Croydon Development Management Processes Review

Contents

Executive summary

The Croydon Development Management Process Review should be considered as part of a package of support provided by PAS. It provides detailed feedback on the processes followed by Development Management in Croydon and the resources available to manage workloads. However, it is not backed up by detailed discussion and interviews with the staff and users of the Development Management service. It also has not considered in any detail the soundness of decision making through the Planning Committee process. Therefore, it should be considered alongside the Peer Challenge that took place after the process review (21-23 June 2022) and not considered in isolation.

Croydon's Development Management service has some excellent practices and clearly has experienced, knowledgeable and dedicated staff. Some areas of the service can be held up as national best practice in their approach. The staff are however clearly struggling to cope with the workload and some of the processes that have been put in place cannot function effectively with the level of staffing that currently operates at Croydon.

The staff structure is set up in a logical manner with clear allocation of responsibilities between managers, principal / senior officers, more junior officers, and technical support staff. The teams are also set up in a logical geographic split with one team managing most of the strategically important development opportunities.

The workloads of staff have become unsustainable with individual caseloads at any one time being far in excess of what would be reasonably manageable and these workloads need to be reduced urgently to avoid further pressures on performance and for the wider wellbeing of staff. Staff morale is clearly at a low ebb and the welfare of staff needs to be a urgent concern for the Council.

Croydon has an excellent system in place for managing key performance targets in terms of workload and speed of decision making and has an excellent Development Management Manual that is an example of national best practice. The service would benefit from further performance monitoring based on appeal performance, extensions of time and individual officer performance indicators.

Job descriptions are generally sound but in some cases need updating to reflect the changes in staff structure and procedures that have taken place in recent years.

Croydon offers a very comprehensive pre application service and its suite of services should be held up as best practice. However unfortunately the staff are not able to deliver on the service offered due to lack of resources to dedicate time to pre applications or to respond in a timely manner.

Croydon has changed its validation processes to provide a more customer focused approach whereby the case officer takes ownership of an application at the submission stage. The approach of Planning Officer validation is followed by other Councils very successfully. However in reality it has significantly slowed the validation process is causing a crippling impact on the speed of decision making. Performance is also being significantly affected by the resources available from internal consultees both through a lack of staff and the contracting out of certain functions that has meant that Planning is competing for scarce resources.

There is a very comprehensive scheme of delegation and Planning Committee code of practice in place and this appears to be working effectively. It does require a review with the need for clarification and additions and should be considered when appropriate to do so.

Officer reports are also very comprehensive and provide best practice in terms of quality and layout. Some relatively minor additions and refinements may be beneficial.

Workloads for Enforcement officers, as with planning application case officers are currently proving unmanageable and this is affecting the wellbeing of staff and the reputation of the Council. There is an urgent requirement to remove the backlog of cases and to improve the reporting and investigation processes. Some of the best enforcement best practice is seen in other London boroughs who could support Croydon in this respect.

Finally, due to the volume of correspondence received, managers are taking a disproportionate amount of time in dealing with a large number of complaints and councillor enquiries. This is preventing them from carrying out their other management functions. This is having a significant impact on performance and reputation which in turn is creating more complaints. This is a cycle that needs to be broken and this issue will be investigated further through the Peer Challenge.

Other issues such as IT are a clear problem to staff and have not been investigated in any depth by the team due to time constraints, but will be investigated through the Peer Challenge.

Recommendations

Service structure

1. Benchmark titles, experience, and salaries with neighbouring authorities to determine whether the current approach is reducing the ability to recruit.
2. Employ additional resources on a temporary basis to increase resources and address the applications backlog so that staff can be offered a manageable caseload (see also separate recommendation under Enforcement section) - Priority recommendation
3. Undertake a PAS Resource Review to identify the staffing resource required to deal with the ongoing workload demands and prevent the build-up of backlogs of both applications and enforcement cases.

Performance Management

4. Re-introduce the appeals monitoring process and include a regular report to Planning Committee. Monitor major appeal decisions and the Government quality measure using the PAS "Crystal Ball" particularly with reference to the appeals for non-determination
5. Identify Service, team and officer specific KPIs and ensure they are monitored and included as an integral part of the relevant meetings i.e., Service, Team and 1 to 1s.
6. Through this current Development Management Review and Peer Challenge focus on ways in which speed of decision making can be improved, particularly for non-Majors so that use of EOTs can be reduced. In particular establish targets for reduced use of EOTs focused particularly on non-Majors
7. Ensure the DM Manual is regularly reviewed and kept up to date.

Job Descriptions (JDs)

8. Review all JDs to ensure they accurately reflect the work that the grade is expected to undertake. In particular focus on the following issues:
- Include the purpose of planning (delivery of quality place making, high quality developments, sustainable development and growth etc) in all JDs
- Include reference to delivering sustainable development in accordance with the Development Plan and other relevant material considerations
- Review the general consistency of structure; content; and cascade of purpose, outcomes, deliverables depending on role and seniority.
- Include a clear approach to Development Management performance management throughout the JDs. Refer to developing and setting individual and team KPIs; and undertaking performance management functions such as 1 to 1s, team meetings, coaching, mentoring etc.
- Review the language used in the JDs to ensure it reflects the approach to Development Management that Croydon wishes to take. In particular remove some of the 'process' language.
- Update JDs to reference the current structure e.g. so that reference is made to North and South Development Management Teams not Central
- Refer in all JDs the responsibility, at every level, to updating (or assist with updating), improving and implementing the DM Manual.

Officer Morale

9. Dedicated time should be given to staff share experiences and problem solve, as well as providing a safe space for voicing concerns. This should be done at a variety of scales. Croydon should programme in a whole department away-day focussed on staff morale and specifically the journey of improvement being undertaken. In addition, time within the Development Management Team meetings should facilitate a discussion on staff morale and current issues. It is important time is dedicated to staff morale and wellbeing and this should be set aside from business as usual.

10. The existing programme of informal mentoring should be developed further to encourage peer to peer learning across all levels of the department.

Pre apps and PPAs

11. As Part of Croydon's Resource Review assess the resourcing requirement (skills, experience, and quantity) to effectively resource pre application and PPA services and the amount of income that can be achieved.

12. Join the PAS pre app / PPA network that is being established as part of the 2022/23 PAS work programme. This will allow Croydon to draw upon good practice and share learning with other similarly sized Councils.

Registration and Validation

13. For a temporary period of time revert the validation of planning applications back to the Technical Support Team (following recruitment and training) to free up planning officer time to assess planning applications. This will require additional resources in the Technical Support Team.

14. Hold a workshop session with officers and Tech Support as part of recommendation above to help break the cycle of delays in validation

15. Use the Enterprise system fully to allow allocation of applications to take place without the use of alternative systems

16. Use the existing agents forum arrangements to help agents and Planning team work together and jointly own the performance issues.

Consultees

17. The issue of consultee resourcing and the knock-on effect it has on planning needs to be addressed in the service and corporately to ensure pre-application responses and applications can be efficiently assessed and determined.

18. Consider the costs and benefit in relation to employing an in house viability expert.

19. Investigate the increase of internal planning solicitor resource (and a clear long term approach to external legal support) that can be more accessible and timely to ensure robust decision making.

