

Follow-up Review: Planning Services – Carmarthenshire County Council

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The Council has successfully addressed all our recommendations and has responded at pace to deliver significant improvements in its planning service.

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Summary report

Summary

What we reviewed and why

- 1 In July 2021 we published our report [Review of Planning Services](#)¹. Our overall finding in that review was that, 'significant and long-standing performance issues in the planning service need to be urgently addressed to help support delivery of the Council's ambitions'. Our report included 17 recommendations for the Council to address. The follow up work that we have undertaken is important to gain assurance that the Council is taking action to address those recommendations.
- 2 Since we issued the report we have been following the Council's progress. We have undertaken this work through regular catch-up meetings with the Council, document reviews and observing Governance and Audit Committee meetings. We also interviewed key Council officers during July – September 2022.

What we found

- 3 The Council is to be commended for the swift, decisive action it took in response to the findings of our 2021 report, and for the way it has driven improvements in its planning service. The constructive way in which the Council received our report and acted on the recommendations is a particularly positive example of a Council demonstrating its commitment to driving improvement in service delivery. The Council has learnt lessons from the review that it has also applied more widely, particularly in relation to performance management.
- 4 A summary of our findings is included at **Exhibit 1**. Overall, we found that, **the Council has successfully addressed all our recommendations and has responded at pace to deliver significant improvements in its planning service.**

¹ Auditor General for Wales, **Review of Planning Services – Carmarthenshire County Council**, Audit Wales, July 2021

Exhibit 1: recommendations and summary of findings

The table below sets out a summary of our findings against each recommendation issued in our 2021 report.

Recommendations and Findings Summary

Recommendation 1 - Strategic impact

The Council should align its planning service to its corporate ambitions to ensure:

- it can respond effectively to deal with its regeneration ambitions and can deliver them at pace; and
- that the planning service is effectively contributing to and collaborating with other services to deliver on the corporate agenda.

Finding – recommendation met

The Council's planning service is now focussed on helping the Council to deliver on its corporate agenda. It has a clearer strategic approach to major projects and a clearer focus on prioritising projects that deliver jobs and growth to support the Council's economic recovery plan.

Recommendation 2 - Strategic impact

The Council should review the role and outcomes it expects from its planning service as part of its strategic groups, to ensure the service is effectively integrated and delivering the required outcomes.

Finding – recommendation met

The Council has identified the relevant strategic groups that the planning service needs to be part of. The Council now has a clearer understanding of the strategic role of planning, and what is expected from the service as part of these groups.

Recommendation 3: Service delivery – development management

The Council should develop a plan and timeline to deal with its planning application backlog, in particular the historic backlog.

Finding – recommendation met

The Council moved quickly to take a number of actions which have led to a significant improvement in its planning application backlog. In terms of its historic backlog, in March 2021 the Council had 118 applications waiting to be determined that were over 5 years old and by August 2022, the Council had reduced this to 15 applications.

Recommendations and Findings Summary

Recommendation 4: Service delivery – development management

The Council should review its planning data collection arrangements to ensure they are being done correctly and reported accurately.

Finding – recommendation met

The Council is now collecting the planning performance data correctly, in line with national guidance, and reporting it accurately. The Council has expanded its use of Arcus (its digital planning platform) to capture activity and report more effectively on its performance. By the end of 2021-22 financial year, for the first time, the Council exceeded the Welsh Government target of 80% for the percentage of all planning applications determined in time (PAM/018) by achieving 80.4%.

Recommendation 5: Service delivery – development management

The Council should address the financial risks associated with the continued overspend in its planning service and the potential fee reimbursement associated with non-determination of applications.

Finding – recommendation met

The Council's planning service has addressed its overspend position. The risk of the reimbursement of fees for non-determination of applications continues to decline as the backlog of overdue applications reduces.

Recommendation 6: Service delivery – planning enforcement

The Council should: develop a plan and timeline to deal with its planning enforcement backlog, in particular the historic backlog.

Finding – recommendation met

The Council has taken action to address this recommendation which has led to service improvement. It has identified its outstanding enforcement cases and given them a priority rating, and it reports that there was nearly a 400% increase in cases closed in 2021-22 compared to 2020-21. However, planning enforcement remains a challenge for the Council and the backlog of cases to be dealt with remains high.

