



**Hinckley & Bosworth
Borough Council**

Planning Service Scrutiny review

Report of the working group reporting to the Scrutiny Commission

1. Purpose of the review

- 1.1 Following concerns raised by members over a period of time, the chairman of the Scrutiny Commission agreed to lead a review of staffing and performance in the planning service.
- 1.2 The purpose of the review was to understand the reasons for the situation regarding the retention of planning service staff and to learn from it. The review did not intend to level criticism at any party.

2. Background to the subject of the review

- 2.1 During 2021, key senior and other officers from within the planning service (both development management and policy) left the authority.
- 2.2 The high turnover during the latter part of 2021 coupled with the high volume of applications and appeals inevitably led to delays in dealing with planning applications, which was a concern for members and officers.

3. Key points for the review

- 3.1 It was agreed that the review would explore the council's staffing levels in the Development Management and Planning Policy teams over recent years, the national position in relation to recruitment and retention of planning professionals, changes in the number of applications and other pressures at that time.

4. Outcomes expected from the review

- 4.1 The objective of this review was to understand the cause of the issues with the aim of preventing recurrence.

5. Process for the review

- 5.1 A scoping meeting took place on 14 January 2022 which set out the matters to be considered and the evidence likely to be required.
- 5.2 Further meetings took place on 21 February, 4 April and 6 May 2022.
- 5.3 The meeting on 6 May agreed final recommendations arising from the review.
- 5.4 The working group met as an informal, non-statutory body operating under its own procedures. Working group members agreed that the information received, and matters discussed within the meetings would remain confidential and wouldn't be shared with anyone other than those sitting on the group.
- 5.5 This report outlines the evidence received and considered by the working group and the outcomes of its deliberations.

6. Member and officer involvement in the scrutiny process

- 6.1 It was agreed that the lead scrutiny members from the three political groups would sit on the working group:

Councillor M Lay (Chairman)
Councillor C Ladkin
Councillor P Williams.
- 6.2 The working group was supported by Bill Cullen, Chief Executive, and Becky Owen, Democratic Services Manager.
- 6.3 Matt Bowers, former Director (Environment & Planning) attended the meeting on 4 April to give evidence.

7. Evidence considered

7.1 Turnover levels

- 7.1.1 The planning service has historically had the highest turnover levels compared to other services in the council.
- 7.1.2 The overall council average turnover of staff has trended at 12 – 15%.
- 7.1.3 In 2021, the council experienced a huge increase in leavers in Planning with a turnover rate of 50%.
- 7.1.4 Over the last three years, the volume of starters has not matched the pace of leavers due to recruitment issues.
- 7.1.5 17 staff left during that period compared to only eight new starters, of whom five were appointed on fixed term contracts.
- 7.1.6 This can be demonstrated as follows:
- | | | |
|------|------------|------|
| 2017 | 5 leavers | 19% |
| 2018 | 4 leavers | 15% |
| 2019 | 3 leavers | 12% |
| 2020 | 1 leaver | 5% |
| 2021 | 13 leavers | 50%. |
- 7.1.7 It is important to note that the 2021 figures included key members of the Development Management team including the Planning Manager and two team leaders along with other senior planning officers.
- 7.1.8 The working group received comments from voluntary exit interviews. These included comments about workload (increase in applications), staffing resources and recruitment, member/officer relationships, low morale, cost of appeals, local plan and five year housing land supply,
- 7.1.9 Due to the relatively low number of exit interviews voluntarily completed, in February 2022 a further survey of those who had left the authority was undertaken to support the work of the working group which prompted a good return. Members considered the responses to questions relating to the range and quality of work received, the team, the manager and suggestions for improvement. The responses received suggested high workloads, sometimes unreasonable expectations and negative experiences of political engagement linked to behaviours and communication from some members.
- 7.1.10 As an indication of whether officers left the authority to pursue career progression, the working group was also informed of the type of roles that planning staff had taken after leaving HBBC.