Scheme of Delegation and Planning Committee Code

20. Review some of the existing wording in the procedures and code where there could be potential problems. These include:
- Consider whether referrals should relate to matters contrary to officer recommendation rather than just objections
- Consider an alternative way of agreeing who speaks when multiple requests are made
- Review the enforcement section
- Need to review procedures for Planning Sub Committee when time runs out at full Planning Committee to consider the items.
21. Consider having the following additional sections including:
- Clarify roles that the Lead Officer, Legal Officer and Democratic Support Officer should take during the Committee
- Guidance on complaints procedure and reference to LGO and JR
- With regard to Member applications define a close relative
- Provision for dealing with S106 amendments
- Set out the different referral routes in summary table to make it easier to understand
- Include guidance on private interests separate from Disclosable Pecuniary interests
- Include a reference to allowing officers to point out any potential costs issues if Members are voting against an officer recommendation
- Include a monitoring and review section e.g. reviewing decisions of Committee, annual site visit as learning an reflection

Quality of Officer Reports

22. Introduce a standardised template for section headings in all officer reports
23. Include a section within reports that reference relevant emerging policies and how they apply to the development as material considerations.
24. Include within Reports statements on: Human Rights, Equality Act and Financial considerations.

Enforcement Practices

25. Employ additional temporary staff to increase resources to enable the Enforcement backlog to be reviewed and reduced
26. Review procedures for taking formal action by benchmarking against other London Boroughs
27. Review enforcement reporting so that it is given greater exposure to Members and senior officer

Customer Service and Communication

28. Consider a better process for managing the complaints received that identifies the most appropriate level within the organisation where a response should be made and an administrative process for ensuring that complaints are responded to on time. This could include better communication on the Council's website to indicate what matters can be considered as complaints and what matters are outside the scope of the Council's jurisdiction.

29. Introduce a more formalised learning through experience process so that lessons can be learnt on all areas of Planning including a celebration of things that have gone well and where officers have been praised
30. Work with the communications team to establish approaches to counter negative media coverage and celebrate good stories
31. Review the effectiveness of sending neighbour letters as well as site notices. If neighbour letters are still required then review the process notes to ensure that the process is robust

1.   Introduction

1.1 The Planning Advisory Service (PAS) has been asked by Croydon to provide support and advice on improvements that can be made to its Planning service and in particular the Development Management function. This is following a dip in performance based on the DLUHC measures on speed of decision making and increasing pressure being experienced by staff to meet the expectations of Members, developers and the public in the discharge of its Planning functions.

1.2 The Planning Advisory Service (PAS) is part of the Local Government Association (LGA). PAS provides high quality help, advice, support and training on planning and service delivery to councils. Its work follows a 'sector led' improvement approach, whereby local authorities help each other to continuously improve

1.3 The purpose of this review is to examine in detail the effectiveness of the Development Management procedures that are in place to manage the Council's Development Management function. They were assessed against the broad principles set out in the PAS DM Challenge Toolkit. This review forms the first part of a package of support being provided by PAS. It will be complemented by Planning Committee Member training and a LGA Peer Challenge focused on Development Management, Planning Committee and Planning Enforcement.

1.4 The PAS team was provided with a wide range of information and data to undertake the review. This included: staff structures; performance information; adopted policies and guidance; procedure manuals; and sample officer reports. In addition the team interviewed the senior management team responsible for planning and a selection of staff within the department. However the team did not interview any Council staff outside of the Planning teams or any customers of the Planning service. The reason for this is because the work forms just one element of the package of support to Croydon and is only looking at the procedures that are in place to support the Planning service. The Peer Challenge work will involve detailed discussions with the various customers of the Planning service.   For this reason the Croydon Development Management Process Review should not be looked at in isolation but in tandem with the Peer Challenge report.

1.5 As the review forms part of a larger package of support some of the recommendation will refer to the other areas of work that will look into the issues in more detail.

1.6 The review team included members of the PAS Team and a consultant employed by PAS. The team included:

Gilian Macinnes, Planning and Placemaking Advisor, Gilian Macinnes Associates
Shelly Rouse, Principal Consultant, PAS
Peter Ford, Principal Consultant, PAS

2. Development Management Service Structure

2.1 The current structure appears reasonable for the volume and nature of Development Management work and it is the issue of resourcing within this structure that is the main area of concern. It is area based, with North, South and Central teams plus the Enforcement and Technical Support teams (illustrated on the structure chart). It is beneficial to have the area Development Management teams and Enforcement and Technical Support teams managed by the same manager to aid prioritisation and ensure that all those involved in the Service understand their role and the roles of others and to enable staff to work together to provide an effective Development Management service.

2.2 The recent budget cuts saw the loss of a team manager in the North Team, but CIL money is being used to reinstate a team manager. We understand that Croydon previously had a Strategic Sites Team. The Central Team is now responsible for a large proportion of the large, high-rise developments. We understand that the management aim is to include matrix management to enable officers to get experience of all types of work even if it is in a different team, due to the different nature of the work in the different areas. We consider that this team structure can work provided that the officer numbers and skills and experience reflect the quantity and type of work that they are doing.

2.3 With reference to the team structures, role profiles and workload it appears that a senior officer at Croydon carries out similar work to a principal officer in other authorities as they are expected to have 4-6 years experience. Due to the difficulty recruiting experienced staff, Team Leaders (TL) and Deputy Team Leaders (DTL) undertake case work, reducing their time to manage, supervise, coach and mentor team members.

Roles and Responsibilities

2.4 Team Leaders (TL) manage the teams and undertake allocation; Deputy Team Leaders (DTL) undertake day to day management and undertake the majority of sign off and manage some strategic applications; Principal Planning Officers (PPO) have some management responsibilities, but focus on Major applications; the Senior Planning Officers (SPO) are having to cover Planning Officers (PO) workload on more minor applications as there are insufficient POs to be able to manage the volume of Householder/Other applications that are received at Croydon. In terms of workload management, DTLs can run caseload reports by officer to manage workloads and performance. The TLs are all considered to be very knowledgeable but *'need time to get their head above the parapet'* (quote by officers*)*

2.5 The difference between the DTL and PPOs does not appear to be reflected in the Job descriptions (see below – Job Descriptions section).

2.6 In terms of role, the planning officers now undertake their own validation, which has resulted in a reduction in the number of technical support officers. It also results in a reduction in planning officer resource to assess planning applications. It can be desirable to have the same officer assessing and validating an application, however, this requires planning officers spending a greater amount of their time on each application. This new way of working (based on the "Wolverhampton approach") was brought in to improve the customer experience. Issues regarding registration and validation are considered further later in this report.

Overall staff resources – planning applications

2.7 We considered the number of officers and applications being managed by individual staff and also feedback from individual members staff.

2.8   During the interviews with staff the following comments were heard:

   'There are not enough 'bums on seats'.

   ' We need support –specialist support'

   'We need more officers at the correct level, with experience, we are short of senior knowledge and experience'

2.9   These views appear to be confirmed when reference is made to the comparison table (see below) for all live applications and applications per case officer and the review of establishment (full time equivalents (FTEs) before and after the cuts). There appears to be a mismatch in overall resources and the total number of applications received and this mismatch has been getting progressively worse for several years.

Comparison weeks	all live Apps	live majors	Max per officer	Ave apps per career grade officer	total staff that week	Decision per FTE
28/3/22-1/4/22	1606	76	85	130	12.4	6.5
30/3/20-3/04/20	1006	59	55	59	17	5.4
26/3/18-30/3/18	728	54	49	46	16	4.9

Source data provided by Croydon BC – DM Monitoring

2.10   The department has supplied additional data on staff numbers in terms of establishment and temporary staff.

2.11   The current staffing consists of 35.8 permanent positions 32 of which are funded by the organisation (establishment) and 3.8 which are currently unfunded.

