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Charnwood

CABINET

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To: Councillors Miah (Leader), Hamilton (Deputy Leader), Ashcroft, Blackshaw, A. Gray, Jadeja, Jones and Tillotson (for attention)

All other members of the Council
(for information)

You are requested to attend the meeting of the Cabinet to be held in Committee Room 1, at the Council Offices, Southfields, Loughborough on Thursday, 12th October 2023 at 6.00 pm for the following business.

Chief Executive

Southfields
Loughborough

29th September 2023

BACKGROUND PAPERS

Key Decision

Charnwood 2030 Carbon Neutral Plan

Charnwood Borough Council's ambition and action plan to be a carbon neutral council by 2030

Charnwood

Urban Foresight

DCA

Summary

In June 2019, the UK Government amended the Climate Change Act (2008) to commit the UK to "reducing greenhouse gas emissions by at least 100% of 1990 levels by 2050". This means the UK Government now has a legally binding target for the UK to be generating net zero carbon emissions per year by 2050. This followed on from the findings of the International Panel on Climate Change (IPCC) report published in October 2018.

Having considered the IPPC report, and to show we are keen to be part of the UK response to climate change, Charnwood Borough Council has committed to achieving carbon neutrality for the Council's own operations by 2030. The Council made this commitment in June 2019. This builds on the success of our 2015-2020 Carbon Management Plan, which saw us reduce our carbon footprint by 37% between 2012 and 2018. Since then, our footprint has fallen by a further 3%.

Soon after making our June 2019 commitment to work with colleagues across the Council to fulfil our goal to reach carbon neutrality by 2030, an initial 2030 Carbon Neutral Plan was prepared in conjunction with Urban Foresight and DCA.

However, faced with the unexpected challenge of COVID-19, the Council has had to adapt operationally and financially, creating both new priorities and new ways of working.

Previous projects identified had either become less pertinent in terms of impact and priority, whilst new project opportunities have arisen.

The most significant challenge will be the financial situation the UK economy, the public sector and Charnwood Borough Council face following the current Covid-19 crisis. These market challenges will impact on the funding available for projects beyond 2021. The Council recognises the challenges we, and our communities will be facing and the need to use its available funding accordingly.

Therefore, Charnwood Borough Council have updated the 2030 Carbon Neutral Plan and projects in context of the new economic and logistic realities post-COVID. This includes reflecting the new policy and funding context.

A Living Carbon Neutral Plan

The menu of projects presented in this document is a 'point in time' menu of options for the Council, reflecting the situation we are currently in.

It is important that the Carbon Neutral Plan is treated as a living document which evolves over time. As the funding, policy and technology environment changes over time new projects will emerge which will need to be included in the Plan. Similarly, as feasibility studies are delivered projects may be changed or removed from the Plan.

One vital reason for us needing to be adaptable and flexible is uncertainty over the future of how and where the Council will work. In light of COVID-19, we are still reviewing our office estate and home working procedures. These considerations will influence which projects are added or removed from the Plan in future years.

Therefore, rather than being the end of a process or a fixed set of actions the Council is bound to, this 2030 Carbon Neutral Plan is the start of our 10-year journey. The activities outlined are not a fixed plan and will be reviewed regularly as we move through the next ten years and continually consider the best and most cost-effective ways of reducing our carbon footprint.

The projects and activities delivered by the Carbon Neutral Programme will be a mixture of newly conceived "stand-alone" activities and additional "top-up" activities. The "stand-alone" projects are those where carbon neutral funding available will be used to finance brand new low carbon project yet to be scheduled into council's planned activities. The "top-up" projects are those where carbon neutral funding available will be used to accelerate or enhance an existing low carbon project already being delivered.

Overall, the projects will combine both highly visible changes and some that will be behind the scenes. We will be making changes to the way that we use our buildings, how we operate our vehicles and how we generate our energy.

The 2030 Carbon Neutral Programme is overseen by a Project Board and has been created in collaboration with a number of Council services. This means the planned investment and efforts being made by different parts of the Council are taken into account to ensure the 2030 Carbon Neutral Plan compliments and adds to what is already planned. This 2030 Carbon Neutral Plan provides a realistic yet ambitious set of projects we can start delivering.

Charnwood's Regional Role

Eliminating the carbon footprint of the Council's assets, operations and services is not about, and cannot be about, one area of Council activity pursuing a stand-alone agenda. Making corporate decisions which enable and encourage all services to reduce carbon emissions will need to become the new normal during the course of this plan and, as such, is a whole Council activity. As a Council we are well placed to make the corporate and cultural changes needed to deliver the Carbon Neutral Plan. Our Lead Member for Transformation sits on the Council's Cabinet with a remit including the Environment and Climate Change agenda. The Council also has a climate change champion Member to promote the Council's objectives.

Looking beyond the Council's own operations and activity, our 2030 Carbon Neutral Plan is an opportunity to outline our vision to further inspire the community of Charnwood to implement other projects that can drive the Borough to become zero carbon. We hope the Council's endeavours will demonstrate how business operations can become net zero, and help our residents reduce both their emissions and their energy costs.

Charnwood is at the geographic centre of an expanding list of local Councils and other organisations that are working towards reaching net zero carbon emissions and we also have potential local allies such as the University of Loughborough and local businesses who are active in the low carbon economy. This 2030 Carbon Neutral Plan presents options for how we can inspire local and regional action whilst reducing our own carbon footprint.

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Why do we want to be carbon neutral?

Charnwood Borough Council has committed to achieving carbon neutrality for the Council's own operations by 2030. The Council made this commitment in June 2019, having considered the findings of the International Panel on Climate Change (IPCC) report published in October 2018.

This 2030 Carbon Neutral Plan presents options for how we can do this. Of course, we are very aware that types and costs of low carbon technology will change during the next ten years, as will government policy and legislation. These changes may create new opportunities or priorities which are not featured in this plan. Similarly, the Council's own finances and ways of working may change, especially as we support Charnwood's businesses and communities recover from Covid-19.

Therefore, this 2030 Carbon Neutral Plan is not a fixed plan and will be reviewed regularly as we move through the next ten years and continually consider the best and most cost-effective ways of reducing our carbon footprint.

UK response to climate change

Global scientific consensus, as reported in the 2018 IPCC report, indicates that human activities have caused global temperatures to rise by an estimated 1.0°C above pre-industrial levels. Looking to the future, the same evidence suggests that if the global economy maintains business as usual, then global temperature rise will reach 1.5 °C at some stage between 2030 and 2052.

In response to scientific consensus, the United Nations Framework Convention on Climate Change (UNFCCC) Paris Agreement of 2016 commits the global community to act. At the time, Prime Minister David Cameron called the Paris Agreement "a huge step forward in helping to secure the future of our planet" and Secretary of State for Energy and Climate Change Amber Rudd declared it as "vital for our long-term economic and global security This agreement pledges to restrict the rise in global average temperature to well below

2°C above pre-industrial levels and, ideally, limit the global temperature increases to 1.5°C.

To restrict global warming to below 2°C or 1.5°C, cumulative carbon emissions from human activity need to be kept below a threshold, referred to as a carbon budget. The IPCC state that the global carbon budget needed to stay below a 2°C increase is $900GtCO_2$ – or 900 million tonnes.

In June 2019, the UK Government amended the Climate Change Act (2008) to commit the UK to "reducing greenhouse gas emissions by at least 100% of 1990 levels by 2050". This means the UK Government now has a legally binding target for the UK to be generating net zero carbon emissions per year by 2050.

The UK Government's 2050 target builds on the Committee on Climate Change's (CCC) 2019 recommendations in the report *Net Zero – The UK's contribution to stopping global warming*. Furthermore, the CCC provided recommendations on carbon budgets for the UK divided into 5-year periods, which have also been translated into legally binding targets in the amended Climate Change Act. The current and future carbon budgets, presented in megatonnes (Mt), specified in the Climate Change Act (cumulative over each five-year period) are:

- 2018-2022: 2,544 $MtCO_2e$
- 2023-2027: 1,950 $MtCO_2e$
- 2028-2032: 1,725 $MtCO_2e$

Definition: carbon emissions

In this plan we use the phrases 'carbon emissions', 'carbon footprint', 'carbon' and carbon dioxide equivalent (CO_2e).

In the context of this plan, we use the terms interchangeably. Carbon dioxide, released into the atmosphere from burning fossil fuels, is one of several greenhouse gases (GHGs) which contribute to climate change. Rather than talk about each GHG individually, we use the phrase 'carbon dioxide equivalent (CO_2e)'.

The Council's carbon footprint is the volume of carbon dioxide equivalent (CO_2e) created by our operations and assets. In order to reduce our carbon footprint, we need to reduce the volume of our CO_2e emissions – or for short, carbon emissions.

These carbon budgets represent milestones towards a net zero 2050. Whilst latest monitoring indicates that the UK is on course to meet the 2018-2022 carbon budget, the CCC forecasts that the 2027-2032 budget will not be met without more ambitious action. This will require strong policy from national government and action from local authorities like Charnwood, both to reduce our own contribution to the carbon budget and climate change, and to inspire action from our communities and business.

Charnwood Borough Council's responsibility

The Committee on Climate Change's (CCC) 2019 recommendations outlined that:

"Local authorities are well placed to understand the needs and opportunities in their local area….they have important roles on transport planning, including providing high-quality infrastructure for walking and cycling, provision of charging infrastructure for electric vehicles, and ensuring that new housing developments are designed for access to public transport. They can improve health outcomes for people who live and work in the area by implementing clean-air zones that discourage use of polluting vehicles and other technologies."

The scientific evidence shows that climate change is likely to lead to more extreme weather, whether that be high winds and storms, higher peak temperatures in summer or more rain and flooding. In Charnwood, colder winters and warmer summers will put vulnerable people at risk, with the River Soar having already demonstrated the damaging consequences of flooding. Changing climate may also have significant impacts on agriculture and our rural economy.

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Although the Climate Change Act did not include a statutory target for local authorities to reduce carbon emissions, other parts of the UK have done so. For example, the Welsh Government has a set a target of achieving a carbon neutral public sector by 2030. Whilst Charnwood Borough Council do not face such government targets, like all councils around the country we will have to act to reduce our carbon footprint.

This is for two reasons. Firstly, local authorities contribute significantly to the UK carbon footprint and the 2050 target will not be achieved unless all councils act. Secondly, as a visible local institution, it is equally important that Charnwood Borough Council shows leadership and develops policies to that support businesses and citizens in reducing their carbon emissions as well.

Action on climate change will not only reduce negative climate impacts, but it also has the potential to increase prosperity, happiness and social cohesion in the Borough. For example, studies have shown that investment in renewables typically provides 27% more jobs than investment in fossil fuels. In fact, the green economy has recently contained many of the fastest growing sectors in the UK. In addition, many of the projects that achieve carbon neutrality promote green spaces, reduce air pollution and create energy.

As part of the UK Climate Change Act there are national targets which relate to our activity and the lives of Charnwood's residents and businesses. The Government have legislated to end sales of new petrol and diesel cars and vans by 2035. This won't just impact on the Council's own fleet vehicle purchasing. It also means we must ensure our employees,

residents and businesses have the infrastructure needed to support the transition to electric vehicles. For example, the CCC estimated that the UK will require 3,500 rapid and ultra-rapid chargers near motorways to enable longer journeys, and 210,000 public chargers in towns and cities to meet the 2035 target.

HGVs and large vehicles are currently not subject to this target, but these will need to decarbonise too. For Charnwood Borough Council this means planning to reduce emissions from our waste collection vehicles in the long-term and supporting development of zero carbon refuelling of HGVs, buses and taxis. This is particularly for vehicles that have key routes through Charnwood, including Junction 23 of the M1 Motorway.

Similarly, March 2020 saw the announcement of the proposed new Future Homes Standard. Proposed revisions to Part F and L of the Building Regulations, require that from 2025 all new homes built must have 80% lower carbon emissions than today. At the time of writing, no changes have been made whilst the Government review the findings of a second round of consultation which took place from 18th January to 13th April 2021. As a Council we will have to monitor policy changes and then help enable these to happen, both through the homes we build and through those we give planning permission for.

The Committee on Climate Change (CCC) said in its report *UK Housing: Fit for the Future (2019)* "Buildings constructed now should not require retrofit in 15 years' time. Rather, they should be highly energy efficient and designed to accommodate low-carbon heating from the start."

More energy efficient homes and local energy generation will help Council's meet national fuel poverty targets. In England, the Government target is for all homes to have a minimum energy efficiency rating of Band C. Charnwood Borough Council take this one step further, with our Housing Strategy 2015-2020. This strategy details how our own Charnwood Standard is committed to ensuring our sheltered accommodation and social housing exceeds national standards. We also have a role to play, alongside organisations like National Energy Action, in helping residents to reduce their energy bills. Our Home Energy Conservation Act Progress Report 2017-2019 outlines the action we have taken during the last two years.

Linked to reducing the carbon emissions of transport and housing is the need to decarbonise electricity generation. March 2020 saw the UK Government reverse legislation banning onshore windfarms, providing Councils with large rural areas like Charnwood the ability to influence renewable energy generation through the planning system or by

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investing in and developing windfarms themselves. This is something many Councils already do for solar energy generation.

It is this combination of changing our operations in response to the global challenge, and international and national policy, whilst also enabling and encouraging others to do so, which is at the heart of our Carbon Neutral Plan.

This is also reflected in a series of our other policies. As a Council we will encourage and enable residents, businesses and other public bodies across the Borough and region to deliver this ambitious goal through relevant technologies, strategies and plans.

Our Climate Change Strategy 2018-2030 seeks to minimise the environmental impacts of our own activities and contribute to the improvement of the wider environment through local action. We play a significant role in protecting and enhancing the environment of Charnwood and the strategy sets out how we will meet the challenges and opportunities of climate change. It outlines three strategic priority areas for action to protect the environment for future generations:

- raising awareness
- reducing our impact on climate change
- resilience.

Our Corporate Strategy (2020-24) sets out our commitment to be a carbon neutral organisation by 2030 and this carbon neutral plan is part of that action, laying out how we can achieve this ambition.

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Our commitment to reducing carbon emissions, mitigating and adapting to climate change is reflected across our strategic policies including our Open Spaces Strategy 2018-2036, Local Plan Core Strategy and our new Draft Local Plan. The local plan sets out a vision and a framework for the future pattern, scale and quality of development in Charnwood. It outlines policies for mitigation measures which reduce our impact on climate change and looks to ensure our built and natural environments are resilient and can adapt to climate change over the short and longer term.

Our commitment in the Corporate Strategy to ensure 100,000 trees are planted in the Borough is also underway. The carbon savings from sequestration by these trees will be factored into the final year of this Carbon Neutral Plan, to consider the time taken to complete the planting programme and for the trees to reach maturity.

Building on our 2015-2020 success

In 2015, Charnwood Borough Council developed a Carbon Management Plan which aimed to achieve a 15% reduction in carbon emissions by 2020 against a 2012-13 baseline.

Definition: What is a carbon emissions baseline?

The baseline for the Carbon Management Plan refers to the total carbon emissions the Council created in the final year before we started developing the plan.

The baseline was used to show what the Council's total emissions would be each year if our operations and activity continued without implementing any projects to reduce emissions. To measure reductions in our carbon emissions resulting from projects, we compare how our emissions have changed compared to the baseline.

Within a year from 2015-16, as a result of energy savings across the Council operations, we achieved and surpassed that target and recorded a 21% decrease in emissions. Progress continued as more energy saving projects across our buildings were implemented.

As a result, the most recent monitoring report for the Carbon Management Plan shows that carbon emissions from Council operations fell by 37% in comparison to the 2012-13 baseline – well in excess of the 15% target. In absolute terms this was a reduction of 787 tonnes of carbon dioxide equivalent (tCO_2e) (Figure 1). This is the equivalent of heating and lighting nearly 200 households based on Committee on Climate Change latest figures (2014).

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Figure 1: Change in Charnwood Borough Council's carbon footprint over time
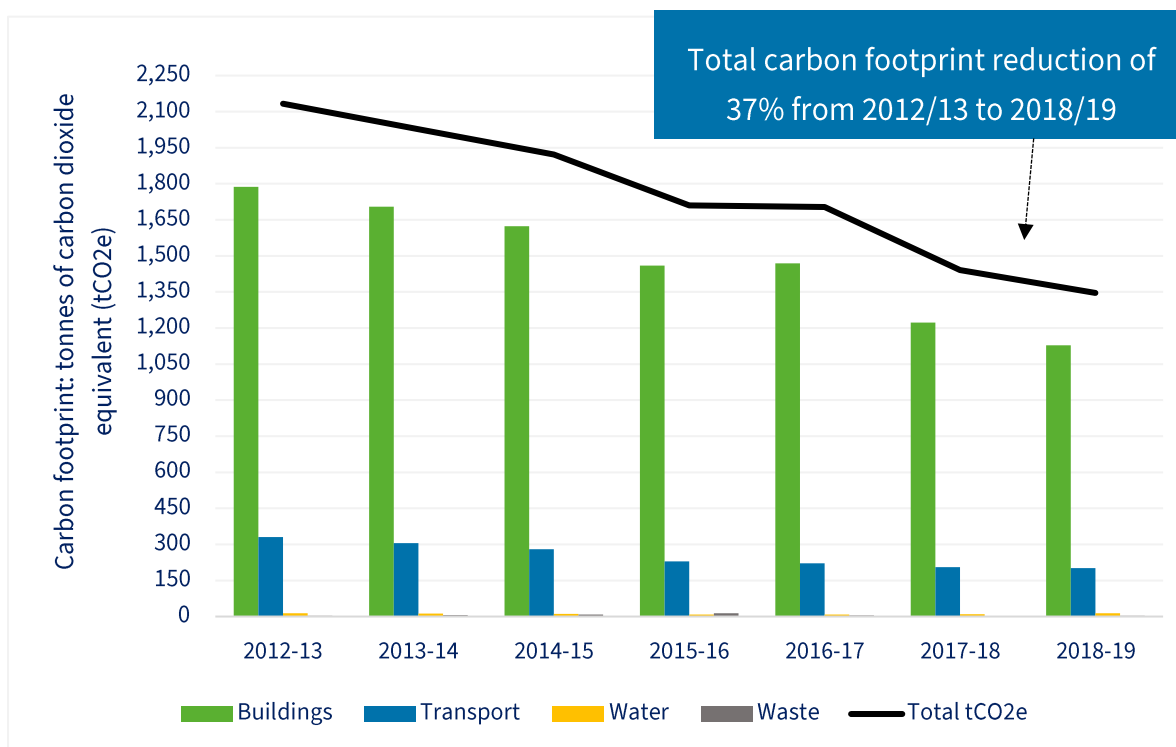
Not only did the projects implemented as part of the Carbon Management Plan achieve significant carbon reductions, but they also delivered financial savings to the Council. Despite a rise in the price of energy, the projects within the Carbon Management Plan helped reduce energy and fuel costs by a cumulative total of over £280,000.

Energy and fuel costs in 2018/19 were £33,000 less compared to 2012/13. This is equivalent to 3% of our 2019/2020 budget for maintaining parks, sports grounds, and public spaces in Loughborough, and would pay for the maintenance of Carillion Tower more than twice over.

The biggest changes in energy use, carbon emissions and costs came earlier on in the programme, with fewer projects being delivered in 2018/19. The new Carbon Neutral Plan 2030 will therefore help renew the momentum and impetus the 2015-2020 Carbon Management Plan created.

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Our carbon footprint

The target of reaching net zero emissions by 2030 is challenging, but we have already shown that we can act decisively and effectively to reduce carbon emissions. As a council we have been reducing our carbon emissions for many years through our Carbon Management Plan and are building on a solid record of success.

Despite the achievements of the Carbon Management Plan, there is much more that the Council must do to achieve carbon neutrality. To this end, a new baseline for this plan has been calculated for the Council's operations. This provides an understanding of the Council's current carbon footprint and will allow the Council to measure reductions in our carbon emissions as a result of this plan.

Defining our carbon footprint

What are the GHG Protocol and PAS 2060 standards?

GHG Protocol establishes comprehensive global standardized frameworks to measure and manage greenhouse gas (GHG) emissions from private and public sector operations, value chains and mitigation actions. Building on a 20-year partnership between World Resources Institute (WRI) and the World Business Council for Sustainable Development (WBCSD), the GHG Protocol is used by governments, industry associations, NGOs, businesses and other organizations.

PAS2060 is an international standard of carbon neutrality. Published by the British Standards Institution, it aims to create transparency and accountability around declarations of carbon neutrality to build trust and confidence. The standard is widely used by organisations across the world to demonstrate validated evidence of carbon neutrality.

In keeping with the globally recognised GHG Protocol, we have broken down carbon emissions into Scope 1, Scope 2 and Scope 3 emissions.

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Understanding different scopes:

Scope 1 emissions are those created within buildings owned and occupied by the Council, such as the Southfields offices, and fleet vehicles owned and used by the Council.

Scope 2 includes any emissions created on the Council's behalf. For example, through the purchase of electricity generated from gas-fired power stations.

Scope 3 covers the other emissions that are the consequence of actions of the Council which are not included in Scope 1 or Scope 2 – this includes outsourced services, employee commuting, and the use of employees' personal cars for Council activity.

Our footprint also includes some of our procurement, such as how we purchase electricity. Purchasing more renewable electricity reduces the carbon footprint of the energy we use, making a direct impact on our footprint.

A long-term goal of many organisations is to reach a level on a par with globally recognised carbon neutral standards, such as PAS 2060. For the Council to achieve this will require a full audit of our procurement processes and to measure the emissions resulting from every product and service we purchase. At this stage in the Council's journey however, it has been decided to focus on emissions we can directly control. This means for example, that the electricity used in our own buildings is counted, but electricity used by our tenants in buildings that we own, but do not occupy, is not.

2018-2019 Baseline

2018-2019: our carbon footprint was 1,130 tCO_2e

To demonstrate the impact of our decision to purchase renewable electricity we have presented the emissions of our electricity consumption calculated using both a location-based and market-based methodology (see below box).

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A new methodology for a new plan:

Location based method: the location-based method for calculating carbon emissions from electricity use is based on the carbon impact of the local electricity grid. In the UK our electricity is generated from both fossil fuel, zero-carbon, and renewable energy. The location-based method takes Charnwood Borough Council's electricity use and calculates the carbon emissions based on the national mix of how electricity is generated. **The location-based method was used in the 2015-2020 Carbon Management Plan.**

Market based method: Our 2020 baseline for the **Carbon Neutral Plan 2030 uses the market-based method** to calculate emissions from electricity use. This method takes into consideration how the energy the Council actually purchases is generated. If we procure more 100% renewable energy, our footprint goes down.

The location-based methodology is the first step in a three-step process to calculating our carbon footprint based on our total gas and electricity consumption. The market-based method is the second step, which accounts for the fact we use 100% renewable electricity at Council buildings meaning this electricity use creates zero carbon emissions.

The third step is to calculate the net footprint – which is the emissions we generated and calculated at Step 2 minus any emissions we offset. We offset emissions by reducing the carbon emissions by activities that either take carbon dioxide directly out of the atmosphere or reduce the carbon impact of others more than would happen without our involvement. This accounts for the positive impact of green spaces and trees throughout Charnwood on absorbing carbon dioxide from the atmosphere (a process known as sequestration) and carbon positive activity like producing renewable energy.

Overview of the three steps

Step 1 is to calculate our carbon footprint using the location-based method (see above box)

Step 2 is to calculate our carbon footprint using the market-based method. Our carbon footprint is reduced by purchasing zero carbon renewable electricity

Step 3 deducts the carbon saved from green space and trees and reduces our footprint further

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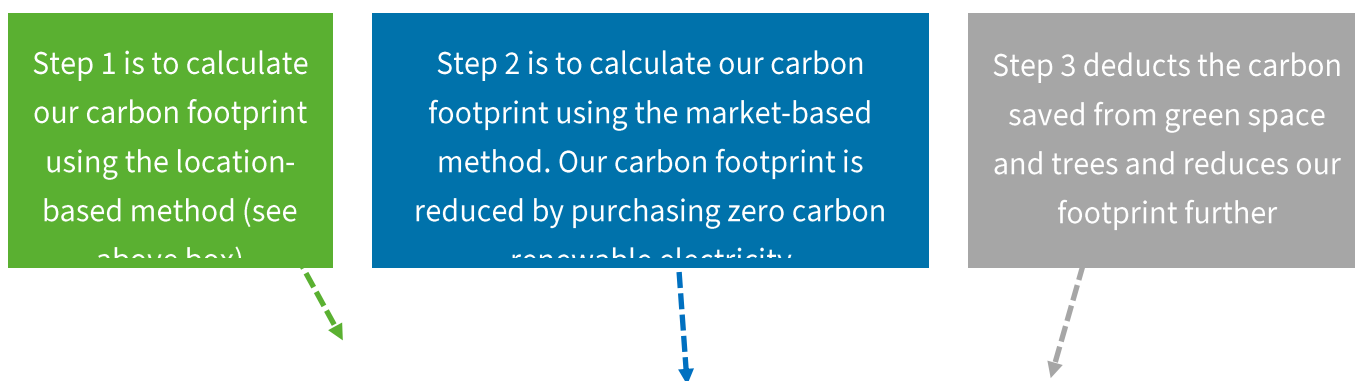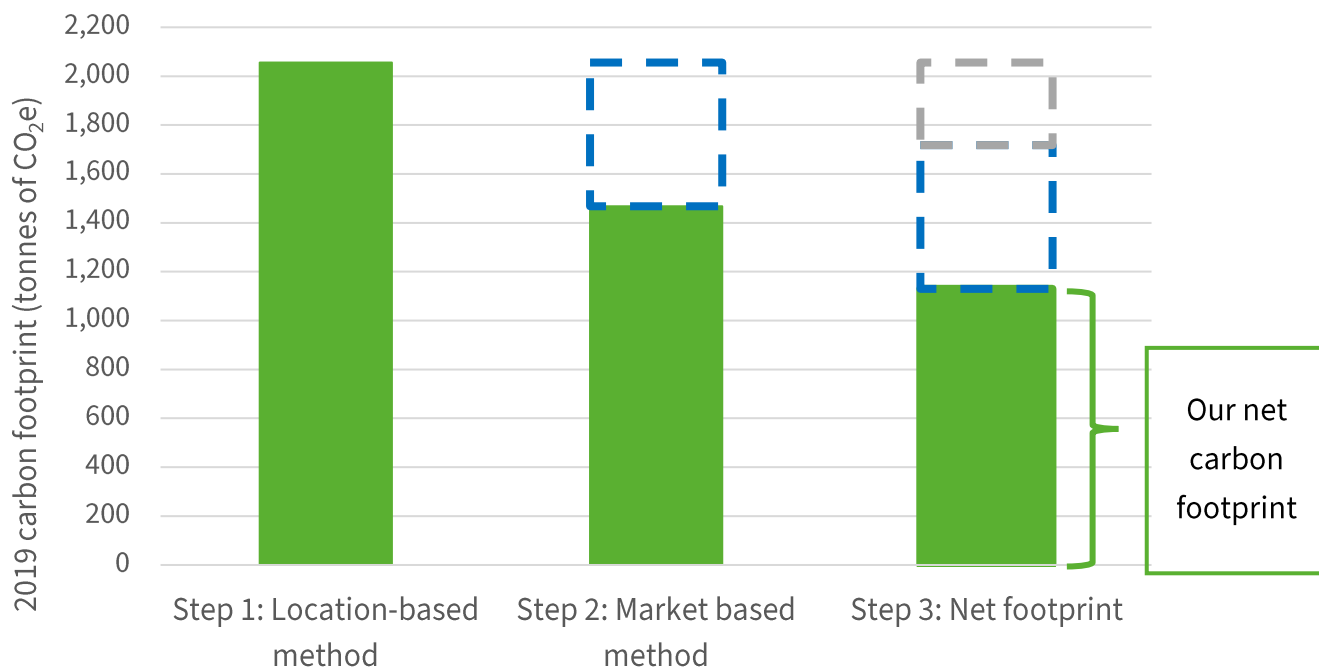
Step 1: Gross carbon footprint using location-based method

Using the location-based methodology to calculate the emissions from electricity consumption the gross carbon footprint in 2019 is 2,056 tCO_2e (Table 1). This is the same method used in the Carbon Management Plan 2015-2020.