7.2 The national and local picture

Members of the working group received:

- 7.2.1 Market research from g2 Recruitment's average data for Town Planning 2022 which looked at the use of interim staff.
- 7.2.2 Feedback from Anna Rose, Head of the Planning Advisory Service which highlighted the nationwide recruitment and retention issues. She cited factors including effects of the lockdowns and competition with the private sector.
- 7.2.3 A paper from Derek Mckenzie "The mental health and general wellbeing of RTPI members" which talked about low staff morale.
- 7.2.4 The LGA member survey 2021 on recruitment and retention issues in the public sector which highlighted planners as a particular high precedence when districts were finding it difficult to recruit.
- 7.2.5 Comparison turnover figures for planning staff (source: East Midlands Councils)

Broxtowe Borough Council	2020/21	7.69%
	2021/22	19.23%
Rutland County Council	2020/21	11%
	2021/22	12%
Rushcliffe Borough Council	2020/21	12%
HBBC	2019/20	12%
	2020/21	5%
	2021/22	50%

- 7.2.6 A survey from AJ planning from March 2022 which showed a "system in crisis" with the nation's planning process "creaking at the seams, becoming increasingly erratic and burdened by red tape".
- 7.2.7 A report from the Royal Town Planning Institute (RTPI) claiming that during the prolonged period of "chronic under-resourcing", funding for the nation's planning departments had fallen by more than a third from £686m in 2009-10 to £401m in 2017-18.
- 7.2.8 A report from planningresource.co.uk which contained statistics in relation to the consultancy market, planning delays and the increase in applications received.
- 7.2.9 Comments from Victoria Hills, CEO of the RTPI acknowledging the challenge in recruitment and retention of planning staff, gains of the private sector and cost saving requirements of local authorities.

7.3 Future challenges

The working group received and considered an article by Ben Rose, Consultant, Town Planning, Carrington West (recruitment company)) on the impact of the Levelling Up White Paper on recruitment.

- 7.4 The working group considered suggested responses to the challenges including demanding freedoms for fee increases, expanding the apprenticeship programme and expansion of the visa scheme to encourage planners from outside of the UK.

7.5 HBBC Planning performance

- 7.5.1 The working group received large amounts of evidence to show that during the first half of 2021/22 numbers of applications in all categories had increased. This, combined with an increase in pre-applications and a significant number of appeals to administer in this period all contributed to the work pressure on planning staff, which is a key reason expressed by those who subsequently left the authority.

7.6 Planning Committee performance

- 7.6.1 From analysis of records between 1 April 2019 and 18 March 2022, 75% of all applications refused at committee against officer advice were appealed. This generates additional work and cost. In comparison, 58% of applications refused by committee supporting officers' recommended refusal are appealed.
- 7.6.2 27% of all applications refused by committee against officer advice and appealed go to public inquiry, which is much more time intensive and costly.
- 7.6.3 Figures presented to members suggest that 45% of the applications over the time period under review which were refused by committee against officer advice and appealed were approved (a further 18% were awaiting decision at the time of compiling the data). In comparison, only 14% of applications appealed where committee agreed with officers' recommended refusal were approved. Members felt that the data did not always tally with that provided in other reports such as to Planning Committee and the Scrutiny Commission which suggested a better record at appeals.
- 7.6.4 Figures presented to members again appeared to suggest that 31% of applications refused by committee against officer advice and appealed are successfully defended. In comparison, 57% of refusals where officers recommend refusal are successfully defended. Again, members felt that the data did not always tally with that provided in other reports such as to Planning Committee and Scrutiny Commission which suggested a better record at appeals.
- 7.6.5 In the last three year period, 24% of all applications considered at committee have been determined contrary to officer advice.

7.7 Performance of Planning service

Members of the working group received evidence to show:

- 7.7.1 The percentage of major applications determined within government timescales dropped during Q3 when staff were leaving, but picked up in Q4 as interim staff and the Planning Manager started.
- 7.7.2 The percentage of minor applications determined within government timescale targets dropped significantly from the start of the year as staff left and numbers of applications built up but picked up in Q4 as interim staff and the Planning Manager started.
- 7.7.3 The percentage of other applications determined within government timescales was volatile in Q1 and Q2 but picked up by the end of Q4 as interim staff and the Planning Manager started.

7.8 Financial impacts 2021/22

7.8.1 Salary expenditure

Q2	£110,000
Q3	£65,000
Q4	£68,000

This reflects the loss of full-time employees during Q3.

7.8.2 Agency costs

Q2	£35,000
Q3	£43,000
Q4	£169,000

This reflects the increased use of agency staff.

7.8.3 Income

Q2	£249,000
Q3	£660,000
Q4	£208,000

This shows a significant increase in fee income in Q3. The net position for the year is estimated at £120k better off than budgeted for due to increased income.

8. Key findings from the review

8.1 Staffing levels

8.1.1 Turnover in 2021 had been much higher than usual at 50%. 17 staff had left compared to only eight new starters.

8.1.2 Some common themes had emerged from exit interviews and from those surveys sent out more recently:

Workload

Workload was the most frequent concern raised in the exit interviews. The review found that there was a significant rise in planning applications, both major and minor, received by the planning department in the period 2019/20 & 2020/21. During the same period a high workload associated with appeals was also being experienced.