2.12   Under the previous structure, prior to the cuts there were 35 FTE equivalent officers plus between 5-7 temporary staff, excluding enforcement officers

2.13   The total number of enforcement officers has been reduced from 6 to 4.8 FTE equivalents following recent budget cuts..

2.14   Both Planning Officers (management and areas teams) and Enforcement are using CIL Admin proportion to fund posts.

2.15   Croydon has previously been quite stable in terms of staffing in Development Management, however, in the last couple of years it has experienced a churn of staff and this has had a negative impact in terms of capacity. There has been more successful recruitment recently (July 2021 Advertisement campaign) with 3 previous members of staff returning to Croydon.

2.16   The Council's financial situation has had an adverse impact on staffing, we understand that temporary staff that left were not replaced and as part of the cuts other temporary staff were not retained. This resulted in an increase in the number of applications per officer. Pre -May 2020 money had been allocated to address the staffing issues but when 15% savings were

sought we understand the money for the staffing went to savings. We are told the Spatial Planning Team was required to make just over 15% savings in 2020 reducing the staff establishment of the Service. We also heard that as a consequence of the post Section 114 recruitment restrictions, a good proportion of Spatial Planning for a period of just over six months helped Development Management to tackle the backlog with a direct impact on the programme for delivery of the Local Plan review in particular.

2.17   Planning case officer caseloads peaked at 100+ applications for some officers plus validation and appeals, but we understand that this has now been reduced to 60-80 applications on average plus validation plus appeals.   Even with this reduced caseload it is clearly unsustainable and must be reduced to safeguard the wellbeing of staff and the reputation of the Development Management service. Whilst it is very difficult to provide a reasonable average caseload without undertaking and productivity and resource review, a national benchmark of no more than 40-50 live (i.e. validated and being considered) cases per officer at any one time is generally accepted as reasonable. In Croydon's case this number should, if anything, be reduced due to the relatively high number of Major applications submitted.

2.18   A comment was made that some officers take leave to do work, to have quiet time. If this is true then it is unsustainable and has serious wellbeing implications.

2.19   In terms of Enforcement we understand that the team leader left in October 2021 and most of the remaining team have since resigned. (See Review of Enforcement Practices – below). However there has been recruitment of permanent and temporary staff to Enforcement since that time.

Recommendations
- Benchmark titles, experience, and salaries with neighbouring authorities to determine whether the current approach is reducing the ability to recruit.
- Employ additional resources on a temporary basis to increase resources and address the applications backlog so that staff can be offered a manageable caseload (see also separate recommendation under Enforcement section) - **Priority recommendation**
- Undertake a PAS Resource Review to identify the staffing resource required to deal with the ongoing workload demands and prevent the build-up of backlogs of both applications and enforcement cases.
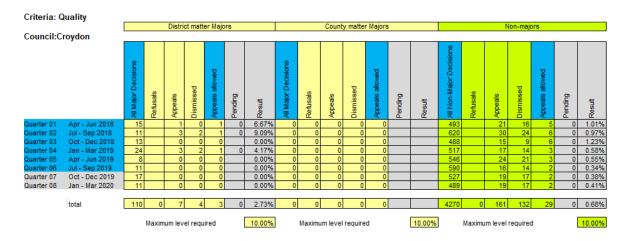
3.   Performance management
Overall approach

3.1   There is a clear awareness of Government's speed statistics and performance measurement at Croydon. This is monitored on a weekly and monthly basis with excellent procedures in place to monitor performance. There is an impressive range of other performance data that is recorded based on numbers of applications received and determined. Information is also provided on staff capacity and application volumes. However, there is a limited focus on other performance measurements, particularly outside the headline Government performance measures. Croydon's performance indicators (KPIs) are standard Government targets, there are no nuanced KPIs. There could be a greater emphasis on overall Service and Team performance and individual officers' contribution to that performance. It is important to embed performance management at all levels and make it integral to the management of the service. The suite of KPIs should feature in 1 to 1 meeting, team meeting and formal appraisals so that staff have a greater awareness of performance matters.

3.2 Croydon is struggling with regard to speed of decision making. In regard to Major applications performance has deteriorated significantly since July 2021 and Croydon is likely to be at risk of not meeting the minimum speed threshold of 60% at the end of the DLUHC assessment period (end of September 2022). Speed of determining non-Major applications has, in the main been below the minimum threshold of 70% throughout the DLUHC assessment period except for the quarter April to June 2021. If current trends continue Croydon will also be below the minimum DLUHC threshold at the end of the assessment period.

Croydon — Designation Period 2020_2022

Criteria: Speed
Council: Croydon

Quarter	All Major Decisions	Major Decisions within 13 weeks	PPA, EoT or EIA Decisions	PPA, EoT or EIA Decisions in time	Out of time	Result	Quarter	All Major Decisions	Major Decisions within 13 weeks	PPA, EoT or EIA Decisions	PPA, EoT or EIA Decisions in time	Out of time	Result	Quarter	Non-major Decisions	Non-major Decisions within 8 weeks	PPA, EoT or EIA Decisions	PPA, EoT or EIA Decisions in time	Out of time	Result
	District matter Majors (151a)							County matter majors (151b)							Non-majors (153)					
Q1 Oct - Dec 2020	13	2	8	8	3	77%	Q1							Q1	590	287	146	115	188	68%
Q2 Jan - Mar 2021	18	2	15	15	1	94%	Q2							Q2	537	241	141	106	190	65%
Q3 Apr - Jun 2021	10	1	8	7	2	80%	Q3							Q3	634	330	166	156	148	77%
Q4 Jul - Sep 2021	6	1	2	2	3	50%	Q4							Q4	569	245	168	147	177	69%
Q5 Oct - Dec 2021	11	0	8	5	6	45%	Q5							Q5	491	168	171	152	171	65%
Q6 Jan - Mar 2022	12	1	10	10	1	92%	Q6							Q6	508	186	247	231	91	82%
Q7 Apr - Jun 2022							Q7							Q7						
Q8 Jul - Sep 2022							Q8							Q8						
total	70	7	51	47	16	77%		0	0	0	0				3329	1457	1039	907	965	71%
Minimum level required						60%							60%							70%

Assessment is made late December 2022, for designation announcement early 2023

3.3 Croydon has performed much better on quality of decision making with only two Major appeals upheld during the current assessment period (2.73%) and 29 non-Majors upheld (0.68%). Therefore Croydon is unlikely to exceed the threshold of 10% at the end of the next assessment period – this is likely to be in autumn 2022.

3.4 Although Croydon's appeals record is good there have been two recent major non-determination appeals and two major application overturned recommendations for refusal that could have a significant adverse impact particularly on Croydon's major appeals quality performance in the coming months and years. This need to be carefully monitored.

3.5 We are advised that the planning appeals report to Planning Committee was stopped due to lack of staff capacity. It is important that the Members and officers are kept aware of appeal performance, committee and officer performance and the issues that are arising to help inform future decision making and ensure consistency of decisions and robust decision making. This does not have to be an onerous task with a simple reporting format.