Table 1: Step 1 – Gross 2018-2019 carbon footprint of the Council operations by scope using location-based method

Source	Emissions (tCO$_2$e)			
	Scope 1: emissions directly from Council owned and operated activity	Scope 2: emissions created through energy supply	Scope 3: emissions from outsourced services and grey fleet	Total emissions
Building	298	542	46	886
Transport	123	0	1,026	1,149
Waste	0	0	6	6
Water	0	0	16	16
Total	421	542	1,093	2,056

Step 2: Gross carbon footprint using market-based method

Adopting the more accurate market-based method for calculating emissions from electricity shows that any electricity used at Council buildings does not create any carbon. The Council's positive procurement choice to purchase renewably sourced electricity for all its own operations saves 588 tonnes of carbon dioxide equivalent (tCO$_2$e), reducing the carbon footprint by 35% to 1,468 tCO$_2$e (Table 2).

Table 2: Step 2 -Gross 2018-2019 carbon emissions of the Council operations by Scope, using market-based method (gross emissions taking account of renewable energy purchase)

Source	Emissions (tCO$_2$e)			
	Scope 1: emissions directly from Council owned and operated activity	Scope 2: emissions created through energy supply	Scope 3: emissions from outsourced services and grey fleet	Total emissions
Building	298	0	0	298
Transport	123	0	1,026	1,149
Waste	0	0	6	6
Water	0	0	16	16
Total	421	0	1,468	1,468

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The impact of adopting the market-based method is to reduce Scope 2 & 3 emissions from our buildings. The fact that these buildings use 100% carbon zero renewable energy means that the only emissions from buildings are through fossil-fuelled heating and cooling. The change in the make-up of emissions at Step 1 compared to Step 2 is shown in Figure 2.

Figure 2: breakdown of emissions by source

Step 1 emissions breakdown

Step 2 emissions breakdown
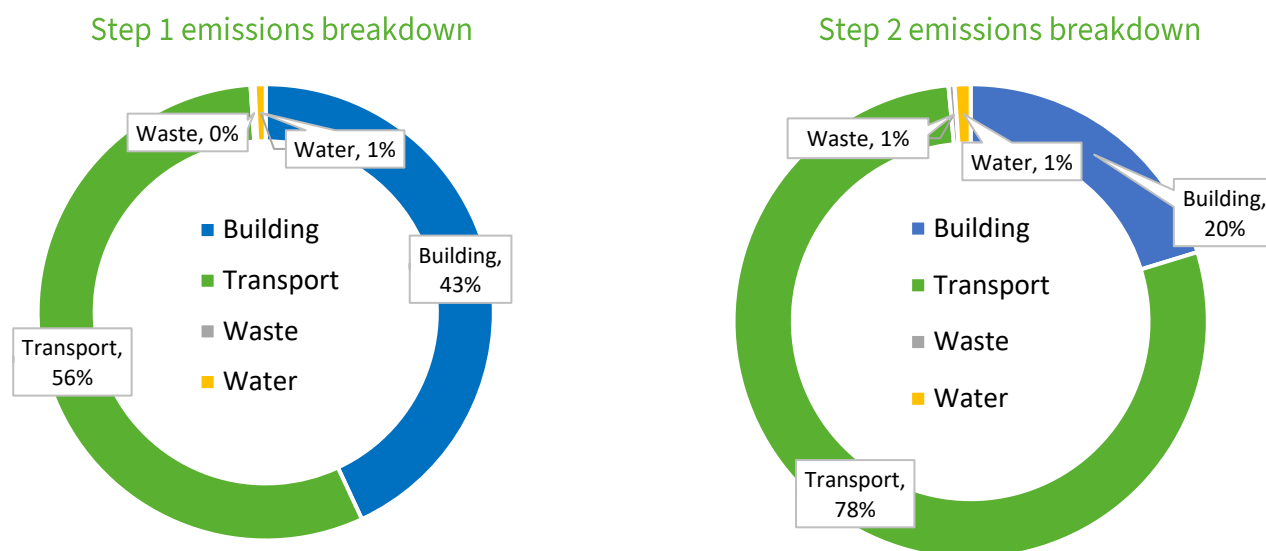
Step 3: Net carbon footprint

The final step to complete our carbon footprint calculation is to subtract our carbon-positive activity from built and land assets we own. This includes sequestration by trees and green space or renewable energy that we generate in our own renewable energy installations and then export to the National Grid.

Across the Borough's owned green space and natural assets, 338 tCO_2e was sequestered or removed from the atmosphere in 2018/19. Subtracting this from the emissions we generate means that in 2019 our carbon footprint was 1,130 tonnes of tCO_2e (Table 3).

Table 3: Step 3 – 2018-2019 Net- carbon emissions of the Council operations

Source	Total tCO_2e (location-based method)	Total tCO_2e (market-based method)	Total tCO_2e sequestered
Building	886	298	
Transport	1,149	1,149	
Waste	6	6	

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Water	16	16	
Total emissions	*2,056*	*1,468*	
Sequestration			338
Renewable generation			0
Total offset			*338*
Total net baseline			**1,130**

2019-2020 Carbon Footprint & Sequestration Value Change

> 2019-2020: our carbon footprint was 1,377 tCO_2e

2019-2020 footprint

Our 2019-2020 energy use shows the important positive impact our decision to purchasing 100% renewable electricity. In fact, purchasing renewable electricity has reduced the carbon emissions from our buildings by 70%, saving 737 tonnes of CO_2e (Table 4).

Table 4: 2019-2020 carbon footprint

Source	Total tCO_2e (location-based method)	Total tCO_2e (market-based method)	Total tCO_2e sequestered
Building	1,059	322	
Transport	1,279	1,279	
Waste	6	6	
Water	23	23	
Total emissions	*2,233*	*1,496*	
Sequestration			-252
Renewable generation			0
Total offset			*-252*
Total net baseline			**1,377**

Change against 2018-2019

Our carbon footprint has increased compared to 2019. This includes a rise of 24 tonnes CO_2e in buildings and of 138 tonnes in transport (Table 5).

However, the biggest impact on our footprint comes from a change in the way the sequestration of carbon emissions is calculated following the publication of new data on carbon storage by Natural England in 2021. Natural England undertook a major review of the scientific evidence for sequestration from different land uses and collated the latest

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information on how, for example, planting trees has a positive impact on carbon emissions. However, the report also brought in more evidence of the impact of other aspects of the land use change, including the impact on soil. The positive benefit we get from sequestration is better understood but overall the effect is less by 86 tonnes CO_2e.

Table 5: 2019-2020 carbon footprint compared to 2018-2019 baseline.

Source	tCO2e generated (market-based method)		
	2018-2019	2019-2020	% Change
Buildings	298	322	7%
Transport	1,149	1,279	10%
Waste	6	6	0%
Water	16	23	30%
Total emissions	1,468	1,496	2%
Sequestration[1]	-338	-252	-34%
Renewable generation	0	0	0%
Total offset	*-338*	*-252*	*25%*
Total net baseline (Emissions minus offset)	**1,130**	**1,378**	**18%**

The 2020 carbon footprint uses the same three-step method developed in 2019. The impact of the Council's decision to purchase renewable electricity, and the carbon sequestration of trees and green space is shown in Figure 3 and Figure 4.

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[1] Sequestration values are impacted by a newly updated Natural England conversion factor used for 2020 and 2021

Figure 3: The three steps to calculate the 2020 carbon footprint
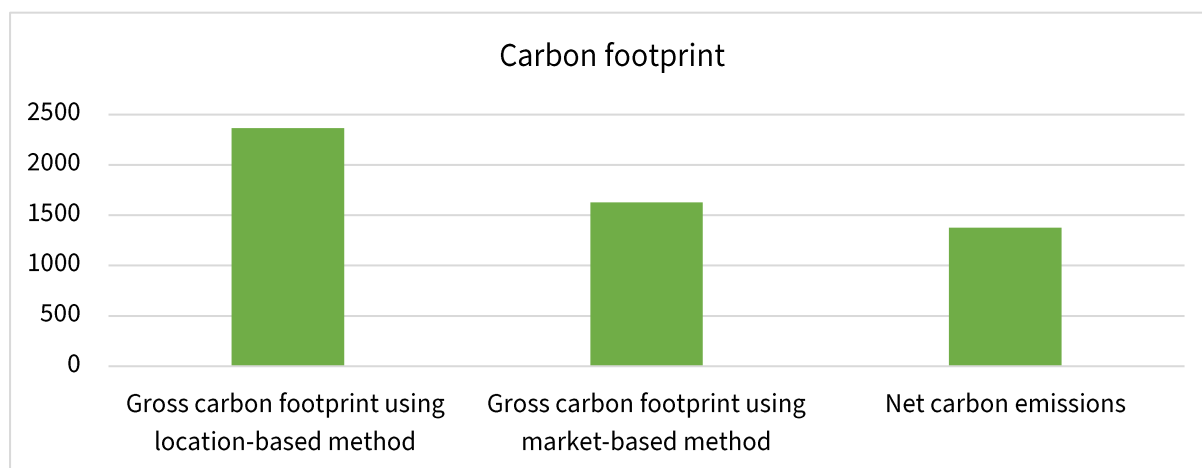
Figure 4: The impact of renewable electricity and carbon sequestration

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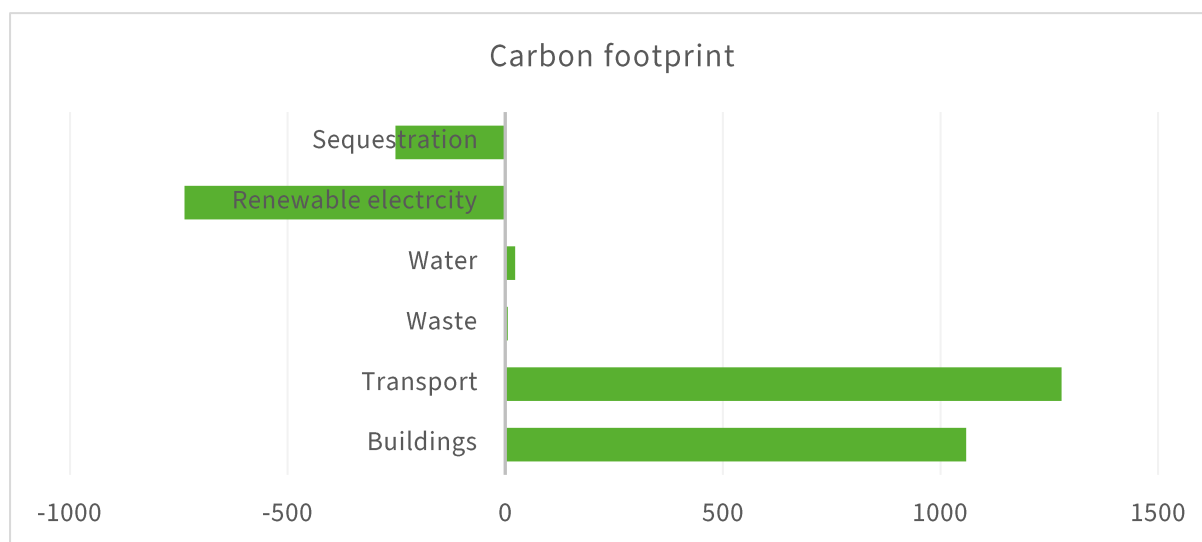
2020-2021 Carbon Footprint and COVID-19 Impact

2020-2021: our carbon footprint is 1,092 tCO_2e

2020-2021 footprint

Our 2020-2021 energy use shows the important positive impact made by our decision to purchase 100% renewable electricity. In fact, purchasing renewable electricity has reduced the carbon emissions from our buildings by 76%, saving 631 tonnes of CO_2e (Table 6).

Since September 2020, as part of the COVID-19 pandemic response, the NHS have leased the ground floor of the Southfields Road building. The Council do not have access to this space, and as such, the emissions generated need to be excluded from the buildings carbon footprint for 2020-2021. However, the building is not sub-metered meaning there is no definitive record of energy consumed by the NHS. Therefore, an estimate has been made using floor space leased and operational hours. The emissions of the NHS have been estimated based on the NHS using 32% of the buildings operational time (calculated as square metres an hour per week).

Table 6: 2020-2021 carbon footprint

Source	Total tCO₂e (location-based method)	Total tCO₂e (market-based method)	Total tCO₂e sequestered
Building	833	202	
Transport	1,133	1,133	
Waste	6	6	
Water	9	9	
Total emissions	*1,981*	*1,350*	
Sequestration			-258
Renewable generation			0
Total offset			*-258*

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Total net baseline			1,092

Change over time

Our 2020-2021 carbon footprint has reduced by 3% compared to 2018-2019 (Table 7). There has been a larger decrease 286 tonnes CO_2e or 21% from 2019-2020(Transport emissions were impacted by COVID-19, as staff travel was heavily reduced. Reported mileage driven was 50% less than baseline. Similarly, there was a reduction in the use of some contracted vehicles, including a reduction in fuel use by refuse collecting vehicles.

The nature of the Council's buildings means the impact of COVID-19 energy use and carbon emissions has been different across the buildings. These differences can be seen in Table 9. The changes in working practice and building occupancy meant that water use was also 61% down on the baseline.

Table 8). Net emissions from all sources have fallen.

Table 7: 2020-2021 carbon footprint compared to 2018-2019 baseline.

	tCO2e generated (market-based method)		
Source	2018-2019	2020-2021	% Change
Buildings	298	202	-32%
Transport	1,149	1,133	-1%
Waste	6	6	0%
Water	16	9	-44%
Total emissions	*1,468*	*1,350*	*-8%*
Sequestration[2]	-338	-258	24%
Renewable generation	0	0	0%
Total offset	*-338*	*-258*	*24%*
Total net baseline (Emissions minus offset)	**1,130**	**1,092**	**-3%**

[2] Sequestration values are impacted by a newly updated Natural England conversion factor used in 2020 and 2021.

Transport emissions were impacted by COVID-19, as staff travel was heavily reduced. Reported mileage driven was 50% less than baseline. Similarly, there was a reduction in the use of some contracted vehicles, including a reduction in fuel use by refuse collecting vehicles.

The nature of the Council's buildings means the impact of COVID-19 energy use and carbon emissions has been different across the buildings. These differences can be seen in Table 9. The changes in working practice and building occupancy meant that water use was also 61% down on the baseline.

Table 8: 2020-2021 carbon footprint compared to 2019-2020.

Source	tCO2e generated (market-based method)		
	2019-2020	**2020-2021**	**% Change**
Buildings[3]	322	202	-37%
Transport	1,279	1,133	-11%
Waste	6	6	0%
Water	23	9	-61%
Total emissions	*1,496*	*1,350*	*-10%*
Sequestration	-252	-258	2%
Renewable generation	0	0	
Total offset	*-252*	-258	2%
Total net baseline (Emissions minus offset)	**1,378**	**1,092**	**-21%**

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[3] Buildings and renewable electricity analysis include more stock in 2020 and 2021 compared to 2019

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Table 9: Changes in emissions from gas use before and during the COVID-19 pandemic

| Building | Tonnes CO$_2$e from energy use (market-based method) | | | Notes |
	2018-2019	2019-2020	2020-2021	
Southfields	88	99	69	The NHS have leased the ground floor of the Southfields Road office as part of the response to COVID-19. Their estimated contribution to the building's emissions have been removed from the 2020-2021.
Loughborough Town Hall	113	118	86	Building closed since Monday 16th March 2020.
Woodgate Chambers	51	55	35	Building occupancy was impacted by COVID-19 resulting in an overall decrease in energy usage in last year. Many tenants work with vulnerable people which meant Glebe House, CAB and Aspire Life Skills being fully or partially closed, under LCC guidance.
Charnwood Museum	30	27	20	Building closed since Monday 16th March 2020. Park-facing café has been open for takeaway between 4th June 2020 and 15th November 2021 and opening again in Spring 2021. Energy consumption is not metred separately.
ICS Building	12	13	16	The ICS building continued to be in operation during the pandemic. It is speculated that the small increase energy usage could have been caused by more continuous connection of remote workers IT equipment to the servers.
The Oak	4	4	5	Building remained open to tenants. Heating supplied centrally from one boiler, so occupancy does not affect gas use.
Other locations	4	5	4	Locations include Public Conveniences, Shelthorpe Golf Course, Queen's Park Bowling Club, Nanpantan Sports Ground, Limehurst Depot.

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Building	Tonnes CO_2e from energy use (market-based method)			Notes
	2018-2019	2019-2020	2020-2021	
Total	**302**	**322**	**235**	

Forming the Carbon Neutral Plan

Building the Carbon Neutral Plan has required consultation with all parts of Charnwood Borough Council. There were two stages of internal stakeholder engagement both pre-COVID and during COVID. These required different parts of the Council being engaged to ensure our projects match the ambition of the Council, are aligned with service delivery plans and budgets, and are financially prudent.

The Pre-COVID stakeholder engagements occurred between November 2019 and May 2020. The more recent engagement occurred between April and May 2021, which revisited many of the stakeholders to understand progress and priority changes to their respective Carbon Neutral projects plans.

First engagement (pre-COVID)

Face-to-Face Meetings with building managers and Heads of Service

In November and December 2019, multiple visits were made to Charnwood Town Hall, Charnwood Museum, Woodgate Chambers, the Oak Business Centre, the Ark Business Centre, and our Southfield Road and ICS building complex.

Building managers played an important role in providing information and data to inform our projects, as well as describing what they would like to happen and the challenges they face. A carbon footprint and energy audit has been prepared for each of the buildings. These include technical details on the projects in this plan, and a number of other potential projects which have been ruled out.

Meetings with corporate and delivery services have taken place throughout the project, starting in November 2019 and continuing to April 2020. This has been to ensure the projects we propose complement existing plans rather than conflict with them, and to inform the timeline of project delivery.

Workshop with Heads of Services and building managers

In 2019 a half-day workshop was held with around 20 staff from Charnwood Borough Council, representing a range of delivery and corporate services and building managers.

Working in groups, participants created a vision statement for how to achieve a net carbon neutral Council. Then, reflecting on achievements so far, participants brainstormed and prioritised a number of projects and delivery actions. The range of projects in this plan match those identified in the workshop and the roadmap designed by each group. A key area of focus from each group was the importance of culture change at a Corporate Leadership level to enable large and impactful projects to happen.

Members briefing event

In February 2020, an evening briefing event was delivered to Members. Led by Councillor Rollings, over 30 Members attended to learn about our Carbon Neutral Plan 2030 and to ask questions. During the discussion, the enthusiasm of the Members to be engaged and involved in successfully reaching our aim was clear.

Corporate Leadership Team and Board Meetings

Our work on the Carbon Neutral Plan began with an introductory meeting to the Corporate Leadership Team to capture their priorities. This has been followed up by

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quarterly Project Board meetings to discuss the proposed projects. The Project Board is made up of Officers and elected Members.

Second engagement (during COVID)

Video Meetings with building managers and Heads of Service

Between April and May 2021, due to social distancing restrictions, multiple video meetings were conducted with the same Charnwood Borough Council's service leaders engaged prior to COVID.

This was to understand how council services have had to adapt operationally and financially due to COVID, and any impact this has had on progress made on previously planned carbon neutral priority activities. These insights have been incorporated into the 2030 Carbon Neutral Plan, reflecting the current policy priorities and funding restrictions that are in place.

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Delivering the Plan

Managing and delivering projects

Co-ordinating the whole Council activity to ensure that Carbon Neutral projects are embedded across our capital programme and services is likely to require additional resources.

To be most effective, there is a need for a dedicated resource with an overview of each Service area to coordinate activity between Service Managers within and across Directorates.

Many of the projects in this plan are cross-directorate and will have a golden 'window of opportunity' to deliver. For example, if a building is being renovated then this is likely to be the most efficient and cost-effective time to deliver carbon saving and energy generation projects. It will be essential to ensure that these carbon reduction projects are considered and included in the plans for renovation and that such opportunities are not missed. We will consider the support required for Council Services in writing funding bids, identifying best practice examples, and working with procurement, partners and suppliers during project delivery.

This plan is designed to be flexible. The menu of projects and the prioritisation tool later in this report allow the Council to respond to funding opportunities and new technologies and delivery models which may emerge.

There will be a need for concerted action from across the Council and additional resources will be needed to drive forward our ambition to become a carbon neutral council by 2030. This will include resources for selecting projects, delivering them, and identifying new opportunities. Using the Carbon Accounting Tool provided, there will also be a need to ensure monitoring and evaluation of projects is overseen, with accurate and timely progress reports provided to members.

Action 1	Ensure dedicated resources are in place to implement the management and delivery of the Carbon Neutral Plan.

Reducing emissions is a whole Council activity

In developing this Carbon Neutral Plan, we have worked closely with different areas of the Council responsible for service delivery. The projects presented are designed to

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complement and build on our existing budget plans to reduce the Council's carbon footprint.

Eliminating the carbon footprint of the Council's assets, operations and services is not about, and cannot be about, one area of Council activity pursuing a stand-alone agenda. Making corporate decisions which enable and encourage all services to reduce carbon emissions will need to become the new normal during the course of this plan and, as such, is a whole Council activity.

As a Council we are well placed to make the corporate and cultural changes needed to deliver the Carbon Neutral Plan. Our Lead Member for Transformation sits on the Council's Cabinet with a remit including the Environment and climate change agenda. The Council also has a climate change champion Member to promote the Council's objectives.

Action 2	**Formalise and embed a process for evaluating the impact arising from the council's decisions on carbon emissions.**

For the Council to become carbon neutral by 2030, there are four key enabling factors; taking responsibility, joined-up working, procuring outcomes, and learning from data. Unlocking these factors requires changes to the way we work at a corporate level (Figure 5).

Figure 5: Enabling factors for long-term carbon neutral project delivery

1. Taking responsibility

Delivering Carbon Neutral Projects and reaching net zero by 2030 will need dedicated resource for owning and delivering projects.

Co-ordinating the whole Council activity to ensure that Carbon Neutral projects are embedded across our capital programme and services is likely to require additional resources.

This requires changes that facilitate collaborative actions and work towards a shared goal across disciplines to effectively reduce carbon emissions. Embedding sustainability and climate change in Council decision making is part of this process. Making a Sustainability /

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2. Joined-up decision making

Climate Change checklist as a mandatory inclusion in Cabinet / Council reports is one way to achieve this.

One practical example is on reducing the emissions from the Council's fleet and grey fleet vehicles. This doesn't just require new vehicles. It requires new infrastructure for charging them, and Human Resource policy changes to how employees use and access vehicles, and mileage payments. Without breaking down silos and involving all service directorates and corporate functions of the Council, we will not be able to grasp the available opportunities to reduce our carbon footprint.

3. Learning from data

Monitoring the impact of the projects in this plan is important. This means that embedding a standardised way of collating and reporting on tracking and the monitoring of data is important. To achieve this, the different teams responsible for delivering the projects understand the value of data in:

- Clearly tracking which projects have been deployed and at what cost to demonstrate progress to Elected Members and citizens.
- Monitoring changes in energy use, vehicle fuel use and energy generated to show the progress towards net carbon neutrality.
- Reporting on financial savings and revenues to make the case for further investment as the plan progresses.
- Creating feedback loops from pilots to learn what works in order to inform future projects.

Internal standards can be used so that procurement considers carbon emissions and data collection – either by explicitly asking tenderers to answer a question on carbon emissions in tenders, or by simply by making an internal assessment of potential carbon impact. This can enable the Council to maximise opportunities to achieve carbon

4. Procuring outcomes

savings, embed monitoring data, as well as achieving the intended social and economic outcomes.