Recommendation 7: Service delivery – planning enforcement

The Council should review the resources and capacity within its planning enforcement service to address the accruing caseload.

Recommendations and Findings Summary

Finding – recommendation met

The Council has reviewed the resources in its planning enforcement service and restructured the service to improve capacity and recruited additional staff. The Council has been able to reverse the accruing caseload position.

Recommendation 8: Service delivery – planning enforcement

The Council should ensure that other related Council services are able to accommodate any increases in planning enforcement action.

Finding – recommendation met

The Council is taking a more corporate approach to planning enforcement matters and strengthening the dialogue between departments in this area.

Recommendation 9: Service delivery – planning enforcement

The Council should ensure that any changes to its enforcement policy are assessed for impact and consulted on, to ensure all consequences are considered.

Finding – recommendation met

The Council has developed a new Planning Enforcement Statement which it consulted on both internally and externally prior to its adoption.

Recommendation 10: Risk management

The Council should review its corporate risk register to ensure that the planning risks, related to development management and planning enforcement are comprehensively defined and have clear mitigating actions.

Finding – recommendation met

The Council has reviewed its corporate risk register and defined a number of corporate risks related to planning. The mitigating actions that the Council has identified are having a positive impact on reducing the risk levels it has assessed for these areas.

Recommendation 11: Risk management

The Council should assure itself that its corporate arrangements for risk management are effective.

Recommendations and Findings Summary

Finding – recommendation met

The Council has taken positive action to assure itself that its corporate arrangements for risk management are effective. The Council has improved its approach to risk management which now has a much higher profile at a strategic level.

Recommendation 12: Responding to review findings

The Council should ensure that in responding to findings of all reviews into the effectiveness of its planning service that it:

- prioritises the actions;
 - regularly evaluates the impact of the changes that it is making; and
 - regularly reports progress to senior officers and Members to ensure transparent and timely oversight and monitoring, and that any corrective action is taken.
-

Finding – recommendation met

The Council responded at pace to the findings of our report and evaluated the impact of the changes it was taking, reporting regularly and transparently to senior officers and Members on its progress.

Recommendation 13: Performance management

The Council should ensure that the data available under the new planning performance management system (Arcus) is designed, maximised, and presented for analysis at relevant meetings.

Finding – recommendation met

The Council is now using the Arcus system more fully and has developed relevant dashboards of performance information to enhance its oversight and management of the planning service.

Recommendation 14: Performance management

The Council should: ensure that it presents a consolidated range of planning performance information to senior officers and Members to provide them with a fuller picture of service performance. This should include:

- performance data;
- financial data;
- complaints information; and
- risk management information.

Recommendations and Findings Summary

Finding – recommendation met

The Council has significantly enhanced the range of planning performance information that it is using to assess its performance and is presenting this information to senior officers and Members.

Recommendation 15: Performance management

The Council should better benchmark, collaborate and share learning with other Local Planning Authorities to maximise opportunities to identify and implement good practice.

Finding – recommendation met

The Council is better benchmarking, collaborating and sharing learning with other Local Planning Authorities.

Recommendation 16: Service user perspective

The Council should better consider and apply the perspective of its service users in designing and delivering its planning services to continuously improve the service in a sustainable way. This should include:

- understanding the current position regarding trends in complaints and customer feedback, and taking action to address any issues;
 - setting out clear standards that service users can expect;
 - improving engagement and ongoing communication with customers; and
 - establishing an improved mechanism for gathering, evaluating, and applying customer feedback.
-

Finding – recommendation met

The Council has improved its accessibility and communication with users of the planning service, including establishing a centralised 'Planning Hwb' to deal with service user requests and enquiries.

Recommendation 17: Well-Being of Future Generations

The Council should take the opportunity in any changes to the planning service 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.

Finding – recommendation met

The Council is more actively applying the sustainable development principle and the five ways of working in both its corporate approach and in how it has set out to address the recommendations in our report on the planning service.

Next Steps

- 5 The Council has demonstrated that it has successfully addressed our recommendations, however, it appreciates that it has further work to do in key areas and that it needs to sustain the improvements already made. We will continue to monitor the Council's performance in this service area as part of our ongoing assurance and risk work.