Criteria: Quality

Council:Croydon

	District matter Majors							County matter Majors							Non-majors						
	All Major Decisions	Refusals	Appeals	Dismissed	Appeals allowed	Pending	Result	All Major Decisions	Refusals	Appeals	Dismissed	Appeals allowed	Pending	Result	All Non-Major Decisions	Refusals	Appeals	Dismissed	Appeals allowed	Pending	Result
Quarter 01 Apr - Jun 2018	15	1	0	1	0		6.67%	0	0	0	0	0			493	21	16	5	0		1.01%
Quarter 02 Jul - Sep 2018	11	3	2	1	0		9.09%	0	0	0	0	0			620	30	24	6	0		0.97%
Quarter 03 Oct - Dec 2018	13	0	0	0			0.00%	0	0	0	0	0			488	15	9	6	0		1.23%
Quarter 04 Jan - Mar 2019	24	3	2	1	0		4.17%	0	0	0	0	0			517	17	14	3	0		0.58%
Quarter 05 Apr - Jun 2019	8	0	0	0			0.00%	0	0	0	0	0			546	24	21	3	0		0.55%
Quarter 06 Jul - Sep 2019	11	0	0	0			0.00%	0	0	0	0	0			590	16	14	2	0		0.34%
Quarter 07 Oct - Dec 2019	17	0	0	0			0.00%	0	0	0	0	0			527	19	17	2	0		0.38%
Quarter 08 Jan - Mar 2020	11	0	0	0			0.00%	0	0	0	0	0			489	19	17	2	0		0.41%
total	110	0	7	4	3	0	2.73%	0	0	0	0	0			4270	0	161	132	29	0	0.68%
Maximum level required					10.00%							10.00%							10.00%		

3.6 The Council has a high level of delegation to officers circa 96%. There has been a high level of refusals in recent years which is likely to result in more appeals. The lack of a functioning Pre application service due to lack of staff resources will be feeding into refusal rate and the level of appeals (see also section on pre applications).

Quarters	% Granted
Oct to Dec 2021	64
July to September 2021 P	63
April to June 2021 P	72
January to March 2021 P	70
October to December 2020 P	66
July to September 2020 P	68
April to June 2020 P	73
Data Missing	
October to December 2019 P	81
July to September 2019 P	84
April to June 2019 P	84
January to March 2019 P	87
October to December 2018 P	89

Use of Extensions of Time (EoT)

3.7 At Croydon, there is extensive use of extensions of time agreements (EoTs). This is quite common with major applications but the extensive use of them for non-major applications is concerning. It appears that they are being used as a 'sticking plaster' to manage the resourcing difficulties being faced by the service at present. This approach is not a long term solution, it is building up the backlog and storing up further difficulties for the future.

3.8 In December 2021, 29% of all applications had an EoT for the rolling 24 month period, with 72% of applications being determined in time or an extension of time; for the October - December 2021 quarter, 35% of non-major applications had an EoT with 65% of applications determined in time; and in July - September 2021, 43% of non-major applications had an EoT with 69% of them determined in time. This was the peak use of EoT's. For major applications, there were 72.7% EoT in the October -December 2021 quarter and 70.5% for the 24 month rolling period. This is less unusual or concerning for major applications. However, it should be noted that, regardless of the use of EoT, in the quarter ending December 2021 only 45.5% of major application were in time or with an agreed EoT.

Applications Flow and Backlogs (in Hand) based on those applications that are included in the DLUHC PS2 returns

Application Flow - Table 133	Total applications received	Total decisions	*% of decisions delegated to officers*	Total decisions granted	*Percentage of decisions granted*	Applications on hand at the beginning of the quarter	Applications withdrawn called in or turned away	Applications on hand at the end of the quarter
Oct to Dec 21	573	530	*97*	340	64	976	37	982
July to Sept 21	640	600	*98*	379	63	963	26	977
April to June 21	785	668	*99*	480	72	875	32	960
Jan to March 21	698	563	96	393	70	777	32	880
Oct to Dec 20	644	624	96	414	66	795	32	783
July to Sept 20	671	531	*97*	361	68	689	31	798
April to June 20	551	537	*97*	394	73	703	28	689
Missing								
Oct to Dec19	563	571	*96*	461	81	628	22	598
July to Sept 19	670	619	*95*	517	84	615	34	632
April to June 19	663	568	*95*	478	84	575	46	624

Application Flow - Table 133	Total applications received	Total decisions	*% of decisions delegated to officers*	Total decisions granted	*Percentage of decisions granted*	Applications on hand at the beginning of the quarter	Applications withdrawn called in or turned away	Applications on hand at the end of the quarter
Jan to March 19	618	557	*93*	484	87	543	30	574
Oct to Dec 18	607	526	*94*	467	89	509	43	547

Source: Government Planning Live Statistics

3.9   The table above (from DLUHC live table P133) illustrates the flow of applications and the significant backlog that Croydon is building up, from 547 in October-December 2018 quarter to 982 in the October -December 2021 quarter. Croydon has experienced an increase in applications received during the pandemic, with a high of 785 in April to June 2021. However, this has reduced back to 573 in the October - December 2021 quarter. There was an average of 640 applications submitted and 431 decisions issued in the 12 quarters where the data is available dating back to Dec 2018. The average number of applications submitted in the last four quarter increased to 674 with an average of 590 decisions issued. There was an average of 692 submissions with an average of 614 decisions issued in the year to Sept 2021. In considering the difference in applications submitted and decided over the period since December 2018, it is apparent that there has been an on-going issue with a building backlog (increasing in-hand figure). The critical time was the year from July 2020 until June 2021 when over 400 more applications were received than decisions issued. It should be noted that these figures are only the application types reported to DLUHC and do not include all application types. The backlog will be almost double when the full application workload is taken into account including those applications not included in the Government reported statistics, is considered (see Live Applications in the comparison table below).

Quarters	Application received minus decisions issued
Oct to Dec 2021	43
July to September 2021	40
April to June 2021	117
January to March 2021	135
October to December 2020	20
July to September 2020	140
April to June 2020	14

Quarters	Application received minus decisions issued
Data Missing	0
October to December 2019	(8)
July to September 2019	51
April to June 2019	95
January to March 2019	61
October to December 2018	81

3.10   The Table below gives the total number of applications, not just those required for the Government statistics applications types, received in the first quarter (approx.) for each of the sample years. This illustrates that the applications received have gone down slightly over this period but with percentage valid reduced from circa 40% to circa 30%.

1st Quarter (approx.)	Applications Received	Applications valid
year to 01/04/22	1238	388
year to 03/04/20	1346	527
year to 30/03/18	1391	534

Source data provided by Croydon BC – DM Monitoring

3.11   However, when the applications received is compared with the live applications (applications in hand) for the selected comparison week, based on Croydon's Development Management Monitoring which take into account all applications (see below), it identifies a large backlog that is growing and there are very high officer caseloads.

Comparison week	all live Apps	live majors	Max per officer	Ave apps per career grade officer	total staff that week	Decision per FTE
28/3/22-1/4/22	1606	76	85	130	12.4	6.5
30/3/20-3/04/20	1006	59	55	59	17	5.4

Comparison week	all live Apps	live majors	Max per officer	Ave apps per career grade officer	total staff that week	Decision per FTE
26/3/18-30/3/18	728	54	49	46	16	4.9

Source data provided by Croydon BC – DM Monitoring

3.12   The table above selects a week from this year, 2020 and 2018 to get a snapshot of the workload levels for each year and how they have changed. The large number of live applications (in hand applications) at present in comparison to previous years is clear. There is also a very high maximum case load and career grade case load (advised to treat this with caution), reduced staffing numbers but only a slightly increased number of decisions per officer. A note of caution, staffing numbers are taken per week and so do vary due to a variety of absence reasons (e.g. leave, sickness etc). The table refers to all applications not just those that are reported to the Government on the PS1/2 returns.