Strategic procurement should focus on long-term benefits over quick wins. Whilst technology applications change rapidly, underlying infrastructure such as low carbon vehicle infrastructure or housing can be designed and built in a way that is future proofed from the start. For example, new or renovated buildings can be built in a way that enables them to adopt fully zero-carbon heating, power, and mobility in the future, even if these are not available now.

Roles and Responsibilities

The Carbon Neutral Projects identified have been specifically chosen to build and add value to existing council activities and plans (at all levels), by filling delivery gaps and joining-up resources to support Council commitment to achieve Carbon neutrality by 2030.

Council-wide collaboration is needed to deliver the Carbon Neutral Plan. To provide clarity on roles and responsibility the PACE framework for project management will be used for each project during the life of the Carbon Neutral Plan.

PACE is designed to enable fast decision making, accountability and consensus building to co-ordinate the different council stakeholders.

Each letter within PACE specifies the level of ownership and responsibility for a given Council stakeholder. For Carbon Neutral projects, roles and responsibilities will be assigned as shown in Table 10.

Table 10: PACE framework roles and responsibilities

Role		Responsibility
P	Project Owner	Responsible for planning and monitoring projects to ensure they are on time, on-budget and meet requirements. They coordinate and inform other stakeholders and seek necessary approvals.
A	Approver	Responsible for reviewing key project milestones and approving any final decisions.
C	Contributor	Responsible for providing expert consultation and enabling support.
E	Executor	Responsible for "on the ground" project implementation.

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Prioritising Projects

A Carbon Neutral Project Screening Tool can be used by project managers and Heads of Services who are responsible for developing and promoting carbon reduction projects.

The Tool provides a mechanism for scoring projects against 11 criteria which have been designed to reflect different considerations in our decision-making process, from carbon emissions reduction to financial payback.

To turn these 11 individual scores into recommendations, the tool calculates two combined scores:

- **Impact score:** 6 impact criteria scores added together.
- **Deliverability score:** 5 financial deliverability criteria scores added together.

These two scores can then be plotted on two-by-two matrix which will recommend whether projects should be prioritised. For example, projects which have a high impact score, and high deliverability score are prioritised as 'must do', as shown below (Figure 6).
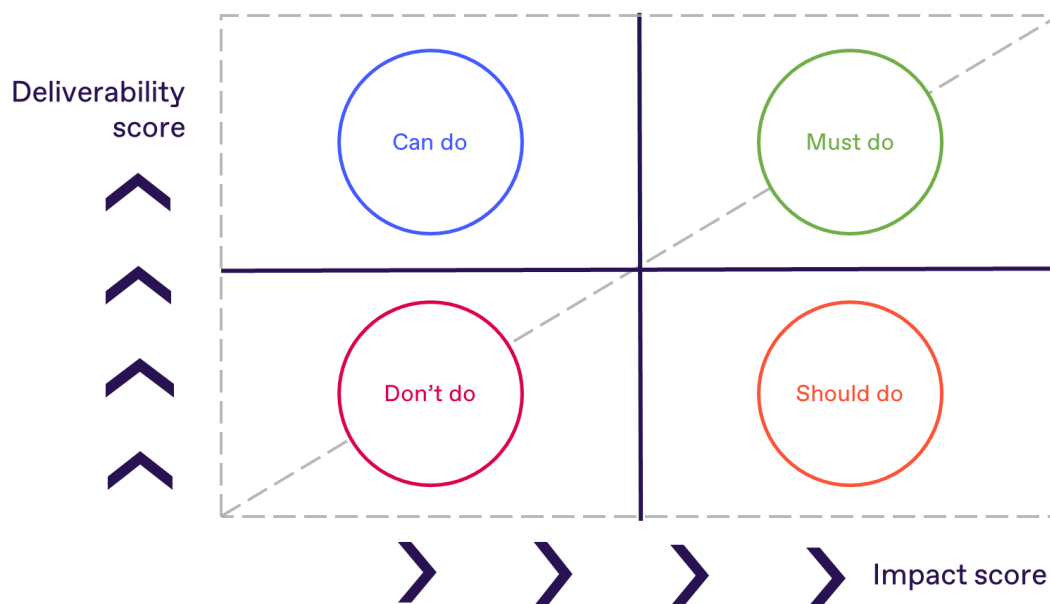
Figure 6: Prioritisation matrix

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The impact criteria are:

C1	Targeted	**Is the project tackling the biggest carbon emitters and most urgent priorities to address**
		Is the project tackling a major source of Charnwood Borough Council's carbon emissions?
C2	Carbon impact	**Scale of carbon reduction**
		Does the project make a significant contribution to reducing carbon?
C3	Visible	**People see and feel the benefits of the Net Zero Plan**
		Charnwood Borough Council staff see real change and the project is a visible demonstration of action to communities across the Borough.
C4	Scalable	**Is the project scalable across the whole Charnwood Borough Council estate/fleet/operations, if required?**
		If the project is a pilot, or focusing on just a part of Charnwood Borough Council's estate or fleet, will it be scalable across the rest of the estate or fleet?
C5	Intelligent	**Responsive and future-proofed solutions**
		Is the project using the best solution or technology for the long-term and is preparing Charnwood Borough Council for integrating future technologies or responding to future policy?
C6	Added value	**Is the project adding value to or topping-up planned Charnwood Borough Council activity rather than duplicating or conflicting?**
		Is the project using Carbon Neutral Plan budget to enhance or improve the energy and carbon performance of activity planned by different Services across Charnwood Borough Council rather than funding a new or stand-alone activity?

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The deliverability criteria are:

D1	Deliverability	**Ability to deliver and realise benefits in the short term.**
		Does Charnwood Borough Council have the ability to deliver with current capacity and resources?
D2	Readiness	**Project readiness level**
		Is the project 'off the shelf' or already progressed through stages of design and feasibility, meaning it can be implemented
D3	Cost	**Scale of investment needed**
		Is the level of investment needed affordable within existing budgets or known sources of funding?
D4	Return on investment	**Timescale for payback**
		Will the project payback either through revenue generation or cost savings within five years? If funded by external loans, will annual savings exceed loan repayments?
D5	Alignment with funding opportunities	**Does the project provide an opportunity to secure funding?**
		Is the project aligned (in terms of outcomes, sector, focus, and scale) with priorities of UK government funding for Local Authority internal projects, research funding via universities, or private investment funds?

Funding and Partnerships

Financing large scale energy efficiency and energy generation schemes is a big challenge for local authorities around the country. This is no different for us here in Charnwood, especially as we emerge from the unprecedented situation created by COVID-19.

As the costs of the required carbon neutral projects are outside our available budget additional forms of funding and finance are needed. The majority of this will be from external sources.

External funding

We recognise the need for a step change in how we develop projects to reach net zero, and a number of national organisations can be important partners in navigating different finance options.

A key organisation to engage is Local Partnerships. Local Partnerships is described as a joint venture between HM Treasury, the Local Government Association and Welsh Government. Local Partnerships focus on helping the public sector deliver projects to reduce carbon emissions and maximise value for money.

Local Partnerships run the Re:fit programme. Re:fit is a procurement initiative for public bodies wishing to implement energy efficiency measures and local energy generation projects on their assets. Local authorities can access the Re:fit framework for development and delivery of long-term capital programmes to reduce carbon emissions and improve the performance of existing and newly created assets.

Forming a regular dialogue with Local Partnerships will be an important aspect of delivering the plan. This will include understanding fully how Local Partnerships can help us deliver the Carbon Neutral Plan and to help us access the wider range of guidance on finance provided by the Local Government Association.

Loans and debt finance

Government funding and finance often takes place in phases and waves. For example, two funding streams became available for short periods in the first half of 2021:

- **Phase 2 Public Sector Decarbonisation Scheme replaced the SALIX Energy in 2-Efficiency Loan Scheme**. This scheme, funded by BEIS and administered by SALIX provides Local Authorities with loans to fund heat decarbonisation and energy efficiency measures, with a focus on a whole buildings approach.

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- **The Public Sector Low Carbon Skills**. This fund provided grants to help all eligible public sector bodies to source specialist and expert advice to identify and develop energy efficiency and low carbon heat upgrade projects for non-domestic buildings.

It is likely that that these schemes will re-open for new phases in the future and it is important we are fully prepared for this event. To do this, we will:

- Maintain dialogue with the Local Government Association and BEIS so we know when application rounds are coming
- Continue with feasibility studies and project proposal development so we have 'off the shelf' projects ready for a quick response to funding calls.

Progressing feasibility studies and project proposals will also be required to access established forms of public sector borrowing.

As well as waves of funding, there are established, and emerging forms of finance backed by the UK Government.

The Public Works Loan Board (PWLB) is the most established source of finance for local authorities. The PWLB generally offers the lowest rate of interest available to local authorities and is provided on a more flexible basis than most private sector funding. Warrington Borough Council borrowed £58.7m from the PWLB to build two solar farms which opened in 2019 and 2020. Projects do not have to be delivered withing Charnwood for us to access this finance. For example, Warrington's projects are a 34.7MWp solar farm plus a 27MW battery storage facility near York and a 25.7MWp solar farm in Hull.

Community Municipal Bonds are a relatively new but growing way for Local Authorities to raise finance for infrastructure investment. A form of public sector crowdfunding, with members of the local community able to invest in projects for a rate of return. West Berkshire Council raised £1m to fund new rooftop solar power on Council-owned buildings. A total 640 investors, 20% from within the local authority, invested with West Berkshire Council paying returns of 1.2 per cent per year over a 5-year term.

The Salix Recycling Fund provides capital investment in energy-efficient technologies across the public sector. It is a ring-fenced fund with capital provided by Salix and matched by the partner organisation, to be spent on energy-saving projects with paybacks up to 10 years. The financial savings delivered by the projects are returned to the fund allowing further spending on front line services, hence the term 'Recycling Fund'.

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The UK Infrastructure Bank (UKIB) will provide a total of £4billion loans to local authorities for strategic infrastructure projects. Unlike private projects, local authority projects do not need to be revenue generating in themselves, but the Bank will seek evidence that the project is financially sound, and that the authority has the ability to repay the loan. The minimum loan is £5million. This is a larger amount than we may need, however the UKIB provides advice to support collaboration and partnership working meaning we can work together with other organisations and local authorities. The UKIB is planning to start further engagement with local authorities during Summer 2021 and will also be releasing further guidance. Liaising with UKIB and exploring opportunities for collaborative projects will be important.

Grants

A selection of available and relevant grants is summarised below. An aspect of delivering the Carbon Neutral Plan will be to monitor new grant announcements on a regular basis. Ensuring sufficient resources and capacity is available to work on funding bids will be important to avoid missing opportunities that arise.

The Office for Low Emissions Vehicles (OLEV) Workplace Charging Scheme a voucher-based scheme that provides support towards the up-front costs of the purchase and installation of electric vehicle chargepoints at workplaces, including public sector organisations.

The Heat Networks Investment Project (HNIP) is a government funding programme to increase the number of heat networks being built in towns and cities. The scheme offers grants and loans to both the public bodies for heat networks serving 2 or more buildings. This could provide an opportunity to help other organisations in Charnwood decarbonise their heating at the same as we do for our own buildings.

Defra's Air quality grant programme provides funding to eligible local authorities to help improve air quality. Primarily funding goes to community-wide projects, however this is not always the case. For example, in March 2021 Buckinghamshire Council were awarded over £97,000 for a pilot of an electric vehicle employer salary sacrifice scheme.

The Urban Tree Challenge Fund (UTCF) opened 26 April 2021 as part of the Government's Nature for Climate Fund, supporting the planting of 44,000 large 'standard' trees over a two-year period: 2021/22 to 2022/23. Funding is open to both block bids and individual applications. A block bid is designed for organisations to apply for funding for multiple projects that can be geographically dispersed

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The Rural Community Energy Fund (RCEF) is a £10 million programme which supports rural communities in England to develop renewable energy projects. Grants of up to £40,000 for a feasibility study for a renewable energy project. Following this, grants of up to £100,000 are provided for business development and planning of feasible schemes. This funding is available to town and parish councils which are designated as rural. Developing projects would require partnership working between us and parish councils, and the Midlands Energy Hub who administer the funding.

Carbon Neutral Plan

Investment the Council makes will achieve meaningful carbon reductions and be cost effective. This Carbon Neutral Plan is the start of our journey, presenting key challenges and actions which can be delivered.

An immediate work programme of action to address our carbon emissions is set out in this section, underpinned by the steps needed to deliver the plan discussed in the previous section.

The work programme reflects the main challenges we need to address during the next ten years. It is important to acknowledge that reducing emissions over the next ten years will be more difficult than the previous five years as we have successfully completed 'quick win' projects, with outstanding actions much more substantial in scale.

Strategy

Our strategy to become carbon neutral is based on two principles of best practice: the energy hierarchy and navigating the "path of least regret."

The Energy Hierarchy

The energy hierarchy takes the following format:

Energy Reduction

Energy Recovery

Renewable energy

Carbon Offsetting
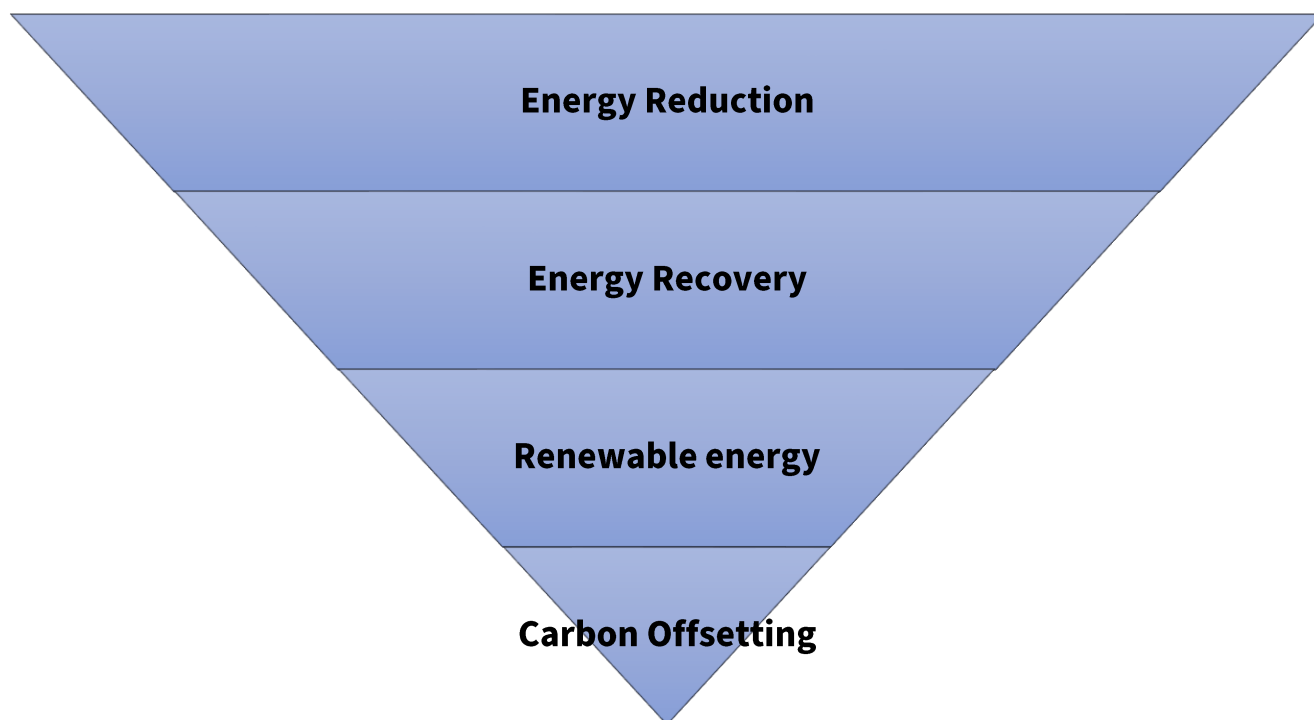
Therefore, the analysis below identifies ways in which energy is currently being used to identify projects that can realistically reduce the energy consumption of the site to the point where renewable energy can reduce the footprint to zero.

The Path of Least Regret

Within the analysis, there are inevitably options in which a trade-off between the energy hierarchy principles and achieving the goal of zero-carbon is necessary. For example, technological advances may change the nature of the projects, or even create new opportunities that have not been included in this plan. The current national and local socio-economic situation created by COVID-19 will also likely have a long-lasting influence on the funding opportunities and prioritisation decisions made by the Council, between 2021 and 2030.

Main Challenges

The tracking of our carbon footprint demonstrates we have three main challenges which we need to address to reach carbon neutrality by 2030:

1. **Reducing net carbon emissions from buildings**
2. **Reducing net carbon emissions from transport**
3. **Investing in carbon positive activities**

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To succeed, we will also need to ensure that there are sufficient resources available at the right time. Given that we are in the early stages of this programme, and that some of the projects that we are going to undertake will be complicated, we have included feasibility studies as well as short-term projects in our plan. Some of the larger projects have costs that cannot be predicted at this moment. A selection of these projects is shown in Appendix 1 alongside indicative costs and benefits of projects in the work programme, and these will be reviewed as the funding and technology environment changes.

1. Reducing net emissions from buildings

The carbon footprint of our buildings is dominated by gas consumption. While we will continue to look at reducing our electricity use, not least because it makes financial sense not to waste energy, our focus will be in decarbonising our use of heating and hot water, which is currently largely driven by burning fossil-fuel gas.

Challenge: Gas use must be reduced or eliminated.

Opportunity	Sub-Challenge	How we are responding
Reduce gas demand in buildings though energy efficiency improvements.	The age and design of buildings with the highest energy consumption means they are difficult or impossible to improve or renovate.	The Carbon Neutral Plan includes a small number of more feasible projects to make progress where we can. Larger scale investments will be considered as part of a 'whole buildings' approach.

Replace gas use in buildings with alternative energy forms.	Switching from gas to electricity is expensive. In some buildings changing the heating system is physically difficult or impossible.	Feasibility studies have been included in the Carbon Neutral Plan to explore options. Where we have no choice but to keep current heating systems, we will prioritise energy efficiency measures.
Procure green gas, in the same way we do electricity.	This project would not actively reduce our gas use. As green gas is likely to have a higher price, it would add to our energy bills if we did not simultaneously reduce our consumption.	Sourcing green gas shows our commitment to ending reliance on natural gas and reducing emissions from the UK gas network. This enables us to make progress towards net zero whilst we plan how to tackle the bigger challenges.

Our Southfields office on Southfield Road is one of the biggest contributors to carbon emissions from our built estate. However, there is uncertainty on how this building will be used in the future due to changes in staff working patterns following COVID-19. There is an ongoing review of our buildings with a decision yet to be made on the future of Southfields. For this reason, we have not included any projects at Southfields in this plan.

Loughborough Town Hall requires feasibility study to assess the overall heating upgrade potential of the building, including new more energy efficient heating system and insulating the backstage area which is currently an uninsulated metal wall. This major heat loss area challenge needs to be addressed for other town hall projects, such as installing a new boiler, to be effective. The boiler itself is 20 years old and there are currently no plans to change it until it fails beyond economic repair. A simple upgrade to the rear door of the building which currently allows heat to flow out and cold air in can be delivered in the meantime.

For **Charnwood Museum** two stand-alone projects were identified relating to wall, roof and glazing insulation. In addition, a new round of **LED lighting upgrades initiatives across all council buildings** and other locations have been identified that will save further energy and money. However, because the Council already use zero carbon electricity, replacing lights with LEDs cannot be officially counted towards carbon footprint reduction targets. The current LED programme status is that some of the buildings LED upgrades have been completed in full, whilst the Town Hall aims to have all

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fittings, hard wired lights complete by Sep 2021 and the museum will introduce LEDs and sensor controls in staff areas.

The final project is an overall procurement project. Building on the success of our renewable electricity procurement, we will also invest in procuring **renewable gas**. This will involve supporting, through our purchasing power, the introduction of non-fossil fuel gas into the gas grid in the same way that our procurement of renewable electricity helps to decarbonise the whole grid. We will use Renewable Gas Guarantees of Origin (RGGO) to demonstrate that our gas is zero carbon.

Action 3	**Install a solid and better insulating door at the rear entrance of the Town Hall (stage door) to eliminate the current loss of heat and cold draughts.**
Action 4	**Commission a technical feasibility study for low or zero carbon heating options to replace the 20-year-old boiler at the Town Hall.**
Action 5	**Renew quotes for double glazing and flat roof insulation at Charnwood Museum and procure the best option.**
Action 6	**Complete LED installations in Museum staff areas with person-in-room sensors.**
Action 7	**Continue to replace bulbs when needed with best available LED option across the estate.**
Action 8	**Procure renewable gas**

2. Reducing net emissions from transport

The carbon footprint of our vehicles is dominated by diesel consumption and makes up 84% of our total emissions. We have already started to introduce electric vehicles, but we are also looking at ways to reduce the mileage travelled by our fleet. Fuel consumption from fleet vehicles has reduced during 2020-2021, however the long-term impact of COVID-19 on fleet use remains to be seen.

Challenge: Council-owned fleet of vehicles are biggest contributor to our carbon footprint and must be decarbonised.

Opportunity	Sub-Challenge	How we are responding
Switch our owned and operated vehicles to electric.	Our fleet is heterogenous and some of the vehicles are specialised. There are operational and HR concerns from moving to electric vehicles.	We will run a pilot programme which will ensure that we can successfully retire our fossil-fuel powered vehicles by 2030.
Switch our waste collection vehicles from diesel to electric.	Our fleet is only recently purchased (2019) and we cannot justify replacing this in the short or medium term.	We will plan to replace our fleet after 2030.
Introduce biofuels into our waste collection vehicles instead of diesel.	The investment needed to build biofuel storage tanks and pumping stations is likely to be prohibitive. Compatibility between	Short to medium-term options for mitigations will be explored and we will plan to replace our fleet after 2030.

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	engines and fuel needs to be confirmed.	
Pay for diesel offsetting from third party providers.	These schemes do not always prevent emissions[4], and would require research to find schemes where carbon savings from tree planting are genuinely realised.	We will consider options to procure high quality credits to offset any of our emissions, not just diesel as a last resort measure in 2028-2029.

Two feasibility studies and two implementation projects have been identified for the Council's transport related low-carbon projects. The transport projects of the Carbon Neutral Plan mainly focus on activities that relate to fleet vehicles.

In the long-term, we can eliminate nearly all carbon emissions from our fleet vehicles, including waste and maintenance fleets. In coming years, we will be able to capitalise on technology and market developments. For example, forecasts suggest electric cars could be cheaper to buy than petrol or diesel cars from 2025 onwards. This means the ideal time to migrate to a new system of electric vehicles to reduce the carbon emissions is now.

Successful projects have been undertaken or are underway. The mayoral car that has already been replaced by an electric version in 2021 and **electric vehicles ordered for the upgraded street management pest control fleet**. Charging points for these vehicles have been installed and funded. The pest control fleet is being reduced to two vehicles, with the current diesel vans being replaced with electric vehicles. Street management already have two electric cars which are being upgraded, and this project will see the current diesel van switched to electric.

Despite progress, there are still several challenges to delivering these projects that need to be addressed.

The part of our fleet that has the largest footprint is our waste collection fleet. We have already purchased a more fuel-efficient fleet of waste collection, recycling and street cleaning vehicles that will reduce our carbon emissions by over 10% per year. However, we need to do more. Other Councils have used **Smart Bins** to optimise their waste collection frequency. Smart Bins operate by installing low-cost sensors in existing bins in high streets, parks and other open spaces to monitor waste fill levels. The sensors would

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[4] https://www.greenpeace.org.uk/news/the-biggest-problem-with-carbon-offsetting-is-that-it-doesnt-really-work/

then enable the council's street cleaning teams to remotely check when specific bins need emptying. This real time information on fill levels will help the council understand the optimal times for waste collections and provide up-to-date recommendations on the most efficient collection routes. This smart bin technology has potential to reduce unnecessary waste collection travel, especially in rural areas, reducing mileage, fuel use and CO_2 emissions, and improve service delivery.

As a council we will have to conduct a **cross-service electric pool car and charging feasibility study** to decide whether, and when, some of these vehicles can be replaced with electric alternatives – and whether future ways of working and office locations make pool cars effective. We do not yet know for sure how many staff will be working in each of our buildings each day. However, if different staff are on site each day spreading demand for pool cars across the week, then just a small number of electric pool cars could be part of this flexible working pattern. A smaller fleet would also make charging the vehicles easier.

There are 31 diesel fleet vans which will be due for replacement by 2026. At the time of writing there are a range of practical barriers to this electrification, including issues around charging infrastructure and the fact that operatives keep vehicles at home. This will require joint working across a range of departments including HR. Therefore, initially, we will run **a cross-service maintenance vehicle feasibility & pilot project**. A feasibility study will be undertaken to identify the optimum number and locations of electric vehicle chargers; the best operatives and vehicles to take part in the pilot; and to estimate the time and fuel cost savings from using electric vehicles.

Following the feasibility study, we will undertake a pilot with a small number of vehicles to identify operational and HR issues prior to full electrification of the fleet in 2026. The project will include charge points at sheltered accommodation so that operatives can plug in when they arrive on site and leave the vehicle to charge whilst working. The pilot project will collect on the ground data on the operational impact of using electric vehicles after which a decision on a future roll-out can be taken.

Action 9	**Upgrade and switch to electric vehicles in the street management & pest control fleet.**
Action 10	**Smart bin feasibility study.**
Action 11	**Cross-service electric pool car and charging feasibility study.**

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Action 12	Cross-service maintenance vehicle feasibility & pilot.

3. Investing in carbon positive activities

Swithland Wood Country Park in Charnwood Forest. Source: www.britannica.com. Image: Kev747

To achieve carbon neutrality, we will invest in carbon positive activities as well as reducing the footprint of our existing operations. We will use both renewable energy and sequestration to achieve this. Ultimately, we may also need to invest in other forms of activities, and we will revisit this as the decade progresses.

Challenge: We will need to invest in projects that will create a positive carbon footprint.