Detailed report

The Council has successfully addressed all our recommendations and has responded at pace to deliver significant improvements in its planning service

- 6 In our July 2021 report, Review of Planning Services, we included 17 recommendations for the Council to address. In this follow-up review we have focused on assessing the progress made by the Council against each of our recommendations.

Recommendation 1 – Strategic impact

The Council should align its planning service to its corporate ambitions to ensure:

- **it can respond effectively to deal with its regeneration ambitions and can deliver them at pace; and**
- **that the planning service is effectively contributing to and collaborating with other services to deliver on the corporate agenda**

Finding: recommendation met

- 7 **The Council’s planning service is now focussed on helping the Council to deliver on its corporate agenda. It has a clearer strategic approach to major projects and a clearer focus on prioritising projects that deliver jobs and growth to support the Council’s economic recovery plan.**
- 8 The service has been restructured to support its more strategic approach, including a revised head of service role, with an expanded remit and amended job title of Head of Place and Sustainability.
- 9 The Council has established a Corporate Major Projects Group comprising council officers representing the range of services involved in development proposals, eg planning, regeneration, highways and legal services.
- 10 The Council has also developed a protocol covering applications for major development projects setting out how it will engage with applicants/developers to provide a quality and efficient planning process.

Recommendation 2 – Strategic impact

The Council should review the role and outcomes it expects from its planning service as part of its strategic groups, to ensure the service is effectively integrated and delivering the required outcomes

Finding: recommendation met

- 11 **The Council has identified the relevant strategic groups that the planning service needs to be part of. The Council now has a clearer understanding of the strategic role of planning, and what is expected from the service as part of these groups.**
- 12 The Council has decided the appropriate level of representation on those strategic groups (ie head of service, senior officer, officer). Feedback and actions arising from these groups is now clearly being cascaded through the Council's departmental senior management team to relevant officers across the planning department to ensure outcomes are delivered.

Recommendation 3: Service delivery – development management The Council should develop a plan and timeline to deal with its planning application backlog, in particular the historic backlog

Finding: recommendation met

- 13 **The Council moved quickly to take a number of actions which have led to a significant improvement in its planning application backlog. In terms of its historic backlog, in March 2021 the Council had 118 applications waiting to be determined that were over 5 years old and by August 2022, the Council had reduced this to 15 applications.**
- 14 The actions the Council took to help address its planning application backlog include:
 - actively addressing the historic backlog cases (disposing of cases from pre-June 2015 and actively working through applications over 5 years old to identify a way forward);
 - better use of the planning services' software (Arcus) to provide enhanced information;
 - introducing performance and case management processes;
 - reviewing officer capacity to address backlog applications;
 - establishing an active backlog per team/officer;
 - improved oversight of and support to the external consultants that were temporarily employed to help with the planning application backlog;
 - co-locating key staff involved in the determination of planning applications in the same office to improve communication;
 - establishing a 'Planning Hwb' to act as a single point of contact for service users for development management and enforcement queries (customer contact staff in the Hwb are able to deal with a number of the queries which frees up time for planning and enforcement officers to focus on other tasks);
 - reviewing the scheme of delegation; and

- establishing an agreed procedure for use of extension of time letters.
- 15 The outcome of the actions that the Council has taken is a significant improvement in the planning application backlog. In our initial report the planning application backlog stood at 847 (at 15 March 2021). The Council report as at 8 June 2022, 1721 additional applications had been received and 547 applications were waiting to be determined (of which 220 remain within the 8 week target).

Recommendation 4: Service delivery – development management
The Council should review its planning data collection arrangements to ensure they are being done correctly and reported accurately