Effectiveness of DM manual

3.13   The DM manual is excellent with a great amount of information and detail that is easy to understand. It is generally well presented with good visual information including screen shots/graphics. Any officer joining Croydon would be well placed to understand the key components of the job and how to access support and advice. It is national best practice. The Head of Development Management advises that there are still more areas to be covered.

3.14   We are told that the DM Manual is used often by officers in day-to-day tasks and is particularly well used by newer officers learning the processes and procedures. The manual is considered by officers as a live document for them to improve and add to. Team leaders have recently been involved in the drafting of the newer areas, as referenced above.

Recommendations

- Reintroduce the appeals monitoring process and include a regular report to Planning Committee
- Monitor major appeal decisions and the Government quality measure using the PAS "Crystal Ball" particularly with reference to the appeals for non determination
- Identify Service, team and officer specific KPIs and ensure they are monitored and included as an integral part of the relevant meetings i.e., Service, Team and 1 to 1s.
- Support with speed of decision-making is being provided through this Development Management Review, Peer Challenge and Planning Committee training
- Through this current Development Management Review and Peer Challenge focus on ways in which speed of decision making can be improved, particularly for non-Majors so that use of EOTs can be reduced.
- Establish targets for reduced use of EOTs focused particularly on non-Majors
- Ensure the DM Manual is regularly reviewed and kept up to date.

4.   Job Descriptions (JDs)

General Overall

4.1 The JDs are generally sound and fit for purpose. However, there are some general points that could be used to help improve the consistency and relevance of the JDs. These are outlined below.

- There is a need for general consistency that can be cascaded through the JDs content. It would be clearer if all planning officer posts had the same basic structure and similar content that can then be varied based on the level and experience of each element required for the role. There are some purposes, responsibilities, outcomes and deliverables that should appear in all of them, although the deliverables are more likely to be different and will relate to the specific role and seniority. There should be a clearer cascade of these roles.
- The purpose of planning (delivery of quality place making, high quality developments, sustainable developments, growth etc) is generally missing from the JDs. The Purpose/Key outcomes should be clearly stated on all planners and support staff JDs
- There is mention of sustainable development in most JDs but no mention about delivering sustainable development having regard to the provisions of the Development Plan, in so far as they are material, and other relevant material considerations, unless material considerations indicate otherwise. This should be in all Planners' JDs
- There is a general lack of clear approach to Development Management performance management throughout the JDs. There is no reference to setting individual and team performance targets, or reference to the structures and approaches to ensure effective performance management – 1 to 1s, team meetings, coaching, mentoring etc.
- Reference is made to North and South Development Management Teams but not the Central Development Management team. Therefore an update is required.
- There is a lot of 'process' language that make the JDs sound very production line / administrative in content.
- The DM Manual is not overtly referred to in the JDs, however, everyone at every level should be responsible for identifying areas for update and improvement (although there also needs to be someone responsible for version control/overall approval)
- All the more senior Planner's JDs refer to requiring an accredited post graduate qualification even though accreditation can be achieved without a post graduate qualification. Therefore it may be more appropriate simply to refer to RTPI accreditation.

4.2 In addition to general comments on the JDs the following are specific comments in relation to individual JDs.

Head Of Development Management

- There is very little mention of the post's role in managing Enforcement and Trees
- The reference to KPIs and Performance focuses on reflecting corporate and central Govt KPIs and performance management measures, but in **Deliverables** there is reference to innovate and maintain KPIs, therefore, it does look as if the Head of Development Management has a role in developing/setting KPIs for members of her service.
- There is no specific reference to membership of the RTPI which is unusual for a post of this nature
- There is no mention of managing the Tech Support Team.
- There is no mention of Appeals in the introduction
- The JD Refers to responding to published KPIs but does not refer to creating them for the Development Management team (although it is referred to in 'Deliverables')

- The JD does not include the purposes of planning - delivery of quality place making, high quality developments, sustainable development and growth etc

Development Management Team leader
- No explicit mention of the postholder's Statutory responsibility as a cascade from Development Management manager
- The purpose of planning is missing
- The postholder's responsibility for management is very limited, there is reference to annual personal development Review , but not 1 to 1s, team meetings, support and coaching?
- The references to the postholder's responsibility for planning committee reports, attendance, presentation, and role in managing planning applications within the team are all a little unclear and should be given greater prominence.
- Is the postholder's role in undertaking planning applications and making recommendations on them the best use of a Team Managers' time? Should this be the exception rather than the norm? We suggest that the role should be focused more on managing the team.
- Under **Key areas for decision making** – add 'analysis' and refer to making recommendations for decision makers i.e. committee
- The JD states "responsible for the processing of all applications and related applications within an applications team". However "processing" sounds like a production line – should it perhaps use the word "assessment"?.
- The JD states "Responsible for the efficient processing of appeals to the Planning Inspectorate within an Applications Team" . This wording again makes reference to 'own case load' – this should be the exception rather than the norm
- The JD states "Responsible for the performance management of legislative services within an Applications Team". It is unclear what the management of legislative services is. We suggest this wording is made more explicit / clarified.
- No specific reference to membership of the RTPI which is unusual for a post of this nature
- The Deputy Team leader seems to require more 'management skills' than the Team leader. e.g. the Deputy Team Leader needs to develop 'individual management skills: disciplinary and
- The Deputy Team Leader also requires 'General application of employment legislation' but this is not referenced in Team Leader JD

Deputy Team Leader
- The JDs for Principal Planning Officer and Deputy Team Leader appear to be the same but saved under different titles?
- The reference to Internal Contacts should reference the whole range of internal consultees - a catch all phrase would suffice
- Under **Management of Staff** there is no reference to 1 to 1s coaching or mentoring more junior members of the team.
- Under **Responsibility for Pre app advice** reference should be made to advice to case officers
- There is little reference to performance management and setting of KPIs for team members

Principal Planning Officer
- The post appears to have the same JD as the Deputy Team Leader

Senior Planning Officer
- included within the Planning JD.

Planning Officer
- Under Purpose there is nothing about quality of development or sustainability of placemaking
- Under purpose there is nothing about outcomes and in particular forming recommendations in accordance with the Development plan and other relevant material considerations
- Under **Implementation of planning legislative matters** a lot of the requirements would appear to be above the remit for a planning officer?

Enforcement and Trees Team Leader
- Under Purpose there is nothing about outcomes, or about forming recommendations having regard to Planning legislation and the provisions of the Development Plan, in so far as they are material, and other relevant material considerations unless material considerations indicate otherwise.
- Under External and Internal Contacts reference should also be made to statutory consultees
- Under **Other Considerations** it would be helpful to include out of hours site visits and investigations
- Under **Responsible for the processing of planning enforcement investigations and tree works applications** reference is made to 'Evaluating and making recommendations on complex casework having regard to all material considerations'. It would be helpful to specifically reference the development plan.
- With regard to prosecutions the Court work should include High Court attendance for injunctive action
- Under **Essential Experience** the Development Management Team Leaders need several years' experience including complex and strategic development. It would be helpful if the same principle applied for the Enforcement and Trees Team Leader with several years' experience of complex applications and/or enforcement cases and experience of undertaking enforcement action.

Enforcement Officer
- Reference is made to the delivery of a responsive *Development Control Service*. It should refer to a Development Management service.
- The Internal and External contacts need to be reviewed.
- Other Considerations should refer to out of hours site visits

Tech Support Team leader
- Some of the references are quite dated, for example reference to banking cheques
- There is reference to validation but this activity is now carried out by Planning officers
- Reference is made to a duty officer even though we understand that this activity is no longer undertaken by the team
- Under **Management of Staff** there is no reference to 1 to 1s coaching or mentoring more junior members of the team.