Opportunity	Sub-Challenge	How we are responding
Charnwood has existing assets which could be used for renewable energy installations.	The Council is reassessing its estate and investment in renewable energy is a long-term commitment which is not prudent given the current economic uncertainty.	We are looking at both existing and potential assets rather than limiting ourselves to the sites we own now.
The Borough has several sites that have been identified for renewable energy installations.	The current economic uncertainty means that it is hard to predict what will be possible to invest in over this decade.	Feasibility studies have been included in the Carbon Neutral Plan to explore options. We will work with partners to develop more substantial investments which

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		will give us economies of scale and reduce project risks.
Charnwood has many sites that could be replanted. This sequestration could provide a substantial positive footprint.	There is a lot of competition for land within the Borough. Sequestration does not provide a good financial return on investment, and other benefits, like amenity, are sometimes hard to justify.	We are committed to working with local partners to ensure our tree planting programme is cost effective and delivers the benefits we need.

Our tree planting strategy to secure the planting of 100,000 trees in the Borough is already underway with many reaching maturity and starting to remove carbon from the atmosphere. A significant part of tree planting programme will come from using funding to plant woodland on former agricultural land. Most notably, we will be planting **13,000 to 14,000 trees at Hathern during Autumn/Winter 2021-2022**.

These larger council tree planting projects are supported by smaller initiatives such as the Earthwatch (green recovery fund), which enabled 600 trees to be planted in Holt drive Loughborough.

In addition to the Carbon Neutral Plan and Local Plan, we are currently developing our report *'Nature P.O.Sitive; Understanding the potential for biodiversity net gain in Charnwood open space'*. This recommends three actions:

1. Introduce the pilot project to reduce mowing frequency on selected CBC sites from the start of 2022. Review the success of the project after two years and if appropriate identify additional sites.
2. Engage with Parish Councils and the LCC to explore opportunities to provide local community led biodiversity enhancements and restoration of select roadside verges. Review progress towards this goal after two years
3. Investigate the feasibility of introducing cut and collect mowing techniques and the use of grass cuttings for small scale local energy generation.

Embedding Nature P.O.Sitive in the Carbon Neutral Plan is an important next step. As well as reducing the cost of grass mowing the Carbon Neutral Plan Accounting Tool can be used to assess the impact on emissions from reduced mowing. Similarly, as biodiversity is increased, the impact on climate change mitigation and our net carbon footprint through carbon sequestration should be measured. This would require a further technical study as different plant species and soil types will absorb carbon emissions at different rates.

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We have identified that there are opportunities for a portfolio of renewable energy developments to generate zero carbon electricity. This includes **land-based solar PV installations, rooftop solar PV installations,** and **wind energy generation**. To achieve carbon neutrality, it is likely that the portfolio will include both large developments, which could have a capacity in excess of 2MW, and smaller installations, which could be as small as 4kW. For example, a preliminary assessment of the opportunity in Nanpanten identified that a 2.5 MW solar PV array could produce a positive carbon impact of up to 320 tonnes CO_2e per annum.

All energy generation projects will require feasibility studies before a decision can be made to take them forward and implement. These feasibility projects could be delivered individually or as a package.

What are solar PV projects?

Solar Photovoltaic (PV) is a technology that converts sunlight (solar radiation) into direct current electricity. Solar PV technology is generally deployed on a panel. A solar PV project is the term we use to describe the installation of solar panels, either on an existing building roof, a purpose-built structure, or on the ground.

Electricity can be sold to the national grid, directly to tenants, or used directly by the Council. For consistency, across all the solar PV projects in this plan we have assumed a sale of electricity to the grid. This means the financial benefits are a conservative estimate.

Action 13	**Progress tree programme including 13,000 to 14,000 trees at Hathern during Autumn/Winter 2021-2022**.
Action 14	**Embedding Nature P.O.Sitive in the Carbon Neutral Plan**
Action 15	**Site feasibility studies for solar PV installations on Council owned land, including land purchased for the purpose.**
Action 16	**Borough-wide feasibility study for land-based solar PV installations, for example at Council-owned car parks.**

Action 17	Feasibility study for rooftop solar PV installations across our built estate.
Action 18	Site feasibility studies for wind energy generation taking account of Local Plan Opportunity Areas.

Actions recap

An actions recap is shown in Table 11 alongside an indication of roles and responsibilities using the PACE framework, and potential KPIs for monitoring progress.

Table 11: Actions

Action		PACE Roles and Responsibilities	KPI(s)
Action 1	Ensure dedicated resources are in place to implement the management and delivery of the Carbon Neutral Plan.	P – Head of Planning & Regeneration A - Senior Leadership Team C - Carbon Neutral Board E – Group Leader for Plans, Policies and Place-Making & Human Resources	Resource review completed and implemented
Action 2	Formalise and embed a process for evaluating the impact arising from the council's decisions.	P – Sustainability Officer A - Senior Leadership Team C - Carbon Neutral Board E – Procurement	Number of decisions made with a beneficial carbon impact
Action 3	Install a solid and better insulating door at the rear entrance of the Town Hall (stage door) to eliminate the current loss of heat and cold draughts.	P = Strategic Asset Manager A = Strategic Director for Commercial Development, Asset and Leisure C = Town Hall Manager, Procurement, Carbon Neutral Board E = Strategic Asset Management Team	Building gas use reduced

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Action		PACE Roles and Responsibilities	KPI(s)
Action 4	Commission a technical feasibility study for low or zero carbon heating options in the Town Hall. This replace the 20-year-old boiler and would be installed as part of a full building renovation.	P = Strategic Asset Manager A = Strategic Director for Commercial Development, Asset and Leisure C = Town Hall Manager, Procurement, Carbon Neutral Board E = Strategic Asset Management Team	Preferred option identified
Action 5	Renew quotes for double glazing and flat roof insulation at Charnwood Museum and procure the best option.	P = Strategic Asset Manager A = Strategic Director for Commercial Development, Asset and Leisure C = Museum Manager, Procurement, Carbon Neutral Board E = Strategic Asset Management Team	Building gas use reduced
Action 6	Complete LED installations in Museum staff areas with person-in-room sensors.	P = Strategic Asset Manager A = Strategic Director for Commercial Development, Asset and Leisure C = Museum Manager, Procurement, Carbon Neutral Board E = Strategic Asset Management Team	Building electricity use reduced
Action 7	Continue to replace bulbs when needed with best available LED option across the estate.	P = Strategic Asset Manager, Head of Landlord Services, Property Manager A = Strategic Director for Commercial Development, Asset and Leisure, Strategic Director for Community, Planning and Housing C = All Building Managers, Procurement, Carbon Neutral Board E = Strategic Asset Management Team, Housing Management Team	Building electricity use reduced

Action		PACE Roles and Responsibilities	KPI(s)
Action 8	Procure renewable gas	P = Sustainability Officer/Dedicated Officer A = Senior Leadership Team C = Carbon Neutral Board, Building Managers E = Procurement	Building gas use reduced.
Action 9	Upgrade and switch to electric vehicles in the street management & pest control fleet.	P = Head of Cleansing and Open Spaces, Fleet Manager A = Strategic Director for Environmental and Corporate Services C = Carbon Neutral Board, Procurement E = Strategic Environmental Team	Fuel use reduced from fleet.
Action 10	Smart bin feasibility study.	P = Head of Cleansing and Open Spaces A = Strategic Director for Environmental and Corporate Services C = Carbon Neutral Board, Procurement E = Strategic Environmental Team	Decision made on whether to procure. If procured: mileage and fuel use reduced in waste collection fleet
Action 11	Cross-service electric pool car and charging feasibility study.	P = Sustainability Officer/Dedicated Officer A = Strategic Director for Environmental and Corporate Services C = Fleet Managers, Procurement, Carbon Neutral Board E = Strategic Environmental Team	Preferred option identified

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Action		PACE Roles and Responsibilities	KPI(s)
Action 12	Cross-service maintenance vehicle feasibility & pilot	P = Improvement and Organisational Development Manager A = Strategic Director for Environmental and Corporate Services C = Fleet Managers, Procurement, Carbon Neutral Board E = Strategic Environmental Team	Feasibility study complete and viable pilot project identified.
Action 13	Progress tree programme including 13,000 to 14,000 trees at Hathern during Autumn/Winter 2021-2022.	P = Head of Cleansing and Open Spaces A = Strategic Director for Environmental and Corporate Services C = Carbon Neutral Board E = Strategic Environmental Team	14,000 trees planted
Action 14	Embedding Nature P.O.Sitive in the Carbon Neutral Plan	P = Head of Cleansing and Open Spaces A = Strategic Director for Environmental and Corporate Services C = Carbon Neutral Board, Ecologist E = Strategic Environmental Team	Carbon emissions impact calculated
Action 15	Site feasibility studies for Solar PV installations on Council owned land, including land purchased for the purpose.	P = Strategic Asset Manager A = Strategic Director for Commercial Development, Asset and Leisure C = Procurement, Carbon Neutral Board E = Strategic Asset Management Team	Short-list of options identified

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Action		PACE Roles and Responsibilities	KPI(s)
Action 16	Borough-wide feasibility study for land-based solar PV installations, for example at Council-owned car parks.	P = Strategic Asset Manager A = Strategic Director for Commercial Development, Asset and Leisure C = Procurement, Carbon Neutral Board E = Strategic Asset Management Team	Technical supplier procured and preferred option identified
Action 17	Feasibility study for rooftop solar PV installations across our built estate	P = Strategic Asset Manager, Head of Landlord services, Property Manager A = Strategic Director for Commercial Development, Asset and Leisure, Strategic Director for Community, Planning and Housing C = All Building Managers, Procurement, Carbon Neutral Board E = Strategic Asset Management Team, Housing Management Team	Short-list of options identified
Action 18	Site feasibility studies for wind energy generation taking account of Local Plan Opportunity Areas	P = Sustainability Officer/Dedicated Officer A = Senior Leadership Team C =Procurement, Planning, Carbon Neutral Board E = Strategic Assets	Short-list of options identified

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Inspiring change: partnership & leadership

Our 2030 Carbon Neutral Plan is more than just a chance for us to become a more efficient and responsible council. It is also an opportunity to demonstrate leadership.

Loughborough has a history of innovation in low carbon technology, whether that be research undertaken at the Gas Research Technology Centre in hydrogen fuel cells more than twenty years ago, or the recent Low Emission Freight and Logistics Project co-ordinated by Cenex. Building on this reputation will enable the Council to co-create innovative projects that could demonstrate technologies and techniques that could radically reduce emissions nationally

Partnership example:

County-wide solar charging hubs

The Council is already working in partnership with other local authorities in Leicestershire. Recognising the need for joint action to tackle climate change, we are part of a multi-council collaborative bid for funding to build solar powered electric vehicle charging hubs across the county. We would hope to see two of these in Charnwood, demonstrating our commitment to helping residents, visitors, and businesses travelling in and through the Borough to switch to electric vehicles.

Example solar charging hub in Sunderland.

As a Council, we have a powerful potential ally locally in the University of Loughborough, which has a strong sustainability aspect to its business school teaching, and the world-renowned Centre for Renewable Energy Systems Technology (CREST). Local businesses are also well placed to support radical climate action, including Cenex and Intelligent Energy, many of which are clustered in the Loughborough University Science & Enterprise Park. Other potential corporate allies taking significant climate action, such as 3M and the National Grid, are also located in the District and may be collaboration partners.

At the same time, Charnwood is at the geographic centre of an expanding list of local Councils working towards reaching net zero carbon emissions and have set the same target for carbon neutrality by 2030. Joining Charnwood in Leicestershire are Blaby District, Harborough District, Hinckley and Bosworth Borough, Leicester City, North West Leicestershire District, Oadby and Wigston Borough and with Leicestershire County Council. The County Council have started the process for developing a Net Zero Carbon Roadmap and we will explore opportunities for shared projects as this develops.

Partnership opportunity:

Renewable Energy Centre

Loughborough used to have a refuse disposal site which included a landfill site on the east of the town. This space is contaminated land and provides opportunities to work in partnership with neighbouring Councils or private investors to develop the site for energy generation. One example could be a Renewable Energy Centre (REC). As well as a solar array, the site may be appropriate for biogas extraction and storage. This would also provide substantial education opportunities. A £4.5million (including £1m for R&D, feasibility and procurement) REC would generate 5GWh per year.

Partnership working will be required. The opportunity naturally lends itself to partnering with neighbouring local authorities and the County Council who will benefit from the scheme, Loughborough University, and organisations like Green Fox Community Energy Co-op, who operate a solar farm in Northwest Leicestershire and an energy Co-op in Hinckley.

These partners, along with other specialists from further afield can help Charnwood to build a compelling set of effective sustainable leadership initiatives. Our Borough's history and geography is also a helpful asset. The Borough is home to numerous shallow

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mines and quarries, including Newhurst Quarry, the site of a proposed energy from waste plant. These may offer ideal energy storage or large-scale renewable energy sites, potentially using technologies pioneered at the proposed Renewable Energy Centre. Similarly, Loughborough's strong history of hydrogen research, which included the installation of a trial hydrogen refuelling station by Air Products, means that the District is well placed to help lead in the decarbonisation of heating using green hydrogen.

The Borough's location, as a potential transport hub, could be supported by the creation of intermodal goods transfers; a zero-emission, last mile delivery system based on cross-docking at strategic locations, such as the motorway junction and railway station. This would be an opportunity to demonstrate this technology. Similarly, over the coming decade the implementation of a zero-emission fleet across the Council, including refuse vehicles, will help demonstrate to local businesses the viability of a zero-emission fleet.

Charnwood has also been recognised by Highways England as part of the strategic electric charging network. A wide application of electric charging points across the Council owned estate could be a very powerful resource for vehicle to grid (V2G) applications, which is an emerging technology heavily supported by energy providers. The Council could also inspire a generation of drivers in Charnwood and the wider East Midlands to become zero-emission themselves.

We want to demonstrate strong political leadership to further inspire the community of Charnwood to implement other projects that can drive the Borough to become zero carbon. Demonstrations of zero carbon living in the Council's own stock, particularly considering the Future Homes Standard and the recent drive across the UK to build houses that use demonstrably less energy, could become beacons for developers, builders and refurbishers. For example, we are planning to complete an insulation feasibility study for our estate of sheltered accommodation in 2021-2022. As we have a total social housing stock of 5,868, this also provides us with the opportunity to positively impact a sizeable number of our own citizens and their own carbon footprints.

The Carbon Neutral Plan presents an opportunity to link to other strategic initiatives. For example, the Loughborough Town Deal Board has prepared a Town Investment Plan and has secured £16.9m from the Towns Fund. The Town Deal Board is an extensive partnership, featuring Charnwood Borough Council, Loughborough University, Loughborough College, Love Loughborough, Leicestershire County Council, the Leicester and Leicestershire Enterprise Partnership, Charnwood Together Economy and Skills Group, local businesses and Loughborough MP. Projects which facilitate more walking

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and cycling, and which reduce the need to travel by providing better local facilities and events are likely to be confirmed in a final list of projects, which will be decided by the Board in the late summer of 2021.

Similarly, we hope the Council's endeavours will demonstrate how business operations can become net zero carbon in a way that is financially prudent and improves service. We have an opportunity to help business in Charnwood learn from successful action by some companies in the Borough to reduce emissions on their sites. Local examples include Samworth Brothers, which have been operating on 100% renewables since October 2017 and the demonstrator work at West Beacon Farm, which uses a variety of renewable energy and low carbon heat sources[5].

Charnwood's 2030 Carbon Neutral Plan gives us the opportunity to produce a clarion call that will inspire communities and business across Charnwood to reduce their own carbon emissions and help the whole Borough become carbon neutral.

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[5] Renewables – West Beacon Farm

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Appendix 1: Menu of actions and details

This Appendix sets out the indicative costs and benefits of the work programme, as well as a number of additional potential projects which were not included for various reasons.

As we move closer to 2030 newer technologies like electric vehicles and electric heat pumps are likely to get cheaper, whilst government policy is likely to make fossil fuels more expensive. Therefore, it is important that we continue to review these projects in the coming years as projects which are less financially viable today are likely to be more viable in the coming years. Where possible at time of writing, an estimate of the costs and benefits have been given and are subject to final feasibility assessments.

The following are a some of the projects not included in the Carbon Neutral Plan work programme but provide further potential areas for reducing emissions from our buildings and fleets:

For the **Server Rooms in ICT**, a few stand-alone projects were identified. However, the hot/cold server initiative cannot be explored until after the Council's current cloud computing migration is completed. There is also a possibility of the servers themselves eventually being relocated from ICT, but this requires a decision from accommodation before proceeding.

For **Woodgate Chambers**, stand-alone projects were identified including a roof replacement to enable thermal savings and a more efficient air handling /heat recovery system. However, given the age of the building, a decision needs to be made by the council on whether to keep building or not before exploring any further.

An **EV depot, waste fleet, charging scoping and feasibility study** will be required to decarbonise our fleet either shortly before 2030 or shortly afterwards. This will likely require an adjustment of the contractor procurement criteria to ensure future contractors can access a depot with the electric vehicle charging needs. The feasibility study will also have to take into consideration that the current waste vehicles being used are 30 Tonne capacity vehicles. Currently the maximum capacity of electric waste vehicles is only 26 Tonne. Therefore, moving to these smaller capacity electric vehicles would require more

collection rounds, which may offset any cost efficiencies gained from electrification of the vehicles.

Reducing net emissions from buildings

Feasibility Studies		Cost
Actions within work programme:		
Action 4	Commission a technical feasibility study for low or zero carbon heating options to replace the 20-year-old boiler.	£40,000
Action 5	Renew quotes for double glazing and flat roof insulation at Charnwood Museum and procure the best option.	£5,000
Additional potential actions:		
New server room efficiency, cooling and heat recovery feasibility study.		£10,000
Woodgate Chambers roof replacement for thermal savings		£35,000
Support the Housing Revenue Account Team to undertake a feasibility study for the best performing insulation option in Sheltered Accommodation.		£50,000

Projects		Indicative capital cost	Indicative savings per year	Indicative tCO$_2$e reduced	Indicative payback (Years)
Loughborough Town Hall:					
Action 3	Install a solid and better insulating door at the rear entrance of the Town Hall (stage door) to eliminate the current loss of heat and cold draughts.	£1,000	£160	1.3	6.3
Indicative follow on from Action 4	Boiler Upgrade	Additional £117,000 on top of standard boiler	£7,100	114.3	16
Woodgate Chambers:					
Switch-off campaign		£0	£710	3	Instant
Charnwood Museum					

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Indicative follow on from Action 5	Internal Insulation of walls and roof as **only** as part of wider wall redecorating or refurbishment.	£5.20/m² as top up funding to normal re-plastering.	£6.90/m²	8.9 kg/m²	9 months
Action 6	Complete LED installations in Museum staff areas with person-in-room sensors.	£2,090	£251	5.1 (to UK grid, not CBC)	11.1
Procurement:					
Action 8	Green gas procurement. Capital costs include procurement and cost of change.	£17,000	-£8,000	102	N/A

Reducing net emissions from transport

Feasibility Studies		Cost
Action 10	Smart bin feasibility study.	£5,000
Action 11	Cross-service electric pool car and charging feasibility study.	£25,000

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Action 12	Cross-service maintenance vehicle feasibility & pilot.	£10,000

Projects		Capital cost	Savings per year	tCO$_2$e reduced	Payback (Years)
Action 9	Upgrade and switch to electric vehicles in the street management & pest control fleet.	Lease costs estimated at £700 higher per vehicle per year.	Fuel cost savings estimated to be up to £900 per vehicle per year.	7.3 from pest control. 5.4 tonnes from street management.	1 month. Fuel cost savings offset increase rental costs.

Investing in carbon positive activities

Energy Feasibility Studies		Cost
Action 15	Site feasibility studies for Solar PV installations on Council owned land.	£65,000

Action 16	Borough-wide feasibility study for land-based solar PV installations, for example at Council-owned car parks.	£40,000
Action 17	Feasibility study for rooftop solar PV installations across our built estate	£25,000
Action 18	Site feasibility studies for wind energy generation taking account of Local Plan Opportunity Areas	£20,000

Projects		Capital cost	Savings per year	tCO$_2$e reduced	Payback (Years)
Action 13	Progress tree programme including 13,000 to 14,000 trees at Hathern during Autumn/Winter 2021-2022.	TBC	0	29.2 in year 1.	
Action 14	Embedding Nature P.O.Sitive in the Carbon Neutral Plan	N/A			

POS Enterprises

FINAL REPORT

Charnwood Borough Council

Review of democratic interface

April 2023

INDEX OF CONTENTS

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1. Introduction and summary of findings and recommendations

1.1 POS Enterprises, the operational arm of the Planning Officers Society, was appointed by Charnwood Borough Council to undertake a review of its Planning Democratic Interface. Throughout the process the staff have been helpful, open and constructive in their comments. The consultants wish to highlight this and thank all involved for their positive attitude to the entire review process.

1.2 During the course of the review both positive and negative factors came to light. Both have been highlighted, and recommendations provided throughout the report where there is scope for improvement. It is inevitable, that in a review of this type, that it concentrates on areas where improvement is necessary to meet the issues identified. This does not detract, in any way, from the many positives in the service's operation. In some cases the recommendations are specific; others the authority will want to explore in more detail. All the recommendations are made with the aim of improving the service and tackling historic and current difficulties which have been identified.

1.3 The Council is faced with significant challenges (forthcoming Government changes to the planning system, Local Plan/5-year land supply, reliance on Extensions of Time, insufficient awareness and ownership of performance issues)

1.4 The review identified a number of areas which, in the opinion of the Review Team, should be the focus for the authority, and recommendations are included for consideration. This summary covers the main findings and recommendations which should be the primary focus for the action plan and highlighted as such. There are further recommendations in the report where there is room for improvement, but these are not considered to be of the same priority. It is our experience that improvement plans fail where there are too many actions and top priorities, so the Action Plan should be carefully drafted to emphasise the key actions with resources (and timescales) to implement them clearly identified. This should be prepared following consideration of the report, in consultation with the staff. It is recommended that:

An Improvement Action Plan is prepared, in consultation with staff and members, which identifies the key priorities for improvement, with responsibilities identified and a programme for their implementation. This should be regularly reported to the Senior Leadership Team which should have overall responsibility for its delivery.

1.5 The Review Team found a Service working towards improvement, and many well motivated and competent officers committed to providing a good service to the public. The staff and members generally enjoyed good working relationships but there were improvements which could be made which would improve the service to the customer without impinging on the democratic involvement. Indeed, there were areas where the members could become more involved at appropriate stages in significant development proposals which would enhance their strategic role.

1.6 However, there were also areas where procedures such as member call-ins of both applications and enforcement cases involved overly protracted and bureaucratic

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procedures which the Review Team recommend could be revised to improve both efficiency and effectiveness without losing member involvement. Development Management performance against the Government's key criteria for the timeliness of applications is above average but very heavily reliant on Extensions of Time (EoTs), an issue that the Government is actively seeking to address. Neither staff nor members were sufficiently aware of comparative performance levels and the monitoring and management of performance should have a higher priority.

1.7   The position with the Local Plan and the challenges the Council faces in not having a 5 year land supply have had significant repercussions with unsolicited permissions being granted either by the Council or at appeal. This is likely to change later this year with the adoption of the Local Plan which will place the Council in a more secure position in dealing with such applications,

1.8   The Council is aware of the prospect of additional planning fee income but that this is likely to be dependent on improved levels of performance. The critical criteria for Charnwood are likely to be achieving application deadlines without the use of Extensions of Time and ensuring that losses at appeal on major applications do not reach a critical level. Assuming that the additional fee income from national increases in charges will go back into the service it will provide some leeway to improve recruitment and retention.

1.9   The authority has experienced problems of attracting permanent staff. The Review team was told that salaries were not competitive, particularly as it is in competition with larger city and metropolitan authorities in the immediate area. Unfortunately, recruitment of planning staff is a national problem and most authorities throughout the country are having to rely on some temporary and agency staff to a greater or lesser extent, but Charnwood is more reliant than most. As well as salaries, reputation, location and the type of work can all be factors in recruitment. The Council needs to understand what factors are relevant for Charnwood and how they can be addressed.

Priorities for Development Management

1.10   There are two main areas which the Review Team considers should be priorities for Development Management. Firstly, it should review its performance management process to establish a clear set of prioritised performance criteria. It should be monitoring performance against both DLUHC current and likely future criteria for designating poorly performing authorities. It should then be setting its own local targets aimed at improving rather than meeting the basic criteria. These targets should be set at levels which relate to external comparisons – nationally set criteria, comparator group average or upper quartile performance. Targets should be set to 'manage down' the reliance on Extensions of Time. Statistical information should be supplemented by added value and customer satisfaction evidence to support any local objectives around service quality. The selected criteria and the associated performance reporting should be tailored for the appropriate audience dependant on whether they are delivering against corporate, departmental, service, team or individual objectives. The specific recommendations relating to this are:

Review the performance monitoring process to ensure that corporate, department and service priorities are regularly monitored at the appropriate level and to the right timescales

Quarterly monitoring of DLUHC current and likely future "designation" criteria

Establish targets for reducing the reliance on Extensions of Time and the average length of time taken to determine applications.

Regular reporting of the key performance indicators to members including the Plans Committee.

1.11   Secondly, there is a need to clarify the management responsibilities in Development Management. The Team Leader carries a significant caseload and in this respect acts as 'senior professional' as well as manager. This creates a conflict and competing priorities between dealing with major applications, managing team and personal workload and performance and managing staff which are difficult to reconcile. The authority needs to be much clearer that the key priority for this post is to manage the DM section and seek to actively manage down the caseload held by this post.

Review the roles of the Team Leader to ensure the management and professional roles are clarified.