The cumulative nature of the situation was acknowledged in that officers leaving the authority then created a higher individual workload for those remaining, in turn contributing to them looking for new opportunities.

Junior staff also generally felt that they were undertaking duties of more senior staff. It was noted that whilst this was good for their development and career progression, it may put pressure on some staff.

The increasing levels of workload was raised by staff within the planning department, but these concerns were not escalated to SLT for action. It was found there was limited formalised workload monitoring in place which could highlight the impact upon individual staff workload, giving senior management a tool to monitor workload.

Due to the lack of early warning measure in place, SLT and members were not alerted to the need for management action.

Member behaviour towards staff

The relationship between members and officers was raised in some exit interviews.

The difference in cultures was noted whereby officers were trained to ensure development occurred (hence the title development “management” rather than development “control” as it was often previously known). It was also noted that officers have codes of professional ethics by which they must abide. Working group members note that councillors also have difficult advocacy roles for residents. These different tensions have led to difficult and unacceptable exchanges between officers and members.

Member overturns

It was acknowledged that members refusing an application against officer recommendation affected the morale of staff who had spent a lot of time considering the application and who were likely to also have to deal with an appeal as a result. This negative impact is increased when resources are not seen to be increased to match the resultant workload.

Fixed terms posts

During 2020, with uncertainty in relation to the financial situation for the council arising from lack of a three-year settlement by the government, a restriction was imposed on recruitment across HBBC and only fixed term contracts were offered in the first instance in order to be able to commit to no compulsory redundancies with the requirement for managers to make the case for recruiting on a permanent basis.

The view had been expressed in some exit interviews that advertising fixed term contracts may have discouraged some job applications. However, this was anecdotal opinion, and no evidence was found to support this view. SLT had received no requests for consideration of permanent posts within the service.

8.2 National picture

- 8.2.1 It was noted that there was a nationwide issue over recruitment and retention of planners and there were other examples of 'mass exodus' from planning services.
- 8.2.2 Changes in ways of working following the pandemic meant that people could accept jobs further away from home as they could work remotely which may have contributed to more job mobility. This was compounded in that homeworking had led to an increase in people wishing to extend their homes to accommodate working from home which had led to an increase in applications.

8.3 Number of applications

- 8.3.1 It was noted that officers would normally have a caseload of around 40 applications but in 2021 were dealing with around 70 cases each.
- 8.3.2 In relation to the five year housing land supply, the correlation between this and the increase in appeals was noted.

The frustration for members of not being kept regularly updated on the five year housing land supply was expressed, but in response it was explained that in order to provide an update, officers had to check the implementation status of every site in the borough. When officers had to leave other work to look at this for every appeal anyway, it wasn't possible to do it on the request of a member as well.

8.3.3 It was acknowledged that despite the cost of agency staff, there was a higher than budgeted net income in 2021/22 due to the number of large applications.

8.4 Current situation

8.4.1 The Planning Manager is in post.

8.4.2 Recruitment exercises are regularly undertaken and some positions have been filled. Posts in development management are currently occupied on the following basis:

Planning Manager	1 permanent
Team Leader	1 agency cover; 1 vacant
Senior Planning Officer	4 agency cover
Planning Officer	3.5 permanent posts; 1 agency cover
Planning Assistant	2 permanent posts
To clear backlog	2 post covered by contracts.

8.4.3 In terms of planning applications, as of 4 July 2022 there were 498 applications pending consideration. 59 of these were major applications, 145 were minor applications and 94 were householder applications. The remaining 200 were a mix of other application types.

8.4.4 As of mid May, 355 of the above applications were over their target date with no extension of time agreed.

8.4.5 Workload for each case officer is variable, with the highest currently being 66 applications.

8.4.6 There are currently 13 appeals in progress.

8.5 Current progress

8.5.1 The working group were advised of the following elements of progress which have already been made:

- Recruitment – officers are working with a recruitment agency to recruit permanently to six key roles within the planning service via a head hunting service where the merits of working for the council will be emphasised
- Systems process – the service has the support of the business analyst officers from the IT service to review key processes within the service. The first process to be considered is the planning application process from start to finish
- Performance management reports are being developed which will enable more effective monitoring of workload and applications
- Legacy (backlog) applications are being managed separately to new applications to ensure new officers have a fresh start
- Complaints are being monitored and followed up to ensure timely responses

- Staff meetings – two staff meetings have taken place to begin to understand officers' perspective on the service and concerns they have. This will feed into the overall action plan. Further meetings are planned to continue to take the action plan forward.