Finding: recommendation met

- 16 **The Council is now collecting the planning performance data correctly, in line with national guidance², and reporting it accurately. The Council has expanded its use of Arcus (its digital planning platform) to capture activity and report more effectively on its performance. By the end of the 2021-22 financial year, for the first time, the Council had exceeded the Welsh Government target of 80% for the percentage of all planning applications determined in time (PAM/018) by achieving 80.4%.**
- 17 At the time of our initial report in 2021 we were, 'concerned that the Council may not be collecting its planning performance data correctly in line with national guidance. This could have significant consequences as the Council may be misreporting its performance data related to the time taken to determine planning applications, and performance may potentially be worse than currently recorded and reported'. Even with this potential misreporting the Council's performance was below the Welsh Government's target (the Council's performance for 2018-19³ was 72.6% placing it as the lowest performing planning authority in Wales for this indicator).
- 18 The Council has redressed this position and at the end of the financial year 2021-2022 the planning performance standard set by the Welsh Government for the percentage of all planning applications determined in time (PAM/018) was 80.4%, against a Welsh Government target of 80%. We are unable to report on the how the Council is performing in comparison to other planning authorities in Wales for the period 2021-22 as the latest published information available from Welsh Government is for 2018-19. The Council is reporting a further improvement in performance this year for PAM/018 achieving 91.3% as at 8 June 2022.

² Welsh Local Government Association - Data Cymru, **Public Accountability Measures (PAMs) 2019-20, Guidance for local authorities**

³ Welsh Government, **All Wales Planning Annual Performance Report 2018-19** (this is the latest available national report from Welsh Government)

Recommendation 5: Service delivery – development management

The Council should address the financial risks associated with the continued overspend in its planning service and the potential fee reimbursement associated with non-determination of applications

Finding: recommendation met

- 19 **The Council's planning service has addressed its overspend position.**
- 20 The underspend of £359,00 in the planning services budget in 2021-22 was achieved through: a review of expenditure, vacancy management and an increase in fee income from a rise in the number of applications received. The Council does not expect to have this level of underspend in future years.
- 21 **The risk of the reimbursement of fees for non-determination of applications continues to decline as the backlog of overdue applications reduces.**
- 22 Risks to the financial position for the planning service remain, particularly through the costs associated with potentially more active enforcement action.

Recommendation 6: Service delivery – planning enforcement

The Council should develop a plan and timeline to deal with its planning enforcement backlog, in particular the historic backlog

Finding: recommendation met

- 23 **The Council has taken action to address this recommendation which has led to service improvement. It has identified its outstanding enforcement cases and given them a priority rating, and it reports that there was nearly a 400% increase in cases closed in 2021-22 compared to 2020-21. However, planning enforcement remains a challenge for the Council and the backlog of cases to be dealt with remains high.**
- 24 The Council has developed and approved a Serious Cases Planning Enforcement Protocol and made the Head of Place and Sustainability the decision maker for all such cases. Proformas and templates have also been developed to support this work.
- 25 The outcome of the action that the Council is taking is that the position on enforcement cases has improved. However, the drive to resolve and close down longstanding historic cases has impacted negatively on the performance against the 'cases closed within the target time' performance measure, which for 2021-22 was 36% within the target time, compared to 50% within the target time in 2020-21. The 2022-23 quarter one performance indicates that the percentage of cases closed on target has improved to 55%.

Recommendation 7: Service delivery – planning enforcement

The Council should review the resources and capacity within its planning enforcement service to address the accruing caseload

Finding: recommendation met

- 26 **The Council has reviewed the resources in its planning enforcement service and restructured the service to improve capacity and recruited additional staff. The Council has been able to reverse the accruing caseload position.**
- 27 Challenges remain around the recruitment and retention of staff in both development control and planning enforcement, and this is one experienced across other councils in Wales. The Council has undertaken a restructure of the service to improve capacity and has developed new assistant and technician roles, so that it is able to bring staff into the service area at a lower level and then potentially move them up as they become more experienced.
- 28 The Council has been able to reverse the accruing caseload position. In our initial report there were 761 planning enforcement cases identified as waiting to be dealt with (at 15 March 2021). As at June 2022, the Council reported that the total number of enforcement cases in determination was down to 467. The Council report that it has been able to close nearly 1000 cases within the last 12 month period.

Recommendation 8: Service delivery – planning enforcement

The Council should ensure that other related Council services are able to accommodate any increases in planning enforcement action

Finding: recommendation met

- 29 **The Council is taking a more corporate approach to planning enforcement matters and strengthening the dialogue between departments in this area.**
- 30 Enforcement officers from other departments have assisted with outstanding planning enforcement cases and additional external legal support has been brought in to support the identification and proposed action on the some of the high risk cases.