The member interface

1.12   Member officer relationships were generally found to be good. There were two particular areas where the Review Team saw opportunities for improvement. These were the member call-in procedures for both planning applications and enforcement cases, and member involvement at pre-application stage. The call-in processes involved an unnecessary amount of officer time which could be more productively used without impacting on the member role. At pre-application stage there is considered to be a real opportunity for members to have a greater input on major schemes much earlier in the process. Recommendations in this respect are

Review the member call-in procedures for both planning applications and enforcement cases

Revise the pre-application process to provide for the Council to initiate early engagement on major proposals including members

Plans Committee

1.13   The Committee meeting observed by the Review Team was well run but was perhaps not typical in terms of the three items being considered as there was very little discussion and only one public speaker. However, the Review Team did consider that elements of the meetings could be streamlined with the major recommendations being:

Officer presentations should concentrate on the key material issues, especially those that are finely balanced or the subject of significant objection

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Changing the rules around public speaking, limiting slots for applicants, objectors and ward members to 3 minutes.

If a ward member calls in an application they should attend in person to explain the reasons for the call in, or if unable to attend they produce a written explanation to be read out at the meeting

Administrative and Procedural Issues

1.14 Whilst reviewing administrative and procedural issues was not wholly within the Review Team's brief, nevertheless several issues were brought to the Team's attention which if dealt with might produce efficiencies to the current planning processes. Recommendations here include:

Review the validation and registration process so that allocation takes place ahead of validation

Seek to remove the current unnecessary double checking of applications at both validation and registration stages.

Staffing

1.15 Charnwood has experienced more difficulties than most LPAs in recruiting permanent staff. The heavy reliance on interim and temporary staff has been essential to maintain the service but brings with it problems of stability, consistency and not least expense. Whilst this is a common situation across the country, the Council should be developing its own response. Some progress has been made, not least the initiative with Loughborough University, and the potential increase in planning fee income should allow for additional funding for the service.

Develop a recruitment and retention strategy with corporate and HR support to reduce the reliance on temporary staff.

2.   Background

2.1   An independent review of the development management process in 2015, conducted by a team from POS Enterprises, considered improvements to processes, following concerns relating to officers reporting to both committee and ward members. A series of recommendations were made around:
- Changing the ward referral process at the end of the application process to a "call in" system operating throughout the application process;
- Greater involvement of councillors in pre-application discussions;
- Reviewing the site visit process;
- Reviewing the level of information in Extras Reports;
- Working with applicants, objectors and consultees to avoid late submissions;
- Reducing the time taken to finalise reports from the officer deadline to close the gap between the deadline and the actual meeting;
- Scrapping the committee pre-meeting;
- Allowing the lead member to be a member of plans committee;
- Providing training on presentation skills for officers;
- Allowing officers to respond to issues raised by speakers;
- Training members on protocols around lobbying and declarations;
- Reviewing practice of having two votes for overturned applications.

2.2   The recommendations were taken forward through an internal 2016 Action Plan, with many being put into place whilst other proposals proved more difficult to move forward.

2.3   In 2021 a further review of the development management service was undertaken by the Council's Customer Experience Team. This was triggered by a desire to remove potential inefficiencies in application processes before the implementation of a new back office system and to assist work flow to the Development Management Team at a time of high work volume. The review was unable to identify any tangible improvements in the current planning application processes that would generate net savings and furthermore, without the new back office system being implemented, it was difficult to understand the implications that changes might have to the in-built processes of the new system, which is now scheduled for implementation during the latter part of 2023.

2.4   The Customer Experience Team did, however, identify the potential for business efficiencies in the interface between development management processes, councillors and the Plans Committee. It was agreed that this should be considered by an independent review team who would examine the way in which elected members are currently engaged in the decision-making process and to consider this in the light of national best practice and the Council's desire to find efficiencies.

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3. Terms of Reference

3.1 The review has been undertaken at a high level focussing on what changes are necessary or desirable to make the service fully fit for purpose over the next three to five years.

3.2 Through documentary and other research, including interviews and workshops, with elected members, senior officers and planning staff, this report seeks to address the following issues in the light of national best practice and the desire to make business efficiencies:

- The Scheme of Delegation (and sub delegation)
- Delegation processes where members need to be consulted, to ensure consistency of approach
- The member "call in" process and its effectiveness, including wards where there is a single member with a conflict of interest, and the requirement for members to explain "call in" at committee
- Public speaking at committee, including process and clarity of the rules in relation to speaking on deferred items
- The site visit process and its utility
- The plans committee process including:
  - Management of reports
  - Extras report
  - Chair's briefing
  - Chair's post meeting de-brief
  - Clerking and minute taking
- Plans committee meetings, including:
  - Reports (content, structure and length, etc)
  - Presentations to committee
  - Decision-making
- The planning enforcement process and committee referral arrangements
- Plans Committee and wider member training/updates on planning issues
- The "Presentations to Councillors" section of the Constitution and its relationship to the arrangements set out in the informal pre-application service
- The "Lobbying" section of the Constitution and its efficacy

3.3 The Review Team has remained mindful of the financial pressures upon local authorities, and the need for staff structure and numbers to be economical and efficient as well as the current difficulties in recruitment of good quality planning staff, and the need for pragmatism in any recommended solutions.

3.4 The report was informed by a range of discussions with staff and elected members. The functions of the interviews varied but broadly they provided the means for the Review Team to:

- Hear perceptions of how the service has performed over the past couple of years;
- Elicit the participants' own ideas of improvements that could be made; and

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- Explore possible ideas for enhancements and highlight any practical implications they might have.

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4.   Methodology

4.1   Two POS Enterprises consultants (the Review Team) conducted two days of virtual interviews with staff and senior elected members ahead of spending three days on site, conducting further interviews and group workshops with officers and elected members as well as undertaking documentary research and reviewing performance statistics and data.

4.2   The review was undertaken using four main techniques:

Interviews and workshops

4.3   A series of interviews were held remotely on a one-to-one basis and further interviews and workshops were held with small groups of people with related responsibilities. A further workshop was held with a group of elected members, including some members of the plans committee.

4.4   A full list of those interviewed is contained at Annex A.

4.5   Throughout the process all interviewees were completely open and frank about their experience, on the basis that no comments or information used within the report would be attributed.

4.6   Discussions covered the following areas:

- Performance against Government and local targets, together with monitoring and statistical analysis challenges;
- Perceptions of the issues which have arisen around the reporting on planning applications over the past couple of years;
- Communications - both internal and external
- Committee and member relationships;
- Customer satisfaction;
- Identification of areas of difficulty or concern and their perceived causes, including the impact of national policy;
- Exploration of ideas for possible enhancements and any practical implications they might have.

Documentation and processes

4.7   The Review Team undertook a detailed examination of documentation, reference material, systems and processes currently being used, including:

- Public information material from Charnwood's website;
- The current Constitution including protocols and local codes of conduct;
- Planning committee and delegation arrangements;
- Monitoring reports;
- Examples of planning application reports not only items being considered by the Plans Committee but also delegated reports.

Statistical analysis

4.8   The Review Team interrogated the DLUHC planning statistics which are used to assess performance against Government criteria. These are derived from the PS1 and PS2 returns supplied to DLUHC by the authority and therefore should be

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consistent with the authority's own monitoring information for the same period. The Review Team used the latest available statistics at the time of the Review.

Observation

4.9   The Review Team observed the following:

- The Plans Committee site visit on 12 April 2023
- The Chair's briefing ahead of Committee meeting on 12 April 2023
- The Plans Committee meeting held on 12 April 2023

5. Context

(NOTE: the tables referred to in this section can be found at Annex B to the report)

5.1 This review focusses on the interface between members and officers but to fully appreciate the current situation and the potential implications of current practices and future changes it is essential that there is an understanding of the changing pace of planning and likely changes at a national and local level. The Government has recently produced a consultation paper 'Stronger performance of local planning authorities supported through an increase in planning fees'. In the consultation document the Government acknowledges the need for local authorities to have the resources to drive improvement in the quality and timeliness of their planning services. An increase in planning fees is seen as the primary means to increase resources, although the Government acknowledges that this will not have an immediate impact on the lack of skilled and experienced planning and technical staff and the struggle to recruit and retain them. It was clear to the Review Team that the performance at Charnwood had been hindered by the rapid turnover of staff, particularly at more senior grades, and the heavy reliance on interim and temporary appointments.

5.2 The Government's promise of increased fees (35% for major applications, 25% for other categories) doesn't come without strings attached. They are only prepared to introduce fee increases if performance also improves, and they are also proposing a new approach to measuring performance across a broader set of both quantitative and qualitative measures. Some of these changes will be challenging for Charnwood, the most significant being a much more rigorous approach to the use of Extensions of Time (EoTs).

5.3 The potential increased revenue from fees and consequent ability to supplement the planning resources will be dependent upon the Council being able to meet the anticipated performance criteria, which will in turn require a much more rigorous and targeted approach to monitoring and managing performance. Failure would prejudice the additional fee income and increase the likelihood of penalties and/or government intervention in how the service operates.

5.4 This report points up how the authority can provide a more efficient and effective planning service while taking full account of the need to improve the democratic interface.

Implications of proposed Government changes to performance for Charnwood

5.5 The Government has become increasingly concerned that extensions of time have masked the performance of LPAs in determining applications within the statutory determination period. They intend to introduce new metrics which hold LPAs to account for the number of applications determined within the statutory period rather than through the use of EoTs to extend deadlines. This is a particular problem for Charnwood as its notionally good performance is heavily dependent on the use of EoTs.

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Use of extensions of time

5.6   Table 1 below shows Charnwood's performance in determining major applications in comparison with the national position and the other Leicestershire authorities. The DLUHC designation criteria for government intervention is 60% of applications determined within the statutory period of 13 weeks or such agreed extended period, and Charnwood at 90% appears to be well above the threshold, ranking 169th out of 340 planning authorities nationally. However, closer examination shows that only 3 out of 60 major applications were determined within 13 weeks, and 54 or 90% were the subject of extensions of time.

5.7   Table 3 gives even more cause for concern. This is for non-major applications and the designation criteria is 70% determined within 8 weeks. Charnwood's performance at 90.8% (rank 120 nationally) looks reasonable but relies on 74% of applications having EoTs. This compares with a national average of 40%. Bearing in mind that these are the more straightforward applications, rarely subject to legal agreements, this shows an unhealthy reliance on EoTs to achieve only average performance levels.

5.8   The Government is very concerned that the existing metrics and use of EoTs do not adequately reflect performance or the experience of customers and the real position at Charnwood is that there is a consistent and excessive over reliance on EoTs to achieve unexceptional performance levels. While it is clearly apparent that all LPAs are using EoTs to some extent, Charnwood's use is well above average and very much towards the top end nationally (see Tables 1 and 3). Among the broader range of performance measures the government is consulting on introducing are:

- the average time taken to determine applications, and
- the total number of EoTs as a percentage of all decisions.

There will be performance targets set for these measures although what they might be has yet to be decided. At the present time information on the average length of time for determination at Charnwood is not readily available from the Council's IT system.

5.9   The authority should be introducing a performance monitoring framework which includes the likely new metrics as a priority and prepare action plans to reduce both the use of EoTs and the average time taken to determine applications. The timescale for the introduction of these new metrics has yet to be set by the Government, which will give the authority some breathing space to get measures in place, but there is no room for delay or complacency. The planning managers were aware of the over-reliance on EoTs and the Review Team were told that work to improve the position was in progress.

5.10   The penalties for authorities failing to meet any new thresholds have not been identified, but it is probably safe to assume that they will be similar to the current sanctions which include the possibility of applicants being able to submit applications direct to the Planning Inspectorate, by-passing the local authority completely, and the possible imposition of special measures. There is also an implication in the consultation document that authorities not performing adequately will not be able to benefit from the increase in application fees, although how this will work in practice has not been clarified.

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5.11   Currently requests to applicants to agree to extensions of time are at the discretion of the case officer. There is no record of the reason for such requests. In the circumstances the information made available to the Review Team has been partial and anecdotal, but it is clear that there is a culture of the use of EoTs as a first resort rather than working towards determination within the 8 or 13 week deadline. This is reinforced because the case officer does not need to justify requests and there is no record or monitoring. In the short term a procedure should be introduced where case officers need the agreement of a senior officer for any such requests.

5.12   While EoTs offer an easy option to maintain performance figures there has been no impetus to manage down their use. Targets need to be introduced at team and individual level with regular monitoring, and where necessary a more robust approach is needed to avoid applicants using the application process to negotiate or revise unacceptable schemes. There is certainly a suspicion that applicants will submit poor schemes and use officer advice during negotiation to arrive at an acceptable scheme rather than make more effort to submit acceptable proposals or engage in a pre-application discussion.

Quality of decision making

5.13   The current Government criteria for quality of decision making relates to the number of decisions overturned at appeal against the total number of decisions made. There is no indication in the current consultation that these criteria are likely to change. The latest qualifying period is from March 2020 to June 2021. The apparent time lag is to allow appeals against decisions made during the period to go through the appeal process. The assessments are split into 2, major and non-major decisions with different thresholds. The latest available information is set out in Tables 2 and 4.

5.14   For major applications the designation threshold is 10% of decisions overturned at appeal as a percentage of total decisions made. Charnwood's record of 3 decisions overturned out of the total of 73 decisions may not at first sight seem a cause for concern, but the authority's national ranking at 275 out of 340 LPAs is a warning sign. With the small numbers involved further appeal losses can have significant impact on the headline figure. What is of concern is that the indicator works on a rolling quarterly basis over a 2-year period, with the latest quarter replacing the earliest. For Charnwood there were no appeal overturns during the earliest 3 quarters of the 2-year qualifying period, which means any overturns over the next 3 quarters will lead to a worsening of the position. The Review Team is aware of at least one overturn during this period and the prospect of more appeals which indicate that the situation needs to be carefully monitored. The likely adoption of the Local Plan later in the year and the ability to demonstrate a 5 year land supply should assist decision-making in the future. The penalty for designation is that applicants can bypass the LPA completely and apply directly to PINS and one authority, which has been designated for special measures, has had 12 major applications submitted to PINS in the current year. This is clearly a situation that Charnwood should seek to avoid.

5.15   The situation with the non-major appeals is much more comfortable (Table 4) with a percentage of 0.4 overturns (8 out of 2109) and this gives no cause for concern, although it should still be included in the regular monitoring reports.

Percentage of Delegated Decisions

5.16 The government has indicated that it intends to include the percentage of decisions delegated/made at committee as a new metric in its performance assessment criteria. Table 5 includes the delegated levels for the year to the end of December 2022, the latest figures available nationally. This shows Charnwood at 97%, just above the national average and broadly consistent with the other Leicestershire authorities. The current scheme of delegation is generally consistent with good practice nationally in that it works on an exceptions basis, but the Review Team consider that the details of the 'call-in' process could be revised to make it more streamlined and efficient without reducing the role of members. This is examined in Section 6.

Percentage of committee decisions to refuse against officer recommendation subsequently allowed at appeal

5.17 This is a proposed addition to the Government performance criteria. It would measure the percentage of committee decisions to refuse against officer recommendation that are subsequently allowed at appeal. There is no indication of the likely threshold that might be set. Here again, at this stage, the Review Team would strongly recommend that this indicator is included in the Council's performance monitoring and reporting framework, not only in preparation for future government target setting but also it is important for the authority to understand and appreciate how it is performing in this respect. Further comments on overturns are included in Section 9.

Customer satisfaction surveys

5.18 The Government is also considering introducing some measure of customer experience possibly based on customer satisfaction surveys. The intention is that it would focus on the overall quality and timeliness of both pre-application and decision-making services and could be used as a measure of community engagement in planning. Customer satisfaction is always a difficult concept in planning as 'customers' may well want to see diametrically opposed outcomes and divorcing these from the quality and efficiency of the process is not straightforward. There is little more in the current consultation and it may well be some time before details emerge.

Summary

5.19 There has been strong pressure from both Local Government and the development industry for some time to increase application fees to a more realistic level and use the income to better resource planning services. The government's response is that any increase must also bring about improvements in the levels of service and is intent on broadening the measures of performance to ensure that this happens. For Charnwood the immediate issue is to have a much more rigorous performance monitoring and management process in place which will enable both officers and members to better understand how the service performs and what steps are in place to meet current and future targets. It is essential that members, at Cabinet, Plans Committee and ward level are involved in this process to fully appreciate the pressures on the service and the importance of ensuring that they play their part efficiently and effectively while not imposing additional burdens on the service. A better performing service promotes more respect from users and pride amongst officers and members. It can also have a positive effect on the authority's ability to recruit and retain staff.

SECTION 5 RECOMMENDATIONS

Para 5.9
Introduce a robust performance monitoring framework to include current and future govt criteria, with regular reporting to Service and Departmental Management Teams and members.

Para 5.11
Introduce a process where EoTs need the agreement of a senior officer

Para 5.12
Establish targets for the reduction of EoTs

Para 5.12
Introduce a protocol for officer/applicant post submission negotiations which sets both time limits for negotiating and deadlines for revision, with the intention of enabling decisions within the current government targets without the use of EoTs

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6   Delegation and referrals

General

6.1   An effective delegation system is at the heart of an efficient and effective local planning service. Table 5 in Annex B shows that, for the year to the end of December 2022, 96% of all applications nationally were delegated to officers and Charnwood's 97% was slightly above average but by no means exceptional.

6.2   Effective delegation:

- enables the planning system to operate more quickly and customers to have decisions much more speedily;
- avoids the need for reporting to Committee with all of the officer and member time, administration and bureaucracy involved (unpublished research by the Planning Advisory Service (PAS) revealed that processing applications via Committee rather than through delegation increased the costs tenfold); and
- allows members to concentrate on the most significant, complex and publicly sensitive applications

6.3   The Review Team found that the scheme of delegation for planning applications which works on an 'exceptions' basis is sound and follows national best practice. There were, however, two issues of concern which were identified where the process could be streamlined without compromising the robustness of decision-making or the input of elected members. These were the style and content of reports and the detail of the member call-in process

Delegated reports

6.4   The Review Team examined a number of delegated reports and the report template currently in use. They found reports to vary in length and content. While all applications will differ there is enough common ground for the use of templates which provide a consistency of approach and ensure that the relevant issues are addressed (and extraneous material is reduced to a minimum). A template for delegated cases could be set up along the following lines:

Description	Address, reference and description of proposal as per registration
Recommendation	Grant with conditions as set out or refuse with reasons
Details of proposal and site	Description of proposal and site
Issues to be addressed	As identified by case officer
Assessment	Planning assessment of identified issues
Conditions	If recommended for approval
Appendix	Relevant policies Planning history Consultations and responses

6.5   Such a template should avoid repetition, highlight the relevant issues and concentrate on those matters which are significant in coming to a conclusion and recommendation. For the case officer and the decision maker it allows them to focus

on the key issues without getting 'bogged down' in extraneous detail. This should make both report preparation and the signing off process more effective, while at the same time ensuring that decisions are properly made with a clear audit trail.

Member Call-Ins

6.6   The member call-in process was changed as a result of the previous review by POS Enterprises in 2015. The has resulted in some improvements but it still gives rise to potential additional work and delay.

6.7   The Review Team acknowledge that the ability of councillors to call-in applications to have them considered by members at Committee is an important part of the democratic process. However, some changes could be made which would reduce the burden on officers and be more straightforward for members. The present process requires:

- Officers to write to ward members to advise them of applications in or immediately adjacent to their wards.
- Ward Members must advise officers of a call-in request in writing within 21 days of receiving notice of the application or of the expiry of the public consultation period
- Applications called-in will be added to the agenda of the next reasonably available committee
- Members may withdraw their request at any time prior to the publication of the Plans Committee agenda
- Where a call-in request has not been withdrawn and officers consider that the matters raised have been addressed officers will submit a recommendation report for the called-in application to the member concerned which will enable members to review their call-in request.

6.8   The Review Team were made aware that, in practice, the overwhelming majority of call-in requests are withdrawn, although there are no records of either call-in requests or their withdrawal, so only anecdotal evidence is available. What is apparent is that a considerable amount of both officer and member time is spent on managing call-in requests which are not pursued. Apart from the abortive time involved, it also leaves the question of how a called-in application is to be determined unresolved until very late in the process and until it is withdrawn there must be a presumption that the application will be going to Plans Committee.

6.9   For members it is understandable that they should call-in applications that they have any concerns over at an early stage so that they do not fall foul of the 21 day time limit. This means that at the time they have to make a decision to call an application in they are unlikely to be aware of the detail of the application, the response to consultations, and any potential amendments. As these matters become clearer members then withdraw their call-ins in the majority of cases, but only after officers have spent time preparing and submitting a ward councillor report explaining the issues. This procedure is very wasteful of resources in a service that is already under pressure.

6.10   The Review Team recommend that this process is reviewed with the objective of pushing back the deadline for member call-ins until later in the process when consultation responses are available, where possible amendments may have been

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identified which may resolve concerns or where there is a clear intention to refuse what might otherwise have been a contentious application. This process could be managed by members flagging up with officers that they have an interest in an application (and this would be logged on the system), and the case officer then subsequently informing the member when the relevant information is available and what decision is likely and when. Here again this response would need to be flagged on the file but could take the form of a straightforward email. At that stage when they are fully aware of all of the issues the member would have the opportunity to call an application in.

6.11   Such a procedure would move from a position where there is an assumption that called-in cases will go to committee unless withdrawn to the position that applications will be determined under delegated powers unless they are called-in. Members will still have the opportunity to call-applications in but would be in a better position to make an informed decision. This would reduce the number of call-in requests significantly although it may not reduce the number of applications decided at Committee. It would certainly reduce abortive work and free up resources for more productive uses.

Single member wards

6.12   An issue which was raised with the Review Team was the concern about representation in single member wards. There are currently two wards which have only a single councillor but there will be more following the May 2022 local elections. The particular concerns were with 'call-ins' and speaking at Plans Committee.

6.13   The Council constitution provides for ward councillors to call-in planning applications. The process for call-ins and recommendations for its improvement are dealt with in paras 6.6-6.11.   Any ward member can call-in a planning application for determination at Plans Committee. The concerns expressed were where a member in a single councillor ward wished to do so. The identified problem was where the ward member was also a member (or a potential substitute) at Plans Committee. Where a member in a single councillor ward has called-in an application the member should declare an interest, absent themselves from the Committee for the specific item and thus not engage in the debate or vote on the decision. They can speak as a ward member in accordance with the protocol for speaking at committee.

6.14   What is apparently absent from the protocols is the option of having another member to stand in at the call-in stage. In a two member ward this would not generally be an issue as non-plans committee ward members would be able to call-in and speak at committee to represent their constituents.

6.15   The protocol provides for the situation where a member calling-in an application is unable to attend the Committee. In these circumstances the ward councillor can nominate another councillor to speak on their behalf. The wording of the protocol ('unable to attend the committee') implies that this provision does not extend to single ward members who wish to attend the committee as a committee member but have called-in an application. They cannot speak as a ward member. There is no specific wording in the constitution or the member planning code of conduct which covers this situation. The Review Team recommend that the position is clarified in the wording of the relevant protocols and procedures.

6.16   There are two possible options, not mutually exclusive:

- Single ward members who are also Plans Committee members have to make a decision whether they (i) wish to call-in and speak on an application in their ward, acting in their role as the representative of their constituents, or (ii) to maintain their role as a member of the Local Planning Authority, sitting at the Plans Committee as a representative of the Council as a whole in exercising their planning judgement. Such a decision would have to be recorded and acknowledge that the two roles are mutually exclusive.
- The Council introduces new provisions in its planning protocols which allow members in single wards who are also members of the Plans Committee to nominate another councillor to exercise the call-in and public speaking functions on their behalf.

6.17   The Review Team's view is that this is a decision for the Council as the issue of democratic representation is a general matter outside the scope of this review, but they do feel that it should be explicitly clarified, particularly with the prospect of more single member wards.

SECTION 6 RECOMMENDATIONS

Para 6.4
Adopt a template for delegated reports on the lines set out

Paras 6.10-6.11
Revise process for member call-ins

Paras 6.15-6.16
Clarify the position regarding member call-ins in single member wards

7 Pre application processes

7.1 If the authority is to shape development to meet the policies and objectives set out in the local plan engagement with developers before applications are submitted will be much more effective than waiting for applications to arrive and then attempting to negotiate improvements. The Planning Advisory Service identified the benefits in 2014 and their words as equally relevant today:

'Pre application engagement should lead to high quality and appropriate development schemes being granted planning permission more quickly. Early collaborative discussions between developers, public sector agencies and communities can help shape better quality, more accepted schemes. These developments can be brought forward more quickly and deliver improved outcomes for the community. These discussions also avoid wasted effort and costs.'

7.2 The situation in Charnwood, without a 5-year land supply and vulnerable to aggressive applications has perhaps not been the ideal position for pre-application engagement but this should improve with the forthcoming adoption of the Local Plan. A workable pre-application process will also improve the timeliness of processing applications and assist in meeting performance targets and provide a useful source of income. Following the POSe review of 2015 Charnwood introduced a formal pre-application process in 2017 with a comprehensive guidance note and introduced performance targets. These targets have not been met on a regular basis at a time when more priority has been given to processing applications.

7.3 The introduction of a formal process in 2017 was a significant step forward but the Review Team consider that it falls short in not pro-actively engaging members at the pre-application stage. Paragraphs 8.2 and 8.3 of the Members Planning Code of Good Conduct and Chapter 25 of the Council's Constitution relating to presentations to members provide the existing framework for how members should *respond* to applicants, objectors or developers who approach them requesting meetings or to make presentations. Currently they do not provide for the situation where there are positive benefits from the Council actively seeking to engage at the pre-application stage. The Code of Conduct, Constitution and Pre-application guidance are not consistent in their provisions and following a decision on what revisions are necessary to the pre-application process these documents need to be brought in line.

7.4 The importance of member involvement was outlined by the PAS and the LGA, again in 2014:

'LPAS should ensure that their pre-application offer provides an opportunity for councillors to be actively involved in pre-application discussions as part of a transparent process'

7.5 Any pre-application process, particularly where it involves members must be open and transparent and follow clearly established guidelines. It should allow members to have presentations so that they can fully appreciate potential proposals at an early stage and feedback comments through a properly managed procedure. Members may understandably be cautious about involving themselves and the possibility of pre-determination, but since the Localism Act 2011 Councillors are freer to speak

about planning applications and express a view provided that they have an open mind when the matter comes to them for decision. In any event, being familiar with proposals and being able to seek clarification must put them in a better position to make an informed decision. Better information at an early stage could also reduce the number of member referrals.