8.6 Action plan

8.6.1 Since taking on responsibility for the planning service, the Director (Community & Development) has been working with the planning team to carry out a review and an action plan has started to be developed which will incorporate the Scrutiny Commission's recommendations once agreed. The headline areas identified for development include:

- Culture
- Service vision
- Recruitment
- Customer focus
- Internal and external communications
- Process reviews
- Application backlogs
- IT systems
- Complaint handling
- Member relationships.

8.7 Management actions already being taken

8.7.1 The working group was advised that the following actions were already in place:

- New Planning Manager (Development Management) in post to reset and rebuild relationships.
- Engage with Head of the Planning Advisory Service to support managers and staff in development of a positive culture.
- Discussion with group leaders about member/officer relations, particularly in relation to planning.
- Develop an improvement plan for the service.
- Recruit to all vacancies.
- Clear the backlog of applications to allow effective reset.
- Ensure a process for reporting and escalation of performance data and issues to prevent recurrence.
- Introduce effective caseload management and consider interim support at peak levels.
- Introduce a new organisational structure.

9. Conclusions

9.1 The working group concluded that the issues in staffing levels experienced by the planning department were due to a combination of a number of issues which occurred in a short period of time, in the context of a difficult nationwide shortage of planning staff. The situation regarding the Covid-19 pandemic is very likely to have distorted the recruitment marketplace leading to a lower level of turnover in 2020 which flowed over to the higher levels in 2021.

9.2 It is clear that the peak workload situation which arose during the period 2019-2021, exacerbated by the staff leavers in late 2020, had a negative impact upon staff morale. Staff dealing with increasing workload during this period could see no mitigation mechanisms being put in place. It is essential that a workload/caseload monitoring tool is put in place which would give senior management earlier warning of the impact of resourcing issues, whilst allowing the staff to have a vehicle to support any concerns about workload. It was also felt that having a traffic light system in place for workload which was reported to members on planning committee would allow members to also see potential problems ahead which could be addressed.

It was noted from the position on the net budget, that there was scope for management decision to increase staffing resources at times of high workload levels without necessarily impacting upon budgeted net revenue. This was due to increasing revenue that flows from more applications in the system.

9.3 The working group did not explore any specific cases of member behaviour to staff, but concluded any aggressive or bullying behaviour is unacceptable and that steps should be taken to reinforce this position, recognising the impact on staff morale of such behaviour.

It was noted that different lines of communication were common, where some members would contact the case officer directly with any queries, others would contact a manager or even the Chief Executive, which had become embedded with some members. It was felt that the correct routes of communication should be clarified to members.

The group felt that awareness amongst members should be raised to encourage them to engage with officers early in the planning process to help officers to understand potential issues with an application and to support members in sharing their views.

9.4 The working group recognised the impact of appeals to workload. It was agreed there should be an awareness of the work that appeals generated for officers and the cost to the authority, and an acceptance of the impact that would have on other duties. Where applications are refused which are likely to result in appeals, it is important that members understand the consequences upon workload, but also, together with management, ensure resources are provided to manage the resulting case loads appropriately. It is important that there is discussion of issues between members and officers before Planning

Committee, to help members understand implications of potential decisions, and officers understand the member's concerns.

- 9.5 The working group notes that some of these areas will take time to progress but is sure there is a determination and commitment from all officers to ensure the service moves forward.

10. Recommendations

- 10.1 The morale, workload and working conditions of planning officers needs to be more effectively monitored and managed to ensure future issues are captured at an earlier opportunity.
- 10.1.1 Introduce a workload management tool to identify and monitor pressure against staff resource.
- 10.1.2 Make officers aware that they can report issues on inappropriate member behaviour.
- 10.1.3 Improve the feedback opportunities for planning team members to highlight potential concerns.
- 10.2 Improve the mutual understanding between members and officers of issues, concerns and impacts of planning decisions.
- 10.2.1 Arrange a member / officer engagement event to share mutual understanding of pressures.
- 10.2.2 Provide ongoing training for the chair, vice-chair and members of the Planning Committee.
- 10.2.3 Improve effectiveness of a pre-agenda panel.
- 10.2.4 Encourage members to engage with officers early in the planning process and in any case before committee, particularly if the member wishes to overturn the officer recommendation.
- 10.3 Ensure timely planning statistics continue to be available to both SLT and members, which allows an understanding of performance.
- 10.3.1 Arrange member briefings and paper updates on the five year housing land supply, application case law and performance.
- 10.3.2 Ensure data is accurately reported and include trends in the appeals report to Scrutiny Commission.
- 10.4 Implement the action plan outlined.