, they felt it would provide a more balanced overview of the service being provided.

<sup>2</sup> Once an authority has prepared its LDP, there is an examination by an independent Planning Inspector to consider the 'soundness' of the plan, with hearings held in public.



## The effectiveness of Planning Committees, Elected Member engagement and decision making is mixed

- 1.14 Most respondents stated that they have an efficient and effective decision making process, with engaged and knowledgeable elected Members. Several respondents noted the growing use of schemes of delegation with decisions vested in officers and made under delegated powers to speed up planning applications. Planning authorities are also beginning to make more of their documentation available on line and implement more efficient processes, including the improved use of technology and a move towards a paperless environment to support applicants and improve transparency in decision making.
- 1.15 A number of weaknesses where processes needed to be improved were also highlighted. For example, whilst elected Members are well-trained, they are not fully aware of the pressures placed on authority's staff to determine applications. Several respondents noted that elected Members often take decisions against the recommendations and advice of Officers but were reluctant to take responsibility for any negative impact resulting from their decision. In addition, major planning applications were nearly always delayed because comments were rarely provided by consultees within the statutory timescales, and officers and Elected Members were reluctant to proceed until feedback was provided and considered.

# Appendix 1

## Organisations we surveyed and responses

The organisations we invited to contribute to this call for evidence were:

- All 22 local authorities
- WLGA representative
- All National Parks
- National umbrella planning organisations

We received responses from:

- Five local authorities
- Three National Parks
- Two representative bodies

Wales Audit Office  
24 Cathedral Road  
Cardiff CF11 9LJ

Tel: 029 2032 0500

Fax: 029 2032 0600

Textphone: 029 2032 0660

We welcome telephone calls in  
Welsh and English.

E-mail: [info@audit.wales](mailto:info@audit.wales)

Website: [www.audit.wales](http://www.audit.wales)

Swyddfa Archwilio Cymru  
24 Heol y Gadeirlan  
Caerdydd CF11 9LJ

Ffôn: 029 2032 0500

Ffacs: 029 2032 0600

Ffôn Testun: 029 2032 0660

Rydym yn croesawu galwadau  
ffôn yn Gymraeg a Saesneg.

E-bost: [post@archwilio.cymru](mailto:post@archwilio.cymru)

Gwefan: [www.archwilio.cymru](http://www.archwilio.cymru)