SECTION 7 RECOMMENDATIONS

Para 7.3
Revise the Pre-application process guidance to allow and encourage the Council to actively seek pre-application engagement with developers on significant schemes

Para 7.5
Introduce processes which would provide for both Plans Committee and ward members to be actively involved at the pre-application stage.

Paras 7.3-7.5
Revise the Members Planning Code of Conduct and the Protocol for Presentations to Members to facilitate Councillor involvement in pre-application engagement.

8   Enforcement

8.1   As with the overwhelming majority of local authorities across the country, the enforcement service at Charnwood is essentially a reactive process in that it responds to complaints rather than actively monitoring potential breaches. The Planning Enforcement Plan 2018 clearly sets out the enforcement process and the principles and priorities for the Council. There are three performance measures for enforcement relating to the acknowledgement of complaints, site visits and responses to complainants and performance is generally good although recent staff vacancies may have an impact.

8.2   The context for the current review is the democratic interface and members will often be involved in enforcement issues particularly where their constituents raise complaints. This can be a difficult area for councillors (and the public), particularly those not familiar with planning, as local disputes, including those between neighbours, are often not planning related or involve issues where it would not be expedient to take action. Misunderstandings can and do arise over such matters as, it not being an offence to not build in accordance with a permission, or, what may or may not be permitted development. Planning training for all councillors may help in this regard, but it is often the role of the enforcement officer to explain to members and the public what can and can't be resolved through planning.

The ward member referral system

8.3   What was of concern to the Review Team was the ward councillor referral system. The current Scheme of Delegation delegates decisions to (i) take enforcement action, and (ii) to determine cases where such action is not expedient, to the Head of Planning and Growth, except where a ward councillor wishes such decisions to be considered by Plans Committee. For both these options the process involves preparing a detailed report for ward councillors setting out the background and detail to the case, the planning issues involved, and the reasons for the recommendation. The ward councillor(s) then have 2 working days to respond, and if not in agreement with the recommendation the case is then referred to Plans Committee for determination. This involves a significant amount of work, including legal and senior officer time in signing off the report. The Review Team has seen ward member referral reports of 15+ pages. From the information made available to the Review Team relating to the last three years, no decisions have subsequently been made contrary to the officer recommendation.

8.4   There were 17 cases over the three years 2020/21/22 where serving an enforcement notice was recommended. In only one instance, following the ward member referral was a case reported to Committee which agreed the officer recommendation. In the other 16 cases the ward members accepted the officer recommendation and action proceeded through delegated powers.

8.5   Over the same period there were 71 cases referred to ward members where the officers recommended that it would not be expedient to take action. Again, over those three years only one case was subsequently referred to Plans Committee for decision and the Committee decided no action as recommended.

8.6 One consequence of this burdensome process is officers will look at what other avenues are available to resolve the matter rather than the prospect of preparing a report for ward councillors and a second, subsequent report for Committee. This is particularly tempting where no action is considered expedient, but this can result in many such cases remaining on file while officers move on to more immediate priorities.

8.7 There are significant problems with the referral process:

- The additional workload for staff who already have workload pressures.
- The timescales involved in the process of preparing reports, getting them signed off, consulting members and then where necessary reporting to Committee are lengthy in a context where enforcement action is legally time limited.
- It can result in 'non expedient' cases not being closed in a timely manner.
- It involves members often with no training or experience in planning matters and no planning responsibilities making decisions about technical and legal planning issues.

8.8 The Review Team are not aware of any other English local authority with a similar process of ward member referral.

8.9 For the reasons set out the Review Team are recommending that the referral process for enforcement action is discontinued and all enforcement matters are delegated to the Head of Planning and Growth. To keep members informed regarding enforcement it is also recommended that a quarterly report on enforcement, including Planning Contravention Notices, Enforcement Notices, Breach of Condition Notices, Stop Notices, Section 215 notices and any appeals arising is circulated to members of the Plans Committee for information.

SECTION 8 RECOMMENDATIONS

Para 8.9
The procedure of referring both recommendations for enforcement notices and decisions not to pursue formal enforcement action to ward members is discontinued

Para 8.9
Officers circulate a quarterly report on enforcement matters to the Plans Committee

9 The Plans Committee

Composition of committee

9.1 The Plans Committee consists of 13 members, many of whom have been members of the committee for over five years. The Constitution allows for substitute members to sit on the committee in a committee member's absence, as long as they have undertaken the mandatory planning training.

Public access to Plans Committee meetings

9.2 Plans Committee meetings are currently held in the Preston Room of Woodgate Chambers, Loughborough. At the meeting which the Review Team observed, it was clear that the public seating area is not easily accessible to those with mobility issues and that although new screens have recently been installed for viewing officer presentations, they are not particularly easy to view from the public gallery. In discussions it was acknowledged that the room is not particularly appropriate for the Committee meetings and the Review Team understand that the venue may change in the long term.

9.3 For some years meetings of the Committee have been recorded and these audio recordings are then available from the Council's website. During the pandemic when meetings were held on a virtual basis the MS Teams recording were uploaded to the website allowing better access to information provided in the officers' presentations and a better understanding of the discussions taking place during the deliberation process.

9.4 Unfortunately the current committee room does not allow for video recordings to be made at a reasonable expense to the authority. It is highly recommended that, in the longer term and to facilitate public access to meetings, consideration should be given to finding an alternative venue for the Plans Committee that does allow for live streaming of meetings and suitable audio-visual recordings to be made for uploading to the website.

Length of Committee meetings

9.5 The Review Team have considered the agendas for Plans Committee over the previous 12-month period, commencing 26 May 2022 (see Table A below)

TABLE A – Meetings and number of items considered in the 12-month period from 26 May 2022		
Date	*No of items*	*Comments*
26.05.22.	1	Appeal lodged because of non-determination. Indicated that they would have agreed application in line with officer recommendation
23.06.22.	3	1 item agreed as per officer recommendation 2 items returned to committee for agreement of amended conditions
21.07.22.	3	3 items agreed as per officer recommendation
18.08.22.	3	1 item agreed as per officer recommendation 1 enforcement case agreed as per officer recommendation to take action 1 item refused against officer recommendation
22.09.22.	3	1 item deferred 2 items agreed as per officer recommendation

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20.10.22.	5	5 items agreed as per officer recommendation
24.11.22.	3	2 items agreed as per officer recommendation
		1 item refused against officer recommendation
22.12.22.	4	4 items agreed as per officer recommendation
19.01.23.	1	1 item agreed as per officer recommendation
16.02.23.	0	Meeting cancelled
16.03.23.	1	1 item
12.04.23.	3	3 items agreed as per officer recommendation

9.6   Meetings of the Plans Committee are timed to commence at 17.00. The Review Team had been told that some meetings have continued until well after 23.00, partly because of the number of applications but also because of the number of public speakers (see paras 9.26-9.31 below) and the length of committee discussion. However, this does not seem to have been the case over the previous 12 months.

9.7   At the moment most of the authority's committees vote after 2.5 hours for a 3-hour cut off but this is not the case currently for meetings of the Plans Committee. Despite a lack of evidence that longer meetings are the "norm", the Review Team is of the view that there should be an opportunity to vote for a cut off after three hours, particularly because meetings are being held during the evening. It is widely acknowledged that applications considered after 22.00 are unlikely to receive the same level of engagement and scrutiny as those considered earlier in the evening. In addition, applicants and objectors may be kept waiting several hours for their item to be considered.

9.8   The Review Team also recommend that the number of items on a Plans Committee agenda should be kept to a level that is able to be handled within a 3-hour meeting, if at all possible. While there is an overriding impetus to get applications determined at the earliest opportunity there is scope for improvement in managing agendas through a more robust case management approach with a clear target for decision making, identified early on in the process and with workload prioritised accordingly. Such an approach can assist considerably in managing agendas and informing officers and key members of the likely timescales for determining major applications. Timescales can and will change but having a programme focusses and prioritises workloads.

Site visits

9.9   Currently, the Plans Committee visit sites on the afternoon of the Committee meeting. The visits are arranged by the case officers and Democratic Services with a coach/large minibus being hired each month. There are 2 concerns with regard to site visits. Firstly, they represent a significant cost to the authority. Secondly, a number of members do not attend mainly because of work commitments. All of the Committee members interviewed considered that visiting the sites of applications was extremely helpful, particularly as the case officer attends and will explain exactly where the development would be within the site. Not all applications benefit from a site visit and many sites can be viewed from the highway or public spaces. Decisions as to which sites need to be visited, so that members can fully appreciate the issues, should be taken by the Group Leader Development Management, where necessary in consultation with the Chair of the Plans Committee.

9.10   The Review Team observed the site visit undertaken on 12 April 2023. The protocol for site visits was adhered to throughout and an objector representative was dealt with fairly and discreetly by the officers who were present.

9.11   However, all Councillors expressed their frustration that only around half the committee are able to participate because of when the visits are held (on the site visit observed by the Review Team only 5 out of 13 members attended). It is difficult to suggest an alternative which would provide members with the same experience which would not involve changing the timing to an alternative when more members might be available. During the summer months this could be early evening, or alternatively at the weekend. If the time remains during the working day it is inevitable that some members will not be available. The Review Team is aware that some councils are now experimenting with drone fly throughs which are viewed at the Committee meeting with a commentary from the case officer when an item is introduced. In the longer term this may be an option that is worth exploring.

9.12   The Review Team's experience is that site visits for some proposals can be very helpful, particularly where issues of height, levels and terrain are involved. They can also forewarn officers of issues/concerns that members are likely to raise during the Panel meeting and this allows them time to seek further information if necessary. However, given the pressures on committee members time the Review Team has concluded that introducing any change to increase participation in site visits would be difficult, but that it would be helpful if it was emphasised to newly elected members that if they are unable to attend the formal site visits, they should independently seek to familiarise themselves with the sites being discussed. The 'dos and donts' of visiting sites independently would need to be stressed.

Chair's briefings

9.13   The Chair and Vice Chair attend a briefing meeting on the day of Plans Committee with the officers presenting in attendance as well as a member of the Democratic Services team. The Review Team observed the Chair's briefing on the afternoon of Wed 12 April. The meeting was efficiently run with each item being considered in turn and allowed the Chair to rehearse where any queries might arise and discuss the best way of dealing with potential issues that might arise, whilst at no time causing a potential predetermination by those councillors present. By this stage the Chair and Vice Chair have also received a script for the meeting which includes the finalised list of public speakers including the order for speaking and any other announcements that the Chair needs to make during the meeting.

9.14   It was clear that officers also found this meeting really helpful as it provided a good steer on political nuances that they may not have been aware of and allows them an opportunity to provide further information that the Chair/Vice Chair feel might be helpful at the Committee meeting. The Review Team's experience is that meetings such as this are always helpful and can also be enhanced if the Legal Officer is able to be present.

Officer reports to Committee

9.15   There was concern across the board about the length and detail entered into in the officer reports for Committee and the Review Team is aware that a new template for officer reports is currently in preparation.

9.16   The Review Team would suggest that the relevant policies should not be set out in detail but rather links to the policies should be provided, particularly where policies are again being quoted in full during the balancing of material considerations later in the report text. Details of consultation responses should be set out in an appendix rather than in the body of the report. Where responses have resulted in changes to a scheme or resulted in conditions being included or have been addressed through S106 requirements this can be pointed out in the report and be referenced to the specific consultation without going into extensive detail.

9.17   The Review Team would also recommend that adding an Executive summary at the front of the report would be helpful, although there was some concern amongst those interviewed that this would tempt committee members to only read the summary rather than the full report which would be counter-productive. On balance it is suggested that this is tried to aid the Committee to concentrate on the key material matters relevant in each case avoiding non-material matter.

9.18   It would also be helpful to review how internal consultations are dealt with in reports. These are dealt with in the body of the report under appropriate headings. The rationale behind this is that the report, as the report of the Head of Planning & Growth, takes account of the internal views of the service in coming to an appropriate balance. Other authorities include internal consultees' responses in their reports and then deal with what may be conflicting views in their appraisal. This can be interpreted as being more open and transparent, demonstrating that the views of specialists have been taken into account in coming to a balanced conclusion and recommendation.

9.19   All Committee reports are now uploaded into a relatively new Modern Gov system. This system has the advantage of ensuring that only one version of the report is available for amending, checking and publishing. It also enables elected members to then download their papers through an app which provides a facility for them to annotate their set of papers with their own comments for review during the meetings.

9.20   The Review Team understand that at the time of the Review there were four separate review checks on all Committee applications ahead of publication
          • The appropriate line manager/team leader
          • Group Leader, DM
          • Head of Planning & Growth
          • Legal Officer.
        This level of oversight seems excessive, particularly as they are undertaken sequentially and within a very limited timescale. It demonstrates an exceptionally "risk averse" approach as well as impacting significantly on the lead in times for agenda publication and on the workloads of the officers concerned. It was estimated that these checks can take upwards of half a day for each officer, if there are an average of 4 applications on each agenda. The Review Team recommend that a single officer, either the appropriate Team Leader or the Group Leader Development Management, should have responsibility for signing-off committee reports and that the other officers currently involved should all be consulted concurrently and feed their comments back to the responsible officer.

Dialogue ahead of plans committee

9.21 The Review Team would strongly encourage contact should be made between members and case officers once the committee papers have been published, where clarification or further information was required. In addition, such contact can, on occasion, warn case officers about possible omissions in the report. In the Review Team's view this would not be seen as them pre-determining the application, and in authorities where members are pro-active in this way (within strict guidelines) it can significantly lessen the level of unnecessary questions raised at the committee meeting, allows Members to spend time productively on key material matters and is generally considered good practice.

Extras report

9.22 In 2015 the Review Team's report stated that

" …. the length and complexity of some of the 'extras reports' provided are wholly exceptional."

The report recommendation was:

Review the level of information that is provided in the Extras Report and consider the introduction of a publicised "cut off time" for late submission to be accepted.

9.23 It is clear that this recommendation has been implemented in full with the extras report now consisting of a simple update sheet.

Officer presentations to committee

9.24 The Review Team only saw officer presentations at one committee meeting. This limited observation showed variable standards of Committee presentation skills, which may benefit from some bespoke presentations skills training, but more importantly highlighted that presentations were, in the main, overly long and descriptive. It is understand that a template has now been produced for all Committee presentations to standardise style and assist officers in their preparation.

9.25 However, given that most applications have been subject to a site visit earlier in the day the Review Team would recommend that officer presentations should concentrate on the key material issues, especially those which are finely balanced or the subject of significant objection, rather than describing the scheme in detail. It is important to have key plans and photographs available, but these can be shown where necessary to answer questions or illustrate points of discussion. It is not necessary to describe every slide in detail. The Review Team have observed other authorities where the key issues for members to consider are usefully summarised and highlighted on a presentation slide. This may also have implications for the structure of officer reports.

Public speaking

9.26 Guidance for public speaking is currently held on the website and provides a clear and concise description of the process and warns about the length of time available to speakers and the cut off procedure if speakers overrun.

9.27 However, this guidance note is dated 2011 and the Review Team would recommend that the list of material and non material considerations should be reviewed against the lists attached at Annex C for update purposes.

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9.28   Currently, requests to speak must be received 7 working days ahead of the meeting which is almost as soon as the agenda is published. At this stage, potential speakers will not have had the benefit of seeing the reports and whether their concerns have been addressed either through the recommendations or the conditions/S106, in which case they may decide not to speak. From reviewing the minutes of Plans Committee over the last year, it does not seem that there is a significant problem with late speakers being given permission to speak at the meeting but in the Review Team's opinion it would be better customer service to both objectors and applicants if the time limit on requests to speak were made more lenient. Many authorities say requests must be received at least 3 days before the meeting and this does not seem to cause significant issues in managing the meetings.

9.29   The Review Team has also been told that, at Charnwood there are sometimes occasions when, particularly objectors, notify that they wish to speak to the Committee at the same time as they lodge their formal objections to the application. This has apparently caused issues where such requests have not been picked up by staff ahead of the meeting. A clarification that requests to speak must be formally lodged with development management, after publication of the committee papers should be included in the public speaking guidance and in the letters forwarded to objectors to resolve this issue. It is also good practice that those applications with speakers should be brought forward to the beginning of the agenda.

9.30   The current guidance states that speakers are allowed a maximum of five minutes and that this time period may be shared between objectors if they are unable to agree on a single spokesperson for them. This also applies where both applicant and agent wish to speak. However, ward councillors are also offered the opportunity of a five minute speaking slot as are the appropriate parish council. This means, in reality, that there may be up to 20 minutes of public speaking on a single application which is rather higher than is recommended good practice. During discussions the Review Team heard concerns that any reduction in this time allowance would be considered unfair when there was no time limit on the length of time allowed for officers to make their presentations. This is not in any form a reasonable comparison as it assumes that the role of the council's expert professional advisors should be put on equal footing to objectors or applicants. However, there is a valid point that officer presentations can be excessively long.

9.31   It is recommended that the authority consider a change to the rules which would limit public speaking slots to 3 minutes. At the same time separate guidance on time for officer presentations should also be introduced as a discipline for officers. This is becoming more commonplace in other local authorities and which has improved the conciseness and focus of reports as outlined in para 9.25 above. Charnwood may also want to consider whether applicants should only be afforded the right of reply where there are objectors speaking against an application. Where an application is recommended for grant and there are no objectors wishing to speak it may seem unnecessary to allow an applicant the opportunity to speak in support of the recommendation. This situation occurred at the meeting attended by the Review Team and only served to prolong the meeting.

9.32   If a ward member calls in an application for any reason it is imperative that they should attend the Committee meeting to explain their reasons for doing so during the

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public speaking period. Members of the Plans Committee were concerned and expressed frustration that this was not always the case. It is inevitable that on some occasions a ward member will justifiably not be able to attend, for either personal or professional reasons, but in that case they should be required to produce a written explanation for the call in of any application which can be read out by one of the attending officers or the Chair of the Committee.

9.34   The Review Team is aware of councils where if the ward councillor is not represented in this way at the Committee meeting then the item will be removed from the agenda at the beginning of the meeting and then subject to a delegated decision by the case officer. This is a hardline approach but has had the effect of ensuring that applications are now only called in when the ward member is able to justify such call in. The Review Team would suggest that Charnwood should consider such an approach.

Overturns of officer recommendations

9.35   In general terms it is essential that when members reach a contrary view to the officer recommendation they articulate a clear view of the reasons for doing so at that time and that these are minuted, Officers may be asked for advice during the meeting, thereafter it is considered acceptable for the final minor detailed finessing of the wording of reasons to be left to officers without further reference to the Committee. The minute should be clear on what the Committee has concluded and the reasons why. On the other hand, it is not, in the Review Team's view, acceptable for officers to be instructed to review the case and come back to Committee with reasons for the overturn for members to ratify.

9.36   The Review Team had heard that there have been some difficulties in getting Plans Committee members to clearly formulate material reasons for overturning an application. The Review Team were not able to observe an overturn to take a clear view on this but having reviewed minutes from the Committee over the last year there was at least one case where the Committee provided general grounds for their decision but then requested the officers to prepare the final wording of the reasons. This is not good practice and could lead to legal challenge on occasions. Where necessary a short adjournment or deferral to clarify the members' reasons may be a better approach.

Committee minutes

9.37   At Charnwood the Plans Committee minutes are a means of formally recording the decisions made by the committee rather than a verbatim description of the discussion and points raised. The Review Team notes that the grounds for overturn are provided in the minutes with the officers being given delegated authority to confirm the wording for the refusal.

9.38   The Review Team considers that this is the best way to provide a record of the meeting particularly when recordings are available online for checking discussion points.

Member training

9.39   The Review Team was surprised to hear one of the elected members remark that it would be "much better if officers did not make recommendations on their reports to committee as this inhibits the decision-making role of the Plans Committee". This,

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and other similar remarks, illustrated to the Review Team that there is a wide level of misunderstanding amongst elected members, about the operation of the planning system and the external legal requirements that are placed on both officers and Plans Committee members as part of that process.

9.40   It is understood that there are quarterly training sessions held with the dates set well in advance. These sessions are mandatory for Plans Committee members and any substitute members, but are also open to all Council members although the Review Team heard that few outside of the Plans Committee members attend.

9.41   The Review Team would recommend proactively encouraging all members of the Council to undertake basic planning training in respect of how the current planning system works, both on a national and local level to provide context.

9.42   It is also considered that there would be a great deal to be gained by providing separate bespoke planning training for parish councillors who often request ward councillors' assistance to call in applications without a clear understanding of material considerations.

SECTION 9 RECOMMENDATIONS

Para 9.4
To facilitate public access to meetings, consideration should be given to finding an alternative venue for the Plans Committee that allows for live streaming of meetings and suitable audio-visual recordings to be made for uploading to the website.

Para 9.8
The number of items on a Plans Committee agenda should be kept to a level that is able to be handled within a 3-hour meeting, if at all possible, and that the arrangements for a vote, to continue or adjourn, after 2.5 hours should be introduced for the Plans Committee on the same basis as other committees of the authority.

Para 9.8
Introduce agenda planning and case management processes to provide early notice of committee cases and to manage numbers of applications on agendas

Para 9.9
Decisions as to which sites should be visited should be taken by the Group Leader, Development Management, where necessary in consultation with the Chair of the Plans Committee.

Para 9.11
In the longer term consider consider the timing of site visits or the use of drone fly throughs, to be viewed at the Committee meeting with a commentary from the case officer.

Para 9.12
Emphasise to newly elected members if they are unable to attend the formal site visits, they should independently seek to familiarise themselves with the sites being discussed.

Para 9.16
Consider providing links to planning policies in the text of officer reports rather than including the full text to avoid duplication with the quoting of policies again during the balancing of material considerations later in the report.

Para 9.16
Details of consultation responses should be set out in an appendix rather than in the body of the text.

Para 9.17
Add an executive summary at the front of the reports

Para 9.18
Review the way that internal consultations are dealt with in reports, to demonstrate that the views of specialists have been taken into account when coming to a balanced conclusion and recommendation.

Para 9.20
Either the appropriate Team Leader or the Group Leader Development Management should have responsibility for signing-off committee reports and that the other officers currently involved should all be consulted concurrently and feed their comments back to the responsible officer.

Para 9.21
Encourage dialogue ahead of the committee meeting between members and case officers to ensure clarification or further information can be provided and to warn of any possible omissions in reports.

Para 9.24
Consider providing bespoke Committee presentation skills training for officers

Para 9.25
Officer presentations should concentrate on the key material issues, especially those that are finely balanced or the subject of significant objection, rather than describing the scheme in detail.

Para 9.27
Review and update the list of material and non material considerations

Para 9.28
Shorten the deadline for receipt of requests to speak from 7 to 3 working days

Para 9.29
Clarify when and how objectors should request the right to speak to avoid requests being made within their formal written objections which can be easily missed once the committee papers are published.

Para 9.31
Consider a change to the rules which would limit public speaking slots to 3 minutes.

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Para 9.31
Consider introducing guidance to limit the length of officer presentations.

Para 9.32
Ensure that if a ward member calls in an application to be heard at Committee that they attend in person to explain the reasons for the call in, or if unable to attend they produce a written explanation to be read out by one of the attending officers or the Chair of the Committee.

Paras 9.41
Proactively encourage all members of the Council to undertake basic planning training in respect of how the current planning system works, both on a national and local level to provide context.

Para 9.42
Provide separate bespoke planning training for parish councillors to promote a better understanding of material considerations.

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10 Administrative and procedural issues

The validation, registration and allocation process

10.1 In Charnwood, the process of "validation" refers to the initial checking that all documents have been received and that the appropriate fees have been paid. This is undertaken by members of the team of technicians.

10.2 Once validated, cases are passed to Team Leaders for allocation to a case officer. The Review Team heard that this takes place twice a week but this delay can add several days to the process and cause a significant hold up in getting an application to the case officer. The Review Team would recommend that this process be frontloaded so that allocation takes place ahead of "validation".

10.3 Once the case officer has received the file they are responsible for double checking all work undertaken by the technician and if everything is current then they "register" the application. The information provided to the Review Team would seem to indicate that this process takes case officers on average around 4 hours a week and for major applications this time estimate could be significantly higher.

10.4 In the Review Team's experience this double checking of documents and fragmented process inevitably delays applications being considered and is an unnecessary duplication of work.

Documentation

10.5 The Review Team understands that the Group Leader Development Management is currently producing a much needed DM process manual but there is also an urgent need for both a local validation list and a completely revised list of standard conditions. It is understood that additional capacity may be made available to allow work to be completed on these urgent projects and the Review Team would endorse such an approach.

Tree preservation orders

10.6 Currently the Review Team understands that any objections to the issuing of Tree Preservation Orders (TPOs) are dealt with by the Appeals and Reviews Committee. However, the current Constitution states that
The Plans Committee's functions include:
"8. To carry out functions relating to the formal preservation of trees and protection of important hedgerows where the Head of Planning and Growth considers the exercise of delegated powers to be inappropriate."

The Constitution also says that the Appeals and Reviews Committee's functions include:
"3. To determine objections to tree preservation orders"

10.7 There seems to be no logical reason for this split between functions, particularly as the members of the Appeals and Reviews Committee are not involved in the work of the Plans Committee..

10.8 In the Review Team's experience elsewhere it is normally the case that all TPO are delegated with the Plans Committee only being involved if there is an objection to a new TPO or where a TPO may be in danger from new development, and it is

recommended that this current separation of functions is reviewed to bring Charnwood's procedures into line with best practice.