Recommendation 9: Service delivery – planning enforcement

The Council should ensure that any changes to its enforcement policy are assessed for impact and consulted on, to ensure all consequences are considered

Finding: recommendation met

- 31 **The Council has developed a new Planning Enforcement Statement which it consulted on both internally and externally prior to its adoption.**
- 32 The Council's Planning Enforcement Statement is a clear and comprehensive document setting out the relevant process to be followed, the powers the Council has, and how it will generally apply them. The Statement makes it clear what the Council will and won't do, and sets clear service standards for what the public can expect, as well as performance measures that it will use to assess its performance in this area.

Recommendation 10: Risk management

The Council should review its corporate risk register to ensure that the planning risks, related to development management and planning enforcement are comprehensively defined and have clear mitigating actions

Finding: recommendation met

- 33 **The Council has reviewed its corporate risk register and defined a number of corporate risks related to planning,** including:
- failure to address significant performance issues in development management;
 - failure to determine or secure extension of time for planning applications which are outside the determination date;
 - failure in determination of major planning applications; and
 - failure to implement Audit Wales' review recommendations into the Authority's planning service.
- 34 **The mitigating actions that the Council has identified are having a positive impact on reducing the risk levels it has assessed for these areas.** The Council has reduced three of the four risk ratings from significant or high to a medium risk. The risk relating to the failure to determine or secure extension of time letters remains at a high risk rating.

Recommendation 11: Risk management

The Council should assure itself that its corporate arrangements for risk management are effective

Finding: recommendation met

- 35 **The Council has taken positive action to assure itself that its corporate arrangements for risk management are effective. The Council has improved**

its approach to risk management which now has a much higher profile at a strategic level.

- 36 The Council's Corporate Risk Register (CRR) is more detailed and is discussed quarterly at Corporate Management Team and now goes formally to Cabinet. The Chief Executive also asked the Council's Transformation and Innovation Team (TIC) to undertake a review of the effectiveness of the Council's corporate risk arrangements, including an evaluation of progress made in implementing the recommendations made in the Wales Audit Office (WAO) '[Review of Risk Management Arrangements](#)':⁴ reported in July 2019. The TIC report's findings (December 2021) were that, 'although the Covid-19 pandemic initially impacted on the ability to progress the recommendations contained within the WAO Office Review and follow-up Internal Audit Review, a number of key actions have now been implemented and good progress has been made across the action plan in general.' The report also identifies areas where further action is needed, which demonstrates the Council's desire to continue to make improvements, to further strengthen its risk management arrangements.

Recommendation 12: Responding to review findings

The Council should ensure that in responding to findings of all reviews into the effectiveness of its planning service that it:

- **prioritises the actions;**
- **regularly evaluates the impact of the changes that it is making; and**
- **regularly reports progress to senior officers and Members to ensure transparent and timely oversight and monitoring, and that any corrective action is taken.**

Finding: recommendation met

- 37 **The Council responded at pace to the findings of our Audit Wales report and evaluated the impact of the changes it was taking, reporting regularly and transparently to senior officers and Members on its progress.**
- 38 The Council immediately established a 'Planning Services Intervention Board', chaired by the Chief Executive, to start work on addressing the key issues. The use of such an approach was a first for the Council and officers reported that it worked very well in: gaining corporate oversight and buy in, helping to drive improvements, and communicating on the detail of the progress being made to both Members and officers.

⁴ Auditor General for Wales, **Review of Risk Management Arrangements – Carmarthenshire County Council**, Wales Audit Office, July 2019

- 39 Over the period June 2021-July 2022 eight detailed progress reports were presented to the Intervention Board and to Pre-Cabinet, and three progress reports were presented at the Council's Governance and Audit Committee. Planning Committee Members were also kept updated on the progress being made.

Recommendation 13: Performance management

The Council should ensure that the data available under the new planning performance management system (Arcus) is designed, maximised, and presented for analysis at relevant meetings

Finding: recommendation met

- 40 **The Council is now using the Arcus system more fully and has developed relevant dashboards of performance information to enhance its oversight and management of the planning service.**
- 41 These dashboard reports are being used by both officers and Members to further drive improvement. The Council's establishment of its 'Planning Hwb' as the single point of contact for service users and Members has greatly enhanced the quality of the data that the service holds on customer contacts and on planning performance.