Deputy Support Team Leader
- Some of the references are quite dated, for example reference to banking cheques
- There is reference to validation but this activity is now carried out by Planning officers

Recommendations:

- Review all JDs to ensure they accurately reflect the work that the grade is expected to undertake.
- Include the purpose of planning (delivery of quality place making, high quality developments, sustainable development and growth etc) in all JDs
- Include reference to delivering sustainable development in accordance with the Development Plan and other relevant material considerations
- Review the general consistency of structure; content; and cascade of purpose, outcomes, deliverables depending on role and seniority.
- Include a clear approach to Development Management performance management throughout the JDs. Refer to developing and setting individual and team KPIs; and undertaking performance management functions such as 1 to 1s, team meetings, coaching, mentoring etc.
- Review the language used in the JDs to ensure it reflects the approach to Development Management that Croydon wishes to take. In particular remove some of the 'process' language.
- Update JDs to reference the current structure e.g. so that reference is made to North and South Development Management Teams not Central
- Refer in all JDs the responsibility, at every level, to updating (or assist with updating), improving and implementing the DM Manual.
- Include other issues identified for each JD set out above

5.   Officer Morale

5.1   The development management officers appear to be well bonded and have a collaborative and supportive work ethic for each other. There are some long serving officers who bring a depth of experience and the 'shared learning that occurs with the less experienced officers is evident. Team Leaders are very experienced and knowledgeable but are distracted by the level of complaints they need to process and need time to get 'above the parapet'.

5.2   The Council's financial situation, coupled with the increasing workloads has impacted staff morale. Officers perceive that senior leaders within the Council hold 'Planning', as a department, to account for any and all complaints related to the built environment, with a perception that officers must be at fault until proved otherwise; and this leads to a lack of feeling valued as council employees.

5.3   Officers provided experiences of working late hours and weekends to keep on top of workloads. We also heard that officers have had negotiations within their teams as to who can next take time off with stress so as not to impact the remaining officers too much. This is clearly unsustainable and potentially impacts wellbeing of officers in the longer term.

5.4   Issues of staff morale will be considered in greater depth through the Peer Challenge where there will be an opportunity to speak to a wider selection of staff.

Recommendations

- Dedicated time should be given to staff share experiences and problem solve, as well as providing a safe space for voicing concerns. This should be done at a variety of scales. Croydon should programme in a whole department away-day focussed on staff morale and specifically the journey of improvement being undertaken. In addition, time within the Development

Management Teams meetings should facilitate a discussion on staff morale and current issues. It is important time is dedicated to staff morale and wellbeing and this should be set aside from business as usual.

- A programme of mentoring should be introduced to encourage peer to peer learning across all levels of the department.

6.   Pre-applications and PPAs

6.1   The Pre applications advice appears to be well differentiated and explained on the website and particularly in the customer advice note. It directs the customer to the anticipated best service for their type and scale of development. Croydon was recognised by the Farrell Review 2013 as best practice in proactive town planning and placemaking- fully embracing pre-application engagement at all levels.

6.2   We were told that Croydon provides a comprehensive pre-application and PPA offer within the Planning service using the knowledge and expertise of Strategic Planning and Strategic Transport to support the case officer in forming their response. Therefore the resources needed to support the pre-application and PPA service on offer by Croydon reach beyond the capacity of the Development Management teams.

6.3   The Development Team Service (DTS) for the largest and most complex applications directs developers toward Planning Performance Agreements (PPAs). The DTS is intended to speed up the planning process and give greater certainty to the developer. The PPA fee for pre app and post decision will be negotiated. The costs for meetings is set out, therefore the overall cost of the pre app can be assessed based on the number of meetings identified at the inception meeting (£4500 (+ VAT). The note is very clear about the payment of fees. There is also a dedicated officer service, and it clearly states that the additional cost of this will be met by the applicant and set out in the PPA. Clear expectations of both parties are set out and realistic caveats given e.g., external statutory consultees and probity issues regarding Councillors. The Planning Code of Good Practice clearly sets out the procedures for Members and officers to follow in relation to Pre application meetings. The advice is also clear that applicants, for some of the most complex projects, may seek meetings with senior Council officers prior to formal engagement and that these will be free but will not discuss the planning merits of the proposed development. There is a clear expectation that major, complex and sensitive development will undertake a Place Review. Also, any applications where there is doubt if an application will be determined in the statutory timescales there is an expectation that the applicant will enter into a PPA.

6.4   In addition to the Pre-application and PPA service, there is also a range of services to meet the circumstances including: amendments, discharge of conditions and a post decision (refusal) service, all of which meet the needs of the customer at different stages e.g. the post decision service recognises a group of customers that may be dissatisfied with the decision based on advice they have previously received and gives them an avenue to pursue.

6.5   The PPA/Pre-application service seems to be a very clear and comprehensive. However, at present, with resourcing issues and a backlog of applications, it is not functioning as it should. There is concern that although pre application services are available it is not possible to deliver the service offered in a timely fashion due to the lack of resources. This is likely to severely undermine confidence in these services and the Planning Service as a whole. Officers used to

do Pre-application responses in 10 days and now take an average of 3 months, therefore, developers are often not willing to wait for this service.

6.6   If it is not possible to resource the pre-application services, and sufficient staffing is not in place to meet customer expectations, it is inadvisable to still offer the same service. However, the lack of any pre-application services is likely to lengthen the determination time for live applications and reduce the quality of outcomes. It can lead to poorer quality applications and developments, more refusals, more appeals and, in the longer term, the need for more resources and greater costs. It will also impact on the ability for Croydon to secure the discretionary income it needs for meet budget targets. Therefore, recruiting additional staffing resources at the appropriately experienced level to undertake this pre-application and PPA services is essential to maintain development quality, speed of determination of applications and to minimise appeals. It is recommended, where possible, to invest in permanent posts rather than temporary staff or consultants, as it would be more cost effective and provide more resilience and stability to the service.

Recommendations

- As Part of Croydon's Resource Review assess the resourcing requirement (skills, experience, and quantity) to effectively resource pre-application and PPA services and the amount of income that can be achieved.
- Join the PAS pre-application / PPA network that is being established as part of the 2022/23 PAS work programme. This will allow Croydon to draw upon good practice and share learning with other similarly sized Councils.

7.   Registration and validation

7.1   Croydon has a very comprehensive set of process notes that are clear to understand and follow a very logical order. There is also a good use of Uniform IDOX to maximise the use of IT to manage and streamline the processes. According to Croydon's own figures there is an excellent take up of the Planning Portal to simplify the registration process (98-99%). The DM Manual is also used to good effect e.g. through the use of template descriptions.

7.2   Croydon has consciously learnt from other Councils to change the way that validation takes place to better meet customer service feedback. This has involved taking large parts of the validation process away from the Technical Support Team and empowering the case officer to take early ownership of validation and to work with the applicant to avoid minimal multiple handling of the decision-making process. This way of work does work very effectively in many Councils and has nationally received very positive feedback from applicants.

7.3   Unfortunately in Croydon's case the changes in validation have not been a success. Whilst under the management of Tech Support, validation was a quick process and we are told it was usually achieved in 5 working days. There are now substantial delays and it is now not uncommon for validation to take 4-6 weeks.