S106s and the emerging local plan

10.9 It is understood that work begins on S106s immediately after the Committee decision although the Heads of Terms have normally been agreed previously by the agent/applicant and the case officer. The authority should ensure that sufficient work on S106 obligations is undertaken prior to Committee to ensure that the legal test is satisfied that decisions should only be taken if the obligations overcome any potential reasons for refusal. Preparing them is mainly outsourced to a specialist firm of solicitors because of limited capacity in the authority's legal services. With a view to speeding up the process a S106 agreement template is currently under preparation and the Review Team would endorse this approach to standardising agreements as being current best practice.

10.10 In the course of the Review Team's research, however, two concerns have arisen relating to processes in respect of S106 agreements and the emerging local plan.

10.12 The first relates to the current policy situation at Charnwood. The Review Team saw an example of a decision on an application being referred back to the Plans Committee on the basis that the situation with regard to the emerging local plan had moved from 'limited' to 'moderate' weight, which the Review team felt was unnecessarily risk averse. This appears to have been a 'one off' and other similar applications are dealt with under delegated powers.

10.13 Secondly, the Review Team has heard that all signed S106 agreements are reported to the Senior Leadership Team for agreement. It appears that this is a corporate requirement before the authority's seal can be used and that this SLT review has not previously caused any issues. However, this seems unnecessarily bureaucratic and time-consuming for a service which is time critical to meet government targets. The Review Team would recommend that this process should be reviewed with the intention of exempting S106 agreements from this corporate process.

SECTION 10 RECOMMENDATIONS

Paras 10.2-10.4
Review the validation and registration process so that allocation takes place ahead of validation and seek to remove the current unnecessary double checking of applications at both validation and registration.

Para 10.8
The current separation of functions relating to objections to Tree Preservation Orders should be reviewed.

Para 10.13
The issue around signed S106 agreements having to seek approval from the SLT, should be reviewed at an early date to avoid unnecessary work being undertaken.

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11 Staffing

Staff numbers and workload

11.1 There is no official indicator of an appropriate caseload for development management staff and the only benchmark widely quoted is the Planning Advisory Service's figure of 150 applications per officer per year which was published over 15 years ago. This takes no account of the mix of applications, what other duties are expected of case officers (pre-applications, appeals, prior notifications, general inquiries etc) and what IT systems the authority has in place and it therefore has only ever provided a very rough guide. More recent unpublished benchmarking undertaken by PAS suggests a more realistic figure might now be 80-90 cases per year, but this includes both case officers and support staff (but not managers).

11.2 The number of applications determined by Charnwood has averaged 1192 per year for the last 4 calendar years to December 2022. The number has remained fairly stable between 1110 in 2020 and 1263 in 2021 (All figures from DLUHC statistics tables 134). The number of case officers on the establishment is currently 10.6 although there were two vacancies at the time of the Review. This figure does not include the Strategic Development Team. Excluding the Team Leaders and support staff this works out to 112 cases per year on average. If support staff are included the figure would be nearer to the PAS figure of 80-90. This level of work is within the range of cases per officer that the Review Team has found in reviews undertaken across the country. This a comparative rather than an absolute assessment and does not imply that staffing levels are generous. Staffing levels across planning authorities have been under pressure across the country while expectations on the service have increased. Local factors such as the mix of applications are also relevant.

11.3 What these figures do imply is that the authority needs to look elsewhere to understand the underlying reasons for the comparatively poor performance if EoTs are excluded, and the pressures that staff feel. These reasons include:

- Delays and procedural 'bottlenecks' at registration, validation, and sign off
- Delegation arrangements for call-in cases
- Reliance on EoTs
- Risk averse culture
- Lack of emphasis or understanding of performance issues

Management and structure

11.4 Issues of the risk averse consultation and sign off process for committee reports have already been covered in para 9.20. The brief for the current review excluded structural and management issues except where they impinged on the democratic interface and business efficiencies. This report does not explore these matters in any detail but the Review would wish to highlight areas which the authority could usefully examine in the future.

11.5 **Role of managers**: Managers in Development Management are very often the most experienced staff with a strong history of dealing with complex cases, and there is always the temptation for them to deal with some of the more involved applications. The DM Team Leader at Charnwood was carrying a personal caseload of 16 applications at the time of the review. If managers are to fulfil their primary function of

managing the workload of their team effectively and efficiently they should not have a personal caseload.

11.6 **Managing Major Applications**: There needs to be a robust system in place to manage major applications through from pre-application to determination. Managing these applications is a pro-active rather than reactive function with a regular review meeting of all cases led by a senior manager.

11.7 **Performance management**: this has already been explored in some detail. Performance management needs to be embedded at all levels in the organisation. This is not about meeting what some might consider 'arbitrary' targets – although this can be very important if the authority is risking failure against national criteria. Performance management is about providing a good and timely service to its users and the community and which is efficient and cost effective.

11.8 **Resilience**: There were clear indications that the admin and support functions in application processing did not have the back up and resilience necessary. This applied to validation and registration, allocation, managing consultations as well as signing off applications. All of these processes will need to be incorporated in the new IT system to be introduced later in the year. This will be a resource hungry process and the authority should not underestimate the staffing and training implications which will be needed for a successful transition.

Use of Interim Staff

11.9 Recruiting and retaining planning staff in the public sector is an acknowledged problem nationally and as seen in the current consultation on fees and performance is acknowledged by Government. Charnwood has experienced continuing difficulties in recruiting staff over recent years and has been reliant on contract planners to cover vacancies. Many if not most local authorities are employing interim staff at most levels although, as at Charnwood, the position is most acute for senior/principal planner posts. At the time of the Review Team's visit 6 of the 9 posts currently occupied in the development management team at senior/principal level were temporary contract staff (see organisation chart at Annex D). Employing interim staff has been essential to maintaining the service and at the moment remains the most likely solution to filling posts. The interim staff employed at Charnwood provide a valuable asset to the authority (this isn't always the case in other authorities). However, there are disadvantages in the reliance on temporary staff:
- Potential for rapid turnover
- Lack of familiarity and commitment to the area and cases
- Doesn't provide for staff career progression or training/mentoring responsibilities
- Less opportunity to develop working relationships at officer and member level
- Costs are higher than permanent staff

Realistically Charnwood will need to rely on a level of interim staff in the short/medium term while recruitment measures nationally and locally are progressed.

Recruitment and Retention issues

11.10 There is no 'magic bullet' to solve the problems Charnwood and most other local authorities are facing. Salaries are a factor in both recruitment and retention, and there was a feeling that Charnwood wasn't competitive in this respect, but many other factors can also have an impact. Training opportunities, career progression,

variety of work, levels of responsibility, working in a well performing authority can all play a major part professionally, while flexibility of working arrangements, working environment and the quality of the area are also relevant. Charnwood is restricted in the levels of salaries it can afford when compared with the larger city authorities in the area. Establishing Charnwood as a 'good place to work' with an interesting variety of development and a growth agenda is probably going to be a more effective and practical option in the future than financial incentives. This does not rule out individual hard to fill posts which may need higher grading or market supplements and the Review Team is aware that these options are being explored. Initiatives to 'grow your own planners' by taking on entry level candidates and the potential to work with the newly established planning school at Loughborough University are to be encouraged, although these must be seen as medium to long term solutions.

Relationships with members

11.11 The Review Team heard from both officers and members that their day to day working relationship was generally good. Members did have concerns about lack of response to emails and requests for meetings and this needs to be addressed. An acknowledgement may be all that is needed. It is understood that this should become easier when the new back office software is fully operational.

SECTION 11 RECOMMENDATIONS

Para 11.11
Ensure that all emails from elected members are at least acknowledged.

Interviews and workshops held

Rob Mitchell, Chief Executive
Karey Summers, Director of Customer Experience
Richard Bennett, Head of Planning & Growth
Carolyn Tait, Group Leader, Development Management
Susan Garbutt, InterimTeam Leader, Development Management
Sarah Hallam, Acting Team Leader, Planning Enforcement
Steve Holmes, Senior Technical Officer
Kathryn Harrison, Legal Officer
Karen Widdowson, Democratic Services Manager
Karen Barton & Sharon King, Development Management Support Officers (together)

Cllr Jonathan Morgan, Leader of the Council
Cllr Richard Bailey, Cabinet Lead Member for Planning
Cllr Hilary Fryer, Chair of Plans Committee

Workshop with group of Development Management planners attended by:

Linda Walker, Interim Principal Planning Officer
Akram Mohammed, Interim Principal Planning Officer
Debbie Liggins, Senior Planning Officer
Harry White, Planning Officer
Paul Oxborough, Planning Assistant
Lydia Bailey, Planning Assistant

Focus workshop for elected members attended by:

Cllr Sue Gerrard, Plans Committee
Cllr Sandy Forrest, Plans Committee
Cllr Colin Hamilton, Plans Committee
Cllr Mark Charles, Plans Committee
Cllr Paul Ransom, Plans Committee
Cllr Anne Gray, Plans Committee
Cllr David Snartt, ward member viewpoint
Cllr Mary Draycott, ward member viewpoint
Cllr Margaret Smidowicz, ward member viewpoint
Cllr Jenny Bokor, ward member viewpoint

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Charnwood Planning Performance Tables

TABLE 1 Speed of decision-making - Major Applications

Rank		Decisions	Within 13 weeks	PPA/EoT	Within PPA/EoT time	Within 13 weeks or agreed time
	National	23,444	4,729 (20.2%)	17,053 (72.7%)	15.548	86.5%
169	Charnwood	60	3 (5%)	54 (90%)	51	90%
106	Blaby	33	10 (30.3%)	22 (66.7%)	21	93.9%
323	Harborough	82	15 (18.3%)	44 (53.7%)	41	68.3%
328	Hinckley & Bosworth	90	12 (13.3%)	57 (63.3%)	46	64.4%
207	Melton	62	3 (4.8%)	55 (88.7%)	50	85.5%
144	NW Leics	110	44 (40%)	60 (54.5%)	56	90.9%
288	Oadby & Wigston	12	2 (16.7%)	9 (75%)	7	75%

Designation threshold: 60% determined within 13 weeks or agreed extended period
Source: DLUHC live planning table 151A Jan 2021 – Dec 2022

TABLE 2 - Quality of decision making – Major Applications

Rank		Major Decisions	Not determined	Total	Appeal decisions	overturned	%
	National	25,053	184	25,237	1,442	547	2.2
275	Charnwood	73	1	74	4	3	4.1
207	Blaby	45	0	45	1	1	2.2
217	Harborough	85	0	85	2	2	2.4
267	Hinckley & Bosworth	91	0	91	10	3	3.3
161	Melton	61	1	62	2	1	1.6
1=	NW Leics	128	0	128	2	0	0.0
1=	Oadby &Wigston	17	0	17	0	0	0.0

Designation threshold 10% appeal decision overturned at appeal as percentage of decisions made (excluding appeals relating only to conditions)
Source DLUHC Live planning table 152: 24 March 2020 – June 2021

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TABLE 3 - Speed of decision making - Non-Major Applications

Rank		Decisions	Within 8 weeks	No with PPA/EoT	Within PPA/EoT time	% within 8 weeks or extended time
	National	709,797	346,812 (48.8%)	286,919 (40%)	25,662	85.2%
120	Charnwood	2,173	421 (19%)	1614 (74%)	1553	90.8%
64	Blaby	1,300	357 (27.5%)	897 (69%)	881	95.2%
285	Harborough	1,772	934 (52.7%)	450 (25.4%)	424	76.6%
339	Hinckley and Bosworth	1,348	337 (25%)	425 (31.5%)	289	46.4%
190	Melton	854	222 (26%)	550 (64.4%)	505	85.1%
179	NW Leics	1,405	652 (46.4%)	619 (44%)	566	86.7%
216	Oadby and Wigston	744	239 (32.1%)	430 (57.8%)	386	84.0%

Designation threshold: 70% of applications determined within 8 weeks or agreed extended period
Source; DLUHC Live planning table 153: Jan 2021 – December 2023

TABLE 4 - Quality of decision making - Non-Major Applications

Rank		Total Decisions	Not determined	Total cases	Appeal decisions	Overturns	%
	National	666,407	969	667,376	24,023		1.0
54=	Charnwood	2,109	2	2,111	50	8	0.4
13	Blaby	1,202	0	1,202	25	2	0.2
76	Harborough	1,751	1	1,752	44	10	0.6
280=	Hinckley and Bosworth	1,352	3	1,355	57	18	1.3
170=	Melton	791	1	792	27	7	0.9
21	NW Leics	1,366	1	1,367	24	4	0.3
35=	Oadby and Wigston	653	0	653	7	2	0.3

Designation threshold: 10% of total decisions overturned at appeal (excluding appeals related only to conditions)
Source: DLUHC Live planning table 154 Quality of non-major decisions: March 2020 – June 2021

TABLE 5 - Applications received, decided, granted and delegated and environmental statements received to year to end of December 2022

Authority	Application received	With ES	Subject to PPA	EoT (% of decisions	Total decisions	% delegated	granted	% granted
National	409,459	349	2,044	165,564 (42.9%)	385,758	96	336,538	87
Charnwood	1,286	1	0	928 (80.3%)	1,155	97	1,073	93
Blaby	624	0	0	378 (60.1%)	629	97	577	92
Harborough	1,128	0	1	250 (26.3%)	951	95	868	91
Hinckley and Bosworth	724	1	10	292 (35%)	834	94	779	93
Melton	486	0	0	323 (64.9%)	498	97	474	95
NW Leics	817	0	0	382 (49.6%)	770	99	707	92
Oadby and Wigston	310	0	0	275 (77.2%)	356	98	319	90

Source: DLUHC Live planning tables; Table P134: 1 Jan-31 Dec 2022

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Material Planning Considerations

All applications must be treated on their planning merits. However, the law requires that any decision shall be in accordance with the statutory development plan and the National Planning Policy Framework, unless material considerations indicate otherwise.

- ➢ 'Up to datedness' of the development plan
- ➢ Government policy and the NPPF
- ➢ Statutory consultation responses
- ➢ Supplementary Planning Documents
- ➢ Prematurity
- ➢ History
- ➢ Layout, density, design/appearance, character (Design & Access Statement)
- ➢ Amenity: daylight, sunlight, privacy
- ➢ Noise, smell or other disturbance (eg. A nightclub in a residential area)
- ➢ Access/traffic (parking and road safety issues)
- ➢ Conservation/listed building impact (ie. Harm to their character, appearance or setting)
- ➢ The provision of affordable housing
- ➢ Fear of crime
- ➢ Local economy and employment generation
- ➢ Cumulative impact
- ➢ Previous similar decisions
- ➢ Rarely, personal circumstances
- ➢ Intention to undertake unauthorised development (when determining retrospective applications)

These other material considerations may in fact be covered by general policies in the development plan. The list above is by no means exhaustive.

Draft development plans can also influence the Council's decision, although they normally carry less weight as they have yet to be formally adopted. Nevertheless, the planning authority may use them to help decide applications if, say, the statutory plan is out of date.

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Non-Material Considerations

There are a number of matters often raised by objectors which are not material planning considerations.

These include:

- ➢ Impact on property values
- ➢ Profit
- ➢ Ownership of land/right of access
- ➢ Work has already been carried out
- ➢ Commercial competition
- ➢ Moral objections to development like public houses or betting shops
- ➢ Loss of private views
- ➢ Restrictive covenants
- ➢ History of the applicant
- ➢ Change from previous scheme
- ➢ Matters covered by other legislation

The local planning authority should not take these issues into account when making its decision, which must be based on the planning merits of the application.

ANNEX D

Group Leader, DM
Carolyn Tait

Tm Leader, Strat Dev
Mark Pickrell

Tm Leader, DM
Susan Garbutt

Tm Ldr, Enforcement
Sarah Hallam

Sen Technical Officer
Steve Holmes

Princ Planning Officer
Liam Ward

Princ Planning Officer
Louise Winson

Princ Planning Officer
Linda Walker

Princ Planning Officer
Akram Mohammed

Plng Enforcement Officer
Andrew Muir

Plng Enforcement Officer
vacancy

DM Technician
Rajeshri Chawda

Planning Assistant
Paul Oxborough

Plng/Sen Plng Officer
Debbie Liggins

Plng/Sen Plng Officer
Harry White

Enforcement Asst
vacancy

DM Technician
Oliver Lawson

S106 Monitoring Officer
Barry Waters

Plng/Sen Plng Officer
Susan Chan

Plng/Sen Plng Officer
Joe Davies

DM Technician
Matt Brightman

Plng/Sen Plng Officer
vacancy

Plng/Sen Plng Officer
Nigel Wright

DM Technician
Nick Malhotra

Plng/Sen Plng Officer
vacancy

Sen Admin Asst
Kirsty Cutchey

Plng Assistant
Manju Mistry

Plng Assistant
Christine Beresford

Plng Assistant
Lydia Bailey

Admin Asst
Gayathri Subramani

DM Support Officer
Karen Barton

DM Support Officer
Sharon King

Permanent staff

Contractors/Interims

POS Enterprises

FINAL REPORT

Charnwood Borough Council

Review of democratic interface

April 2023

INDEX OF CONTENTS

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1. Introduction and summary of findings and recommendations

1.1 POS Enterprises, the operational arm of the Planning Officers Society, was appointed by Charnwood Borough Council to undertake a review of its Planning Democratic Interface. Throughout the process the staff have been helpful, open and constructive in their comments. The consultants wish to highlight this and thank all involved for their positive attitude to the entire review process.

1.2 During the course of the review both positive and negative factors came to light. Both have been highlighted, and recommendations provided throughout the report where there is scope for improvement. It is inevitable, that in a review of this type, that it concentrates on areas where improvement is necessary to meet the issues identified. This does not detract, in any way, from the many positives in the service's operation. In some cases the recommendations are specific; others the authority will want to explore in more detail. All the recommendations are made with the aim of improving the service and tackling historic and current difficulties which have been identified.

1.3 The Council is faced with significant challenges (forthcoming Government changes to the planning system, Local Plan/5-year land supply, reliance on Extensions of Time, insufficient awareness and ownership of performance issues)

1.4 The review identified a number of areas which, in the opinion of the Review Team, should be the focus for the authority, and recommendations are included for consideration. This summary covers the main findings and recommendations which should be the primary focus for the action plan and highlighted as such. There are further recommendations in the report where there is room for improvement, but these are not considered to be of the same priority. It is our experience that improvement plans fail where there are too many actions and top priorities, so the Action Plan should be carefully drafted to emphasise the key actions with resources (and timescales) to implement them clearly identified. This should be prepared following consideration of the report, in consultation with the staff. It is recommended that:

An Improvement Action Plan is prepared, in consultation with staff and members, which identifies the key priorities for improvement, with responsibilities identified and a programme for their implementation. This should be regularly reported to the Senior Leadership Team which should have overall responsibility for its delivery.

1.5 The Review Team found a Service working towards improvement, and many well motivated and competent officers committed to providing a good service to the public. The staff and members generally enjoyed good working relationships but there were improvements which could be made which would improve the service to the customer without impinging on the democratic involvement. Indeed, there were areas where the members could become more involved at appropriate stages in significant development proposals which would enhance their strategic role.

1.6 However, there were also areas where procedures such as member call-ins of both applications and enforcement cases involved overly protracted and bureaucratic

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procedures which the Review Team recommend could be revised to improve both efficiency and effectiveness without losing member involvement. Development Management performance against the Government's key criteria for the timeliness of applications is above average but very heavily reliant on Extensions of Time (EoTs), an issue that the Government is actively seeking to address. Neither staff nor members were sufficiently aware of comparative performance levels and the monitoring and management of performance should have a higher priority.

1.7   The position with the Local Plan and the challenges the Council faces in not having a 5 year land supply have had significant repercussions with unsolicited permissions being granted either by the Council or at appeal. This is likely to change later this year with the adoption of the Local Plan which will place the Council in a more secure position in dealing with such applications,

1.8   The Council is aware of the prospect of additional planning fee income but that this is likely to be dependent on improved levels of performance. The critical criteria for Charnwood are likely to be achieving application deadlines without the use of Extensions of Time and ensuring that losses at appeal on major applications do not reach a critical level. Assuming that the additional fee income from national increases in charges will go back into the service it will provide some leeway to improve recruitment and retention.

1.9   The authority has experienced problems of attracting permanent staff. The Review team was told that salaries were not competitive, particularly as it is in competition with larger city and metropolitan authorities in the immediate area. Unfortunately, recruitment of planning staff is a national problem and most authorities throughout the country are having to rely on some temporary and agency staff to a greater or lesser extent, but Charnwood is more reliant than most. As well as salaries, reputation, location and the type of work can all be factors in recruitment. The Council needs to understand what factors are relevant for Charnwood and how they can be addressed.

Priorities for Development Management

1.10   There are two main areas which the Review Team considers should be priorities for Development Management. Firstly, it should review its performance management process to establish a clear set of prioritised performance criteria. It should be monitoring performance against both DLUHC current and likely future criteria for designating poorly performing authorities. It should then be setting its own local targets aimed at improving rather than meeting the basic criteria. These targets should be set at levels which relate to external comparisons – nationally set criteria, comparator group average or upper quartile performance. Targets should be set to 'manage down' the reliance on Extensions of Time. Statistical information should be supplemented by added value and customer satisfaction evidence to support any local objectives around service quality. The selected criteria and the associated performance reporting should be tailored for the appropriate audience dependant on whether they are delivering against corporate, departmental, service, team or individual objectives. The specific recommendations relating to this are:

Review the performance monitoring process to ensure that corporate, department and service priorities are regularly monitored at the appropriate level and to the right timescales

Quarterly monitoring of DLUHC current and likely future "designation" criteria

Establish targets for reducing the reliance on Extensions of Time and the average length of time taken to determine applications.

Regular reporting of the key performance indicators to members including the Plans Committee.

1.11 Secondly, there is a need to clarify the management responsibilities in Development Management. The Team Leader carries a significant caseload and in this respect acts as 'senior professional' as well as manager. This creates a conflict and competing priorities between dealing with major applications, managing team and personal workload and performance and managing staff which are difficult to reconcile. The authority needs to be much clearer that the key priority for this post is to manage the DM section and seek to actively manage down the caseload held by this post.

Review the roles of the Team Leader to ensure the management and professional roles are clarified.

The member interface

1.12 Member officer relationships were generally found to be good. There were two particular areas where the Review Team saw opportunities for improvement. These were the member call-in procedures for both planning applications and enforcement cases, and member involvement at pre-application stage. The call-in processes involved an unnecessary amount of officer time which could be more productively used without impacting on the member role. At pre-application stage there is considered to be a real opportunity for members to have a greater input on major schemes much earlier in the process. Recommendations in this respect are

Review the member call-in procedures for both planning applications and enforcement cases

Revise the pre-application process to provide for the Council to initiate early engagement on major proposals including members

Plans Committee

1.13 The Committee meeting observed by the Review Team was well run but was perhaps not typical in terms of the three items being considered as there was very little discussion and only one public speaker. However, the Review Team did consider that elements of the meetings could be streamlined with the major recommendations being:

Officer presentations should concentrate on the key material issues, especially those that are finely balanced or the subject of significant objection

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Changing the rules around public speaking, limiting slots for applicants, objectors and ward members to 3 minutes.

If a ward member calls in an application they should attend in person to explain the reasons for the call in, or if unable to attend they produce a written explanation to be read out at the meeting

Administrative and Procedural Issues

1.14   Whilst reviewing administrative and procedural issues was not wholly within the Review Team's brief, nevertheless several issues were brought to the Team's attention which if dealt with might produce efficiencies to the current planning processes. Recommendations here include:

Review the validation and registration process so that allocation takes place ahead of validation

Seek to remove the current unnecessary double checking of applications at both validation and registration stages.

Staffing

1.15   Charnwood has experienced more difficulties than most LPAs in recruiting permanent staff. The heavy reliance on interim and temporary staff has been essential to maintain the service but brings with it problems of stability, consistency and not least expense. Whilst this is a common situation across the country, the Council should be developing its own response. Some progress has been made, not least the initiative with Loughborough University, and the potential increase in planning fee income should allow for additional funding for the service.

Develop a recruitment and retention strategy with corporate and HR support to reduce the reliance on temporary staff.

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2. Background

2.1 An independent review of the development management process in 2015, conducted by a team from POS Enterprises, considered improvements to processes, following concerns relating to officers reporting to both committee and ward members. A series of recommendations were made around:
- Changing the ward referral process at the end of the application process to a "call in" system operating throughout the application process;
- Greater involvement of councillors in pre-application discussions;
- Reviewing the site visit process;
- Reviewing the level of information in Extras Reports;
- Working with applicants, objectors and consultees to avoid late submissions;
- Reducing the time taken to finalise reports from the officer deadline to close the gap between the deadline and the actual meeting;
- Scrapping the committee pre-meeting;
- Allowing the lead member to be a member of plans committee;
- Providing training on presentation skills for officers;
- Allowing officers to respond to issues raised by speakers;
- Training members on protocols around lobbying and declarations;
- Reviewing practice of having two votes for overturned applications.

2.2 The recommendations were taken forward through an internal 2016 Action Plan, with many being put into place whilst other proposals proved more difficult to move forward.

2.3 In 2021 a further review of the development management service was undertaken by the Council's Customer Experience Team. This was triggered by a desire to remove potential inefficiencies in application processes before the implementation of a new back office system and to assist work flow to the Development Management Team at a time of high work volume. The review was unable to identify any tangible improvements in the current planning application processes that would generate net savings and furthermore, without the new back office system being implemented, it was difficult to understand the implications that changes might have to the in-built processes of the new system, which is now scheduled for implementation during the latter part of 2023.

2.4 The Customer Experience Team did, however, identify the potential for business efficiencies in the interface between development management processes, councillors and the Plans Committee. It was agreed that this should be considered by an independent review team who would examine the way in which elected members are currently engaged in the decision-making process and to consider this in the light of national best practice and the Council's desire to find efficiencies.

3. Terms of Reference

3.1 The review has been undertaken at a high level focussing on what changes are necessary or desirable to make the service fully fit for purpose over the next three to five years.