Recommendation 14: Performance management

The Council should ensure that it presents a consolidated range of planning performance information to senior officers and Members to provide them with a fuller picture of service performance. This should include:

- **performance data;**
- **financial data;**
- **complaints information; and**
- **risk management information.**

Finding: recommendation met

- 42 **The Council has significantly enhanced the range of planning performance information that it is using to assess its performance and is presenting this information to senior officers and Members.**
- 43 Members of the Planning Committee now receive a quarterly performance report containing a suite of performance measure including those that are reported nationally to Welsh Government as well as series of local indicators. The indicators reflect and include a range of areas of the planning service including: determination of planning applications, enforcement, pre-applications and appeals. Whilst

financial information⁵, complaints and risk management information are not part of this new performance report to the Planning Committee these areas are reported on separately to Members.

- 44 At a corporate level the Council has learnt lessons from the Audit Wales' review into the planning service and has enhanced its corporate performance monitoring arrangements. Corporate Management Team now have dedicated sessions to look at performance matters and these sessions pull together a range of data to more fully understand and assess performance including information related to risk management, complaints and financial position.

Recommendation 15: Performance management

The Council should better benchmark, collaborate and share learning with other Local Planning Authorities to maximise opportunities to identify and implement good practice

Finding: recommendation met

- 45 **The Council is better benchmarking, collaborating and sharing learning with other Local Planning Authorities.**
- 46 The Council is actively engaging in regional and national planning groups where best practice is discussed and shared, including: Planning Officer Society for Wales (POSW), all Wales and regional planning policy groups, regional Development Management Group, POSW Minerals and Waste Group, South West Wales Strategic Development Plan Group. The Council is also linking in with the City Deal through the land use regional co-ordinating role to share good practice and is developing regional links and shared approaches through the establishment of the Corporate Joint Committee and its relevant topic subgroup.

Recommendation 16: Service user perspective

The Council should better consider and apply the perspective of its service users in designing and delivering its planning services to continuously improve the service in a sustainable way. This should include:

- **understanding the current position regarding trends in complaints and customer feedback, and taking action to address any issues;**

⁵ The report does include the financial costs awarded in relation to appeals on applications refused contrary to officer recommendation and subsequently approved at appeal.

- **setting out clear standards that service users can expect;**
- **improving engagement and ongoing communication with customers; and**
- **establishing an improved mechanism for gathering, evaluating, and applying customer feedback.**

Finding: recommendation met

- 47 **The Council has improved its accessibility and communication with users of the planning service, including establishing a centralised ‘Planning Hwb’ to deal with service user requests and enquiries.**
- 48 In response to our findings the Council took an early decision to establish a ‘Planning Hwb’. This provided a single point of contact for all customer and Member enquiries. This has proved to be very beneficial to the Council in giving proper oversight of the volume and nature of enquiries, and in being able to track service user experience in terms of response times and outcomes. The Council has found enormous benefit in having this single point of contact to understanding the business need and customer experience and is looking at how a similar model might be applied in other service areas.
- 49 The enforcement service has produced an enforcement statement which sets clear service standards for what the public can expect. The development management service is also working on a customer charter but the Council has decided that it would be positive to have a customer charter that is wider in scope and sets out what services users can expect from the Council overall. Once the corporate customer charter has been developed planning services will produce its own charter that fits with the new corporate one. The Place and Sustainability Business Plan 2022-25 also sets out other actions that are taking place to improve the service user experience including: enhancing webpage content and improving engagement and communication with agents, developers, and communities.

Recommendation 17: Well-Being of Future Generations

The Council should take the opportunity in any changes to the planning service 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

Finding: recommendation met

- 50 **The Council is more actively applying the sustainable development principle and the five ways of working in both its corporate approach and in how it has set out to address the recommendations in our report on the planning service.**

- 51 The Council in its business planning template shows consideration of the five ways of working identified in the Well-Being of Future Generations guidance. As part of the business planning process the service has to:
- self-assess itself against each of the ways of working;
 - identify the actions it is taking to support that way of working; and
 - specify what planned improvements it intends to take to strengthen its arrangements over the coming year.
- 52 The planning service is now less siloed in its approach and is integrating better with other services in helping to deliver the Council's well-being objectives.



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