7.4   The reasons for the decline in performance is primarily due to a lack of staff to undertake the work so that a case officer's time is being split between reducing the backlog and validating new applications. If a case officer is overwhelmed by cases it is not surprising that they do not prioritising the validation of new applications. However, there are other issues with validation that appear to be slowing down the process and these are listed below:

- There is a new local validation list, officers have stated that developers and residents' associations have been informed and detailed comments have been received but not responded to. We are told that the Team Leaders are not currently in a position to progress this work due to other staff shortages.
- IDOX Enterprise appears to only be used by planning officers and so there is double handling with Tech Support using spreadsheets to identify applications that need allocation
- We are told that applications are not always validated sequentially and pressure is put on case officers to fast track some applications
- The allocation of applications is being slowed down by management capacity to find the time for allocating
- The digitisation of old applications is not complete, so reliance is sometimes needed to use microfiche or paper files to complete site histories
- Anecdotally we are also told that the use of case officers to validate applications results in a mini pre-application service with applicants that further delays validation and results in a loss of income that could have been achieved through pre-applications.

7.5 If caseloads were manageable for officers then the current system of validation could provide best practice for the Council and the customers. However, it is clearly not working at present and so changes are needed, even if this is only on a temporary basis. The current system is causing stress on the case officers who are not providing a good service, creating frustration with Tech Support who have to wait for weeks before an application can go live and creating a loss of confidence in the Planning service from applicants.

7.6 We have also been told about IT failures that are seriously hindering the smooth validation processes and creating additional work for planning officers. The review has not researched this matter in detail due to time constraints but it will be considered further through the peer challenge.

Recommendations
- For a temporary period of time revert the validation of planning applications back to the Technical Support Team (following recruitment and training) to free up planning officer time to assess planning applications. This will require additional resources in the Technical Support Team.
- Hold a workshop session with officers and Tech Support as part of recommendation above to help break the cycle of delays in validation
- Provide the necessary technical support to ensure that the Enterprise system is set up to allow allocation of applications to take place without the use of alternative systems
- Use the agents forum to help agents and Planning team to work together and jointly own the performance issues.

8. Consultees

8.1 We are told that there have been issues with consultees not responding in a timely way which has a detrimental effect on Planning Officers not being able to determine application in a timely way. In assessing the ability of the Development Management service to maintain speed and quality of service, it is important that consultees provide timely and quality inputs. Evidence suggests there is a mixed picture, with many consultees also struggling with resources and therefore unable to feed into the assessment in a timely manner.

8.2 The following comments were received by the officers interviewed in relation to consultees:

Ecologist – This input is outsourced to Essex County Council Place Services

LLFA (SUDs and Drainage) – A company, Arcadis, is employed by the Highways Directorate to provide the LLFA function. Written comments are only provided for major applications. There is standing advice for non-major applications. There has been training provided. However, comments are often needed for minor applications, particularly in areas of intensification and incremental issues. We understand this is a particularly significant concern for the public.

Environment Health (Contaminated land, noise etc) - Planning has a good relationship with Environmental Health but there is a lack of resources (finance cuts) and no service was available for the latter part of 2021/22. The Environmental Health service ran out of money and therefore it was not possible to provide a service without running over budget. Environmental Health is due to resume consultations in the new financial year (April 22).

Highways – there are major resource issues with only 2 officers available at the time of undertaking this review. This has caused a significant issue with their ability to comment on applications particularly in relation to the discharge of the construction logistic conditions.

Strategic Transport – Development Management provides funding for 2 Strategic Transport officers to allow capacity to comment on applications.

Waste –we understand that officers rarely respond on waste matters. There is policy document- Waste and Recycling in Planning Policy Document August 2015 – edited 2018.

https://www.croydon.gov.uk/sites/default/files/Bins%20and%20recycling/New_build_guidance.pdf

Built Conservation (Spatial Planning) – There is a lead conservation officer available and a vacant assistant post at the time of the review. We understand that since the review this post has been recruited to.

Placemaking (Spatial Planning) –There has been a reduced response due to vacancies and cuts, so comments are only provided for major applications (they previously commented on select intensification schemes). Development Management provides funding for 2 Placemaking Officers.

The Senior Affordable Housing Enabling Officer (Spatial Planning) -the officer provides advice and is in contact with registered providers but, unlike other London Boroughs, is not able to comment on viability. Therefore, the Council uses a range of consultants for viability advice. However we understand that this post is currently vacant due to budget constraints and this is putting further pressure on the Development Management teams.

Bio diversity net gain – There was no in-house expertise available at the time of the review.

Legal support

We understand that there are a number of issues with the provision of legal advice and these are summarised below:

- there is a lack of flexibility as all advice needs to go through the 'portal';
- There is very limited in-house resource (until recently a 60% of an FTE) resulting in sending out legal advice requests,
- externalising requests have been slow due to the requirement to gain approval from the 'spend control panel'. This has improved as an overall sum has been provided – but only

issue based advice can be sought not site specific. This must have a significant degree of risk as it is often site specific details that are key to the legal approach and it makes it more difficult to ask the correct question.

- The externalising of advice is expensive
- various personnel changes at Planning Committee has confused some of the roles taken by the legal officer and the Planning managers
- There was no pre committee advice on planning committee reports –Until March 2022 legal services would only being involved at a very late stage – pre meeting 1 hour before committee.

8.3   The legal advice position has now changed (post March 2022) and the external legal resource attends committee and are briefed on the agenda in the week running up to the committee but not prior to the agenda being published

Recommendations

- The issue of consultee resourcing and the knock-on effect it has on planning needs to be addressed in the service and corporately to ensure pre-application responses and applications can be efficiently assessed and determined.
- Consider the costs and benefit in relation to employing an in-house viability expert and whether recruiting to the Senior Affordable Housing Enabling Officer post could be beneficial as an income generating post.
- Investigate the increase of internal planning solicitor resource (and a clear long term approach to external legal support) that can be more accessible and timely to ensure robust decision making.

9.   Scheme of delegation and Planning Committee code

9.1   Croydon's scheme of delegation and code for Planning Committee is generally very comprehensive and easy to understand. Indeed, in many respects it should be considered as best practice for other Councils to follow. There are a few points listed below that may be helpful at the next review as the current scheme of delegation and code appears to date from 2016/17.

9.2   Referrals relating to residents' associations appear only to relate to objections rather than matters contrary to officer recommendation. This assumes that applications only need a Planning Committee referral if there are objections. However, this is not always the case and in certain circumstances applications recommended for refusal may be supported.

9.3   The decision on who will speak is potentially contentious as the Chair makes final decision on his / her judgement.

9.4   There is limited guidance on enforcement and this could be strengthened.

9.5   The provision for training could be clearer. It refers to the introduction training but what about renewal? In theory under the code a Member could just attend once and then not attend any more training events during their tenure on Planning Committee.

9.6   It is unclear on the roles of officers at Planning Committee e.g. Legal, Lead Officer and Democratic support.

9.7   There is confusion on when Planning Sub Committee items get delegated to officers. This was evident at the 27/1/22 Planning Committee.

Recommendations

- Review some of the existing wording in the procedures and code where there could be potential problems. These include:
1. Consider whether referrals should relate to matters contrary to officer recommendation rather than just objections
2. Consider an alternative way of agreeing who speaks when multiple requests are made
3. Consider if there should be refresh training for longer serving Members or compulsory annual training
4. Review the enforcement section
5. Need to review procedures for Planning Sub Committee when time runs out at full Planning Committee to consider the items.