3.2 Through documentary and other research, including interviews and workshops, with elected members, senior officers and planning staff, this report seeks to address the following issues in the light of national best practice and the desire to make business efficiencies:

- The Scheme of Delegation (and sub delegation)
- Delegation processes where members need to be consulted, to ensure consistency of approach
- The member "call in" process and its effectiveness, including wards where there is a single member with a conflict of interest, and the requirement for members to explain "call in" at committee
- Public speaking at committee, including process and clarity of the rules in relation to speaking on deferred items
- The site visit process and its utility
- The plans committee process including:
    - Management of reports
    - Extras report
    - Chair's briefing
    - Chair's post meeting de-brief
    - Clerking and minute taking
- Plans committee meetings, including:
    - Reports (content, structure and length, etc)
    - Presentations to committee
    - Decision-making
- The planning enforcement process and committee referral arrangements
- Plans Committee and wider member training/updates on planning issues
- The "Presentations to Councillors" section of the Constitution and its relationship to the arrangements set out in the informal pre-application service
- The "Lobbying" section of the Constitution and its efficacy

3.3 The Review Team has remained mindful of the financial pressures upon local authorities, and the need for staff structure and numbers to be economical and efficient as well as the current difficulties in recruitment of good quality planning staff, and the need for pragmatism in any recommended solutions.

3.4 The report was informed by a range of discussions with staff and elected members. The functions of the interviews varied but broadly they provided the means for the Review Team to:

- Hear perceptions of how the service has performed over the past couple of years;
- Elicit the participants' own ideas of improvements that could be made; and

- Explore possible ideas for enhancements and highlight any practical implications they might have.

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4.   Methodology

4.1   Two POS Enterprises consultants (the Review Team) conducted two days of virtual interviews with staff and senior elected members ahead of spending three days on site, conducting further interviews and group workshops with officers and elected members as well as undertaking documentary research and reviewing performance statistics and data.

4.2   The review was undertaken using four main techniques:

Interviews and workshops

4.3   A series of interviews were held remotely on a one-to-one basis and further interviews and workshops were held with small groups of people with related responsibilities. A further workshop was held with a group of elected members, including some members of the plans committee.

4.4   A full list of those interviewed is contained at Annex A.

4.5   Throughout the process all interviewees were completely open and frank about their experience, on the basis that no comments or information used within the report would be attributed.

4.6   Discussions covered the following areas:

- Performance against Government and local targets, together with monitoring and statistical analysis challenges;
- Perceptions of the issues which have arisen around the reporting on planning applications over the past couple of years;
- Communications - both internal and external
- Committee and member relationships;
- Customer satisfaction;
- Identification of areas of difficulty or concern and their perceived causes, including the impact of national policy;
- Exploration of ideas for possible enhancements and any practical implications they might have.

Documentation and processes

4.7   The Review Team undertook a detailed examination of documentation, reference material, systems and processes currently being used, including:

- Public information material from Charnwood's website;
- The current Constitution including protocols and local codes of conduct;
- Planning committee and delegation arrangements;
- Monitoring reports;
- Examples of planning application reports not only items being considered by the Plans Committee but also delegated reports.

Statistical analysis

4.8   The Review Team interrogated the DLUHC planning statistics which are used to assess performance against Government criteria. These are derived from the PS1 and PS2 returns supplied to DLUHC by the authority and therefore should be

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consistent with the authority's own monitoring information for the same period. The Review Team used the latest available statistics at the time of the Review.

Observation

4.9   The Review Team observed the following:

- The Plans Committee site visit on 12 April 2023
- The Chair's briefing ahead of Committee meeting on 12 April 2023
- The Plans Committee meeting held on 12 April 2023

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5. Context

(NOTE: the tables referred to in this section can be found at Annex B to the report)

5.1 This review focusses on the interface between members and officers but to fully appreciate the current situation and the potential implications of current practices and future changes it is essential that there is an understanding of the changing pace of planning and likely changes at a national and local level. The Government has recently produced a consultation paper 'Stronger performance of local planning authorities supported through an increase in planning fees'. In the consultation document the Government acknowledges the need for local authorities to have the resources to drive improvement in the quality and timeliness of their planning services. An increase in planning fees is seen as the primary means to increase resources, although the Government acknowledges that this will not have an immediate impact on the lack of skilled and experienced planning and technical staff and the struggle to recruit and retain them. It was clear to the Review Team that the performance at Charnwood had been hindered by the rapid turnover of staff, particularly at more senior grades, and the heavy reliance on interim and temporary appointments.

5.2 The Government's promise of increased fees (35% for major applications, 25% for other categories) doesn't come without strings attached. They are only prepared to introduce fee increases if performance also improves, and they are also proposing a new approach to measuring performance across a broader set of both quantitative and qualitative measures. Some of these changes will be challenging for Charnwood, the most significant being a much more rigorous approach to the use of Extensions of Time (EoTs).

5.3 The potential increased revenue from fees and consequent ability to supplement the planning resources will be dependent upon the Council being able to meet the anticipated performance criteria, which will in turn require a much more rigorous and targeted approach to monitoring and managing performance. Failure would prejudice the additional fee income and increase the likelihood of penalties and/or government intervention in how the service operates.

5.4 This report points up how the authority can provide a more efficient and effective planning service while taking full account of the need to improve the democratic interface.

Implications of proposed Government changes to performance for Charnwood

5.5 The Government has become increasingly concerned that extensions of time have masked the performance of LPAs in determining applications within the statutory determination period. They intend to introduce new metrics which hold LPAs to account for the number of applications determined within the statutory period rather than through the use of EoTs to extend deadlines. This is a particular problem for Charnwood as its notionally good performance is heavily dependent on the use of EoTs.

Use of extensions of time

5.6   Table 1 below shows Charnwood's performance in determining major applications in comparison with the national position and the other Leicestershire authorities. The DLUHC designation criteria for government intervention is 60% of applications determined within the statutory period of 13 weeks or such agreed extended period, and Charnwood at 90% appears to be well above the threshold, ranking 169th out of 340 planning authorities nationally. However, closer examination shows that only 3 out of 60 major applications were determined within 13 weeks, and 54 or 90% were the subject of extensions of time.

5.7   Table 3 gives even more cause for concern. This is for non-major applications and the designation criteria is 70% determined within 8 weeks. Charnwood's performance at 90.8% (rank 120 nationally) looks reasonable but relies on 74% of applications having EoTs. This compares with a national average of 40%. Bearing in mind that these are the more straightforward applications, rarely subject to legal agreements, this shows an unhealthy reliance on EoTs to achieve only average performance levels.

5.8   The Government is very concerned that the existing metrics and use of EoTs do not adequately reflect performance or the experience of customers and the real position at Charnwood is that there is a consistent and excessive over reliance on EoTs to achieve unexceptional performance levels. While it is clearly apparent that all LPAs are using EoTs to some extent, Charnwood's use is well above average and very much towards the top end nationally (see Tables 1 and 3). Among the broader range of performance measures the government is consulting on introducing are:
- the average time taken to determine applications, and
- the total number of EoTs as a percentage of all decisions.

There will be performance targets set for these measures although what they might be has yet to be decided. At the present time information on the average length of time for determination at Charnwood is not readily available from the Council's IT system.

5.9   The authority should be introducing a performance monitoring framework which includes the likely new metrics as a priority and prepare action plans to reduce both the use of EoTs and the average time taken to determine applications. The timescale for the introduction of these new metrics has yet to be set by the Government, which will give the authority some breathing space to get measures in place, but there is no room for delay or complacency. The planning managers were aware of the over-reliance on EoTs and the Review Team were told that work to improve the position was in progress.

5.10   The penalties for authorities failing to meet any new thresholds have not been identified, but it is probably safe to assume that they will be similar to the current sanctions which include the possibility of applicants being able to submit applications direct to the Planning Inspectorate, by-passing the local authority completely, and the possible imposition of special measures. There is also an implication in the consultation document that authorities not performing adequately will not be able to benefit from the increase in application fees, although how this will work in practice has not been clarified.

5.11   Currently requests to applicants to agree to extensions of time are at the discretion of the case officer. There is no record of the reason for such requests. In the circumstances the information made available to the Review Team has been partial and anecdotal, but it is clear that there is a culture of the use of EoTs as a first resort rather than working towards determination within the 8 or 13 week deadline. This is reinforced because the case officer does not need to justify requests and there is no record or monitoring. In the short term a procedure should be introduced where case officers need the agreement of a senior officer for any such requests.

5.12   While EoTs offer an easy option to maintain performance figures there has been no impetus to manage down their use. Targets need to be introduced at team and individual level with regular monitoring, and where necessary a more robust approach is needed to avoid applicants using the application process to negotiate or revise unacceptable schemes. There is certainly a suspicion that applicants will submit poor schemes and use officer advice during negotiation to arrive at an acceptable scheme rather than make more effort to submit acceptable proposals or engage in a pre-application discussion.

Quality of decision making

5.13   The current Government criteria for quality of decision making relates to the number of decisions overturned at appeal against the total number of decisions made. There is no indication in the current consultation that these criteria are likely to change. The latest qualifying period is from March 2020 to June 2021. The apparent time lag is to allow appeals against decisions made during the period to go through the appeal process. The assessments are split into 2, major and non-major decisions with different thresholds. The latest available information is set out in Tables 2 and 4.

5.14   For major applications the designation threshold is 10% of decisions overturned at appeal as a percentage of total decisions made. Charnwood's record of 3 decisions overturned out of the total of 73 decisions may not at first sight seem a cause for concern, but the authority's national ranking at 275 out of 340 LPAs is a warning sign. With the small numbers involved further appeal losses can have significant impact on the headline figure. What is of concern is that the indicator works on a rolling quarterly basis over a 2-year period, with the latest quarter replacing the earliest. For Charnwood there were no appeal overturns during the earliest 3 quarters of the 2-year qualifying period, which means any overturns over the next 3 quarters will lead to a worsening of the position. The Review Team is aware of at least one overturn during this period and the prospect of more appeals which indicate that the situation needs to be carefully monitored. The likely adoption of the Local Plan later in the year and the ability to demonstrate a 5 year land supply should assist decision-making in the future. The penalty for designation is that applicants can bypass the LPA completely and apply directly to PINS and one authority, which has been designated for special measures, has had 12 major applications submitted to PINS in the current year. This is clearly a situation that Charnwood should seek to avoid.

5.15   The situation with the non-major appeals is much more comfortable (Table 4) with a percentage of 0.4 overturns (8 out of 2109) and this gives no cause for concern, although it should still be included in the regular monitoring reports.

Percentage of Delegated Decisions

5.16 The government has indicated that it intends to include the percentage of decisions delegated/made at committee as a new metric in its performance assessment criteria. Table 5 includes the delegated levels for the year to the end of December 2022, the latest figures available nationally. This shows Charnwood at 97%, just above the national average and broadly consistent with the other Leicestershire authorities. The current scheme of delegation is generally consistent with good practice nationally in that it works on an exceptions basis, but the Review Team consider that the details of the 'call-in' process could be revised to make it more streamlined and efficient without reducing the role of members. This is examined in Section 6.

Percentage of committee decisions to refuse against officer recommendation subsequently allowed at appeal

5.17 This is a proposed addition to the Government performance criteria. It would measure the percentage of committee decisions to refuse against officer recommendation that are subsequently allowed at appeal. There is no indication of the likely threshold that might be set. Here again, at this stage, the Review Team would strongly recommend that this indicator is included in the Council's performance monitoring and reporting framework, not only in preparation for future government target setting but also it is important for the authority to understand and appreciate how it is performing in this respect. Further comments on overturns are included in Section 9.

Customer satisfaction surveys

5.18 The Government is also considering introducing some measure of customer experience possibly based on customer satisfaction surveys. The intention is that it would focus on the overall quality and timeliness of both pre-application and decision-making services and could be used as a measure of community engagement in planning. Customer satisfaction is always a difficult concept in planning as 'customers' may well want to see diametrically opposed outcomes and divorcing these from the quality and efficiency of the process is not straightforward. There is little more in the current consultation and it may well be some time before details emerge.

Summary

5.19 There has been strong pressure from both Local Government and the development industry for some time to increase application fees to a more realistic level and use the income to better resource planning services. The government's response is that any increase must also bring about improvements in the levels of service and is intent on broadening the measures of performance to ensure that this happens. For Charnwood the immediate issue is to have a much more rigorous performance monitoring and management process in place which will enable both officers and members to better understand how the service performs and what steps are in place to meet current and future targets. It is essential that members, at Cabinet, Plans Committee and ward level are involved in this process to fully appreciate the pressures on the service and the importance of ensuring that they play their part efficiently and effectively while not imposing additional burdens on the service. A better performing service promotes more respect from users and pride amongst officers and members. It can also have a positive effect on the authority's ability to recruit and retain staff.

SECTION 5 RECOMMENDATIONS

Para 5.9
Introduce a robust performance monitoring framework to include current and future govt criteria, with regular reporting to Service and Departmental Management Teams and members.

Para 5.11
Introduce a process where EoTs need the agreement of a senior officer

Para 5.12
Establish targets for the reduction of EoTs

Para 5.12
Introduce a protocol for officer/applicant post submission negotiations which sets both time limits for negotiating and deadlines for revision, with the intention of enabling decisions within the current government targets without the use of EoTs

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6 Delegation and referrals

General

6.1 An effective delegation system is at the heart of an efficient and effective local planning service. Table 5 in Annex B shows that, for the year to the end of December 2022, 96% of all applications nationally were delegated to officers and Charnwood's 97% was slightly above average but by no means exceptional.

6.2 Effective delegation:

- enables the planning system to operate more quickly and customers to have decisions much more speedily;
- avoids the need for reporting to Committee with all of the officer and member time, administration and bureaucracy involved (unpublished research by the Planning Advisory Service (PAS) revealed that processing applications via Committee rather than through delegation increased the costs tenfold); and
- allows members to concentrate on the most significant, complex and publicly sensitive applications

6.3 The Review Team found that the scheme of delegation for planning applications which works on an 'exceptions' basis is sound and follows national best practice. There were, however, two issues of concern which were identified where the process could be streamlined without compromising the robustness of decision-making or the input of elected members. These were the style and content of reports and the detail of the member call-in process

Delegated reports

6.4 The Review Team examined a number of delegated reports and the report template currently in use. They found reports to vary in length and content. While all applications will differ there is enough common ground for the use of templates which provide a consistency of approach and ensure that the relevant issues are addressed (and extraneous material is reduced to a minimum). A template for delegated cases could be set up along the following lines:

Description	Address, reference and description of proposal as per registration
Recommendation	Grant with conditions as set out or refuse with reasons
Details of proposal and site	Description of proposal and site
Issues to be addressed	As identified by case officer
Assessment	Planning assessment of identified issues
Conditions	If recommended for approval
Appendix	Relevant policies Planning history Consultations and responses

6.5 Such a template should avoid repetition, highlight the relevant issues and concentrate on those matters which are significant in coming to a conclusion and recommendation. For the case officer and the decision maker it allows them to focus

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on the key issues without getting 'bogged down' in extraneous detail. This should make both report preparation and the signing off process more effective, while at the same time ensuring that decisions are properly made with a clear audit trail.

Member Call-Ins

6.6   The member call-in process was changed as a result of the previous review by POS Enterprises in 2015. The has resulted in some improvements but it still gives rise to potential additional work and delay.

6.7   The Review Team acknowledge that the ability of councillors to call-in applications to have them considered by members at Committee is an important part of the democratic process. However, some changes could be made which would reduce the burden on officers and be more straightforward for members. The present process requires:

- Officers to write to ward members to advise them of applications in or immediately adjacent to their wards.
- Ward Members must advise officers of a call-in request in writing within 21 days of receiving notice of the application or of the expiry of the public consultation period
- Applications called-in will be added to the agenda of the next reasonably available committee
- Members may withdraw their request at any time prior to the publication of the Plans Committee agenda
- Where a call-in request has not been withdrawn and officers consider that the matters raised have been addressed officers will submit a recommendation report for the called-in application to the member concerned which will enable members to review their call-in request.

6.8   The Review Team were made aware that, in practice, the overwhelming majority of call-in requests are withdrawn, although there are no records of either call-in requests or their withdrawal, so only anecdotal evidence is available. What is apparent is that a considerable amount of both officer and member time is spent on managing call-in requests which are not pursued. Apart from the abortive time involved, it also leaves the question of how a called-in application is to be determined unresolved until very late in the process and until it is withdrawn there must be a presumption that the application will be going to Plans Committee.

6.9   For members it is understandable that they should call-in applications that they have any concerns over at an early stage so that they do not fall foul of the 21 day time limit. This means that at the time they have to make a decision to call an application in they are unlikely to be aware of the detail of the application, the response to consultations, and any potential amendments. As these matters become clearer members then withdraw their call-ins in the majority of cases, but only after officers have spent time preparing and submitting a ward councillor report explaining the issues. This procedure is very wasteful of resources in a service that is already under pressure.

6.10   The Review Team recommend that this process is reviewed with the objective of pushing back the deadline for member call-ins until later in the process when consultation responses are available, where possible amendments may have been

identified which may resolve concerns or where there is a clear intention to refuse what might otherwise have been a contentious application. This process could be managed by members flagging up with officers that they have an interest in an application (and this would be logged on the system), and the case officer then subsequently informing the member when the relevant information is available and what decision is likely and when. Here again this response would need to be flagged on the file but could take the form of a straightforward email. At that stage when they are fully aware of all of the issues the member would have the opportunity to call an application in.

6.11   Such a procedure would move from a position where there is an assumption that called-in cases will go to committee unless withdrawn to the position that applications will be determined under delegated powers unless they are called-in. Members will still have the opportunity to call-applications in but would be in a better position to make an informed decision. This would reduce the number of call-in requests significantly although it may not reduce the number of applications decided at Committee. It would certainly reduce abortive work and free up resources for more productive uses.

Single member wards

6.12   An issue which was raised with the Review Team was the concern about representation in single member wards. There are currently two wards which have only a single councillor but there will be more following the May 2022 local elections. The particular concerns were with 'call-ins' and speaking at Plans Committee.

6.13   The Council constitution provides for ward councillors to call-in planning applications. The process for call-ins and recommendations for its improvement are dealt with in paras 6.6-6.11.   Any ward member can call-in a planning application for determination at Plans Committee. The concerns expressed were where a member in a single councillor ward wished to do so. The identified problem was where the ward member was also a member (or a potential substitute) at Plans Committee. Where a member in a single councillor ward has called-in an application the member should declare an interest, absent themselves from the Committee for the specific item and thus not engage in the debate or vote on the decision. They can speak as a ward member in accordance with the protocol for speaking at committee.

6.14   What is apparently absent from the protocols is the option of having another member to stand in at the call-in stage. In a two member ward this would not generally be an issue as non-plans committee ward members would be able to call-in and speak at committee to represent their constituents.

6.15   The protocol provides for the situation where a member calling-in an application is unable to attend the Committee. In these circumstances the ward councillor can nominate another councillor to speak on their behalf. The wording of the protocol ('unable to attend the committee') implies that this provision does not extend to single ward members who wish to attend the committee as a committee member but have called-in an application. They cannot speak as a ward member. There is no specific wording in the constitution or the member planning code of conduct which covers this situation. The Review Team recommend that the position is clarified in the wording of the relevant protocols and procedures.

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6.16   There are two possible options, not mutually exclusive:

- Single ward members who are also Plans Committee members have to make a decision whether they (i) wish to call-in and speak on an application in their ward, acting in their role as the representative of their constituents, or (ii) to maintain their role as a member of the Local Planning Authority, sitting at the Plans Committee as a representative of the Council as a whole in exercising their planning judgement. Such a decision would have to be recorded and acknowledge that the two roles are mutually exclusive.
- The Council introduces new provisions in its planning protocols which allow members in single wards who are also members of the Plans Committee to nominate another councillor to exercise the call-in and public speaking functions on their behalf.

6.17   The Review Team's view is that this is a decision for the Council as the issue of democratic representation is a general matter outside the scope of this review, but they do feel that it should be explicitly clarified, particularly with the prospect of more single member wards.

SECTION 6 RECOMMENDATIONS

Para 6.4
Adopt a template for delegated reports on the lines set out

Paras 6.10-6.11
Revise process for member call-ins

Paras 6.15-6.16
Clarify the position regarding member call-ins in single member wards

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7 Pre application processes

7.1 If the authority is to shape development to meet the policies and objectives set out in the local plan engagement with developers before applications are submitted will be much more effective than waiting for applications to arrive and then attempting to negotiate improvements. The Planning Advisory Service identified the benefits in 2014 and their words as equally relevant today:

'Pre application engagement should lead to high quality and appropriate development schemes being granted planning permission more quickly. Early collaborative discussions between developers, public sector agencies and communities can help shape better quality, more accepted schemes. These developments can be brought forward more quickly and deliver improved outcomes for the community. These discussions also avoid wasted effort and costs.'

7.2 The situation in Charnwood, without a 5-year land supply and vulnerable to aggressive applications has perhaps not been the ideal position for pre-application engagement but this should improve with the forthcoming adoption of the Local Plan. A workable pre-application process will also improve the timeliness of processing applications and assist in meeting performance targets and provide a useful source of income. Following the POSe review of 2015 Charnwood introduced a formal pre-application process in 2017 with a comprehensive guidance note and introduced performance targets. These targets have not been met on a regular basis at a time when more priority has been given to processing applications.

7.3 The introduction of a formal process in 2017 was a significant step forward but the Review Team consider that it falls short in not pro-actively engaging members at the pre-application stage. Paragraphs 8.2 and 8.3 of the Members Planning Code of Good Conduct and Chapter 25 of the Council's Constitution relating to presentations to members provide the existing framework for how members should *respond* to applicants, objectors or developers who approach them requesting meetings or to make presentations. Currently they do not provide for the situation where there are positive benefits from the Council actively seeking to engage at the pre-application stage. The Code of Conduct, Constitution and Pre-application guidance are not consistent in their provisions and following a decision on what revisions are necessary to the pre-application process these documents need to be brought in line.

7.4 The importance of member involvement was outlined by the PAS and the LGA, again in 2014:

'LPAS should ensure that their pre-application offer provides an opportunity for councillors to be actively involved in pre-application discussions as part of a transparent process'

7.5 Any pre-application process, particularly where it involves members must be open and transparent and follow clearly established guidelines. It should allow members to have presentations so that they can fully appreciate potential proposals at an early stage and feedback comments through a properly managed procedure. Members may understandably be cautious about involving themselves and the possibility of pre-determination, but since the Localism Act 2011 Councillors are freer to speak

about planning applications and express a view provided that they have an open mind when the matter comes to them for decision. In any event, being familiar with proposals and being able to seek clarification must put them in a better position to make an informed decision. Better information at an early stage could also reduce the number of member referrals.

SECTION 7 RECOMMENDATIONS

Para 7.3
Revise the Pre-application process guidance to allow and encourage the Council to actively seek pre-application engagement with developers on significant schemes

Para 7.5
Introduce processes which would provide for both Plans Committee and ward members to be actively involved at the pre-application stage.

Paras 7.3-7.5
Revise the Members Planning Code of Conduct and the Protocol for Presentations to Members to facilitate Councillor involvement in pre-application engagement.

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8 Enforcement

8.1 As with the overwhelming majority of local authorities across the country, the enforcement service at Charnwood is essentially a reactive process in that it responds to complaints rather than actively monitoring potential breaches. The Planning Enforcement Plan 2018 clearly sets out the enforcement process and the principles and priorities for the Council. There are three performance measures for enforcement relating to the acknowledgement of complaints, site visits and responses to complainants and performance is generally good although recent staff vacancies may have an impact.

8.2 The context for the current review is the democratic interface and members will often be involved in enforcement issues particularly where their constituents raise complaints. This can be a difficult area for councillors (and the public), particularly those not familiar with planning, as local disputes, including those between neighbours, are often not planning related or involve issues where it would not be expedient to take action. Misunderstandings can and do arise over such matters as, it not being an offence to not build in accordance with a permission, or, what may or may not be permitted development. Planning training for all councillors may help in this regard, but it is often the role of the enforcement officer to explain to members and the public what can and can't be resolved through planning.

The ward member referral system

8.3 What was of concern to the Review Team was the ward councillor referral system. The current Scheme of Delegation delegates decisions to (i) take enforcement action, and (ii) to determine cases where such action is not expedient, to the Head of Planning and Growth, except where a ward councillor wishes such decisions to be considered by Plans Committee. For both these options the process involves preparing a detailed report for ward councillors setting out the background and detail to the case, the planning issues involved, and the reasons for the recommendation. The ward councillor(s) then have 2 working days to respond, and if not in agreement with the recommendation the case is then referred to Plans Committee for determination. This involves a significant amount of work, including legal and senior officer time in signing off the report. The Review Team has seen ward member referral reports of 15+ pages. From the information made available to the Review Team relating to the last three years, no decisions have subsequently been made contrary to the officer recommendation.

8.4 There were 17 cases over the three years 2020/21/22 where serving an enforcement notice was recommended. In only one instance, following the ward member referral was a case reported to Committee which agreed the officer recommendation. In the other 16 cases the ward members accepted the officer recommendation and action proceeded through delegated powers.

8.5 Over the same period there were 71 cases referred to ward members where the officers recommended that it would not be expedient to take action. Again, over those three years only one case was subsequently referred to Plans Committee for decision and the Committee decided no action as recommended.

8.6   One consequence of this burdensome process is officers will look at what other avenues are available to resolve the matter rather than the prospect of preparing a report for ward councillors and a second, subsequent report for Committee. This is particularly tempting where no action is considered expedient, but this can result in many such cases remaining on file while officers move on to more immediate priorities.

8.7   There are significant problems with the referral process:

- The additional workload for staff who already have workload pressures.
- The timescales involved in the process of preparing reports, getting them signed off, consulting members and then where necessary reporting to Committee are lengthy in a context where enforcement action is legally time limited.
- It can result in 'non expedient' cases not being closed in a timely manner.
- It involves members often with no training or experience in planning matters and no planning responsibilities making decisions about technical and legal planning issues.

8.8   The Review Team are not aware of any other English local authority with a similar process of ward member referral.

8.9   For the reasons set out the Review Team are recