

Council Response Form

Council action planned in response to the recommendations issued by Audit Wales

Council: Ceredigion County Council

Report title: Review of Planning Services

Issue date: 16th November 2021

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Ref	Recommendation	Council action planned in response to recommendation issued by Audit Wales	Target date for completion of actions	Responsible officer
	Governance			
R1	<p>The Council should review its constitution to strengthen the governance of its development control arrangements. The review should:</p> <ul style="list-style-type: none"> learn from the development control governance arrangements of other Local Planning Authorities (LPAs); develop an agreed Terms of Reference for the Council's Development Control Committee, to clearly state its purpose, role and 	<ul style="list-style-type: none"> The Council has established a Task and Finish Group (T&F group) to develop actions that will improve the Planning Service including decision making. The T&F Group agreed an Action Plan on the 6th July. The Action Plan is regularly updated and was revised on the 10th November to include the Audit Wales Planning Report recommendations. A review of the Constitution and current practice, taking into account 	March 2022	Russell Hughes-Pickering (RHP), Task and Finish Group (T&F Group). Support from Development Management (DM), Planning Policy (PP), Legal & Governance Services (L&G) and Democratic Services (DS).

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	<p>responsibilities, and how it links to Corporate Priorities;</p> <ul style="list-style-type: none"> • define what it deems as strategically important and ‘major’ planning applications; • strengthen the Development Control Committee’s scheme of delegation by considering raising the threshold for planning applications called into Committee to allow it to better focus on more strategically important and major applications; • ensure planning applications submitted by or on behalf of the Council’s officers and members are considered by the Development Control Committee and not under officer delegated powers to safeguard against any perceived conflicts of interest and to promote independence and transparency; • review the balance of time local ward members have to speak on planning applications at committee meetings as compared to applicants and objectors; and • review and include the Council’s Planning Code of Practice in the constitution and ensure members understand and act in accordance with it. 	<p>arrangements in other authorities, has been progressed.</p> <ul style="list-style-type: none"> • Changes to Constitution agreed in March 2022. The changes included: <ul style="list-style-type: none"> ○ New Terms of Reference ○ New Operational Procedures ○ New Code of Practice ○ New Delegated Powers • The changes to the Delegated Powers included: <ul style="list-style-type: none"> ○ Requirement to report major applications to Committee ○ Likewise, requirements to report cases submitted by the Council, Council Members, Senior Offices, Planning Staff, and close associates to Committee • The Operational Procedures and Code of Practice provide greater clarity on the role of the local ward members and members of the Committee. 		

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R2	The Council should ensure that its Development Control Committee and committee support arrangements comply with data protection principles and the processing of personal information in accordance with the Data Protection Act 2018 and the UK General Data Protection Regulation.	<ul style="list-style-type: none"> Members received training on GDPR matters as part of their induction in May/June 2022. Advice on GDPR and Data Protection is also included in the Code of Practice 	May / June 2022	RHP, T&F Group, DM, PP, L&G, DS and Customer Contact (CC)
R3	The Council's Development Control Committee members need to ensure that any planning decisions are based on sound material planning considerations, and not applicants' personal circumstances.	<ul style="list-style-type: none"> The T&F Group agreed to a 'cooling off' deferral process in July 2021. This was shared and agreed by the Development Control Committee on the 14th July 2021. The process was first applied to cases considered at the Development Control Committee on the 28th July 2021. The group was formally recognised in the changes to the Constitution and its remit is set out in the Operational Procedures. The Cooling Off Group has met regularly since inception and has helped reduce the number of decisions being made that would constitute a significant departure from policy. 	July 2021 and on-going	RHP, T&F Group, DM, PP, L&G and DS.
R4	The Council needs to ensure that recordings of its 'in public' Development Control Committee meetings are made publicly available after committee meetings to adhere to the future requirements of the Local Government and Elections (Wales) Act 2021	<ul style="list-style-type: none"> Arrangement have been made to hold hybrid meetings from May 2022. Members of the public have been able to attend meetings in person since October 2022 or they can attend virtually. The system will allow meetings to be recorded and made available online. 	May 2022	DS, CC.

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		<p>The Council currently only screen and records Council and Cabinet meetings. It does not therefore record Development Management Committee meetings, so aren't made available post meeting.</p>		
R5	<p>The Council should ensure that Development Control Committee decisions relating to 'affordable' homes in the open countryside are made and reported accurately in accordance with the Council's Affordable Housing supplementary guidance</p>	<ul style="list-style-type: none"> • Regular Member workshops have provided additional training to Members on planning policies, appeal and call-in decisions. • Reports to Committee explain the policy context when proposals include affordable housing. • The Cooling Off process allows for cases to be considered in more detail before a final decision is made. • The LDP Annual Monitoring Report is being used to monitor the scale and location of affordable housing delivered in the County. • In addition, two papers have been prepared. One that consider the provision of affordable housing generally, the other specific to other locations. 	<p>March 2022 / On-going</p>	<p>RHP, T&F Group, DM, PP and DS.</p>
R6	<p>The Council and Development Control Committee should assess the cumulative implications and long-term infrastructure impact of approving single affordable dwellings and TAN 6 planning applications in the open countryside to ensure they</p>	<ul style="list-style-type: none"> • TAN6 applications by their very definition will need to be located functionally close to the agricultural holding or dwelling. Ensuring that applications are justified by supporting information that demonstrate 	<p>March 2022 / on-going</p>	<p>RHP, T&F Group, DM, PP and DS.</p>

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	contribute sustainably and cohesively to the Council's wider corporate priorities.	<p>compliance with the tests set out in the TAN is essential.</p> <ul style="list-style-type: none"> • Where Members are minded to support cases where information is lacking, cases are referred to the Cooling Off Group. • Policies also allow for affordable housing where they are in or adjacent to settlements. It is however important that these comply with the relevant LDP policies and supplementary guidance. • The Annual Monitoring Report will help monitor decisions and their compliance with the LDP and its policies. 		
	<u>Service Planning</u>			
R7	The Council's Planning Service should: More clearly present its performance information and targets in its business plans.	<ul style="list-style-type: none"> • Business and Service Plans will be reviewed • Interim Service Standards have been drafted • Consultants have been appointed to assist with planning application and enforcement backlogs. • This will help inform revised performances targets and measures. • Objective is to tackle issues in 2022/23 and have targets more in line with Wales average and above in 2023/24. 	October 2022	RHP, T&F Group, DM and PP.
R8	Review the effectiveness and efficiency of combining the Development Management	<ul style="list-style-type: none"> • This is to be reviewed when caseloads have been reduced. 	October 2022	RHP, T&F Group and DM.

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	Officer and Enforcement roles including the impact on performance.			
	<u>Monitoring</u>			
R9	The Council should establish a framework to assure itself that the Development Control Committee contributes cohesively and sustainably to achieving the Council's corporate priorities.	<ul style="list-style-type: none"> The Annual Monitoring Report is the most appropriate document for assessing the delivery of LDP objectives. The Council has drafted a new Corporate Strategy that has a greater emphasis on the delivery of sustainable development. 	March 2022	RHP, T&F Group, DM, PP, L&G and DS
	<u>Well-being of Future Generations</u>			
R10	In making any changes to the planning service, the Council should take the opportunity to consider how it might act more closely in accordance with the sustainable development principle in contributing to the delivery of the Council's well-being objectives when making planning decisions.	<ul style="list-style-type: none"> The Annual Monitoring Report is the most appropriate document for assessing the delivery of LDP objectives. Other papers have been prepared to consider decision making in respect of affordable housing generally and in other locations On-going training is provided to Members on the role of planning and the need to reflect policies in decision making. More text is being added to reports to explain the importance of delivering placemaking policies when considering applications. 	March 2022	RHP, T&F Group, DM, PP, L&G and DS