- Consider having the following additional sections including:
1. 1.Clarify roles that the Lead Officer, Legal Officer and Democratic Support Officer should take during the Committee
2. Provide guidance on complaints procedure and reference to Local Government Ombudsman and Judicial Review
3. With regard to Member applications define a close relative
4. Outline provisions for dealing with S106 amendments
5. Set out the different referral routes in a summary table to make it easier to understand
6. Include guidance on private interests separate from Disclosable Pecuniary interests
7. Include a reference to allowing officers to point out any potential costs issues if Members are voting against an officer recommendation
8. Include a monitoring and review section e.g. reviewing decisions of Committee, annual site visit as learning an reflection

10.   Quality of officer reports

10.1   Croydon's officer reports, both delegated and those for planning committee, are generally very comprehensive and easy to understand. Indeed, in many respects it should be considered as best practice for other Councils to follow.

10.2   The reports viewed have clear upfront information on key facts e.g. housing numbers, car parking etc and clear summaries of the conditions including trigger points.

10.3   The sample of delegated reports reviewed are well structured and lay out the relevant policy and material considerations in an easy-to-follow manner. They follow a standard format of headings:
1.Summary
2.Decision
3. Planning Background
4.Consultation
5. Planning Considerations
6.Other Matters

7. Conclusion

10.4   There were minor differences in the terminology of headings e.g. Planning Considerations, Material Considerations etc.. Whilst these minor differences do not substantively affect the content and flow of the reports it may be worth introducing a standardised template to tighten up the reports further.

10.5   The style, conciseness and good use of diagrams throughout the reports is particularly helpful when it comes to Planning Committee where officers are able to guide Members through the report. This enables Committee discussion to focus on the merits of the scheme rather than multiple questions on technical matters as they are all contained within the report.

10.6   Reports include a discussion of the planning considerations, however they current lack a dedicated section to the relevant development policies. The Croydon Local Plan Review is due to be shortly submitted to the SoS for examination and as such will gain weight as a material consideration until its adoption as part of the development plan for the area. We recommend that reports begin to reference relevant emerging policies, in so far as they are pertinent to the application. This is likely to be more relevant for major schemes which may reflect growth locations within the emerging plan.

10.7   It would also be helpful to have statements on: Human Rights, Equality Act and Financial considerations. These statements will help the Council defend any potential allegations on bias or Council interests.

Use of conditions

10.8   Croydon's officer reports, both delegated and those for planning committee, are generally very comprehensive and the recommended conditions are easy to understand in terms of why they have been recommended and their purpose of mitigating harm where necessary. The conditions reviewed all meet the tests of reasonableness and legality. Indeed, in many respects it should be considered as best practice for other Councils to follow.

Recommendations

- Introduce a standardised template for section headings
- Include a section within reports that reference relevant emerging policies and how they apply to the development as material considerations.
- Include within Reports statements on: Human Rights, Equality Act and Financial considerations.

11.   Enforcement Practices

11.1   The Planning Enforcement Plan 2017 is Croydon's Enforcement Policy. It sets out two priorities for site visits and service standards. The courses of action are helpfully set out and it includes information on cases where retrospective applications have been requested and not submitted. In these cases, there is opportunity for comment, a report and recommendation. It is undertaken in a similar way to a planning application.

11.2   The plan states that the Enforcement service will prepare quarterly update reports on progress and outcomes in relation to higher profile and significant planning enforcement

investigations which will be published on the Councils website from time to time. These reports have not been produced.

11.3 Croydon also has a Planning Advice Note (8)- How Planning Regulations are Enforced. It is referred to in the Enforcement plan, but the relationship between the documents is unclear. We question why this Advice Note is necessary and why reference is not simply made to the Planning Enforcement Plan.

11.4 When Croydon experienced budget cuts 1.2 FTE posts were lost. There had been 6 officers, but this was reduced to 4.8 officer and then 3 staff left the Council. The Enforcement Team Leader, more recently, has left the Council. Now out of 4.8 posts there are 4 permanent officers. At the time of the review the temporary enforcement officer was absent. At the time of the review there were 160 enforcement cases per officer with an additional 300 cases unallocated. This is an extremely high case load. Officers have a good resolution rate but the Development Management Manager was need to show more formal action (DM Manager comment)

Formal Action

11.5 In the year to December 2021 Croydon served 2 Breach of Condition Notices and 1 Planning Contravention Notice. This was less than in previous years. However, there has been a reducing amount of enforcement action since December 2017. Croydon takes a very low number of enforcement cases to formal action in comparison to most other London Boroughs.

CROYDON Enforcement Formal Action Year ending December

DLUHC -Table 130

Year ending	Enforcement notices issued	Breach of condition notices served	Planning contravention notices served
Dec-21	-	2	1
Dec-20	2	2	1
Dec-19	3	2	-
Dec-18	5	-	-
Dec-17	7	3	1

Recommendations

- Employ additional temporary staff to increase resources to enable the Enforcement backlog to be reviewed and reduced
- Review procedures for taking formal action by benchmarking against other London Boroughs
- Review enforcement reporting so that it is given greater exposure to Members and senior officer

12. Customer service and communication

12.1   We are told that officers at a senior level have concerns at the number of complaints that are directed to the planning service even though most find that the Council is not at fault. There are a large number of complaints received and there are a large number of unresolved complaints and it is clear that the Service is struggling to respond.

12.2   Recently there have been four threats of Judicial Review. And recently one Judicial Review was upheld in relation to a s73 and s73A issue. Development Management Managers are using 'Cobra' meeting to learn from this case and inform procedure notes.

12.3   The Council Complaints Report (21/02/22) identified that Planning had 11 complaints cases with 7 overdue and Enforcement had 5 case, 3 of which were overdue. This is the highest number of complaints of any service except Refuse and Recycling (54). The oldest planning complaint dates back to September 2020. There are also a significant number of Councillor and MP enquiries that are late and dating back a considerable period (e.g. MP enquiry to Planning Technical support – 19/10/20). This lack of response is likely to harm the Planning Service's reputation.

12.4   It is not possible on the information available to ascertain the nature of the complaints.

12.5   There have also been 23 compliments since the beginning of 2021, mainly on professionalism and support with applications, speed and quality of service.

12.6   The most recent Complaints report (June 22) that we were sent – identifies 26 stage 1 complaints,2 stage 2 complaints; 12 MP enquiries; and 2 mayor enquiries. It is not possible to ascertain the reasons for the complaints from the reporting. 5 compliments were received since the beginning of 2022.

12.7   Criticisms of Planning is very visible on social media with a small number of very vocal complainants raising issues about individual members of staff that are very personal.

12.8   Clearly the department has been successful with communicating with agents through an agents forum and it is positive that these meetings have returned following a temporary suspension due to Covid. This is a really important channel of communication with the department on Development Management matters.

12.9   There is evidence that officers are trying to improve communication on planning applications by sending neighbour letters as well as posting site notices. It is unclear whether this improves communication with customers. Whilst we were undertaking the review a number of issues were brought to our attention where neighbour letters had been missed putting the planning decision making process potentially at risk.

12.10 The issue of customer satisfaction will be investigated in more detail in the Peer Challenge.

Recommendations

- Consider a better process for managing the complaints received that identifies the most appropriate level within the organisation where a response should be made and an administrative process for ensuring that complaints are responded to on time. This could include better communication on the Council's website to indicate what matters can be considered as complaints and what matters are outside the scope of the Council's jurisdiction.

- Introduce a more formalised learning through experience process so that lessons can be learnt on all areas of Planning including a celebration of things that have gone well and where officers have been praised.
- Work with the communications team to establish approaches to counter negative media coverage and celebrate good stories
- Review the effectiveness of neighbour letters rather than reliance on site notices. If neighbour letters are still required then review the process notes to ensure that the process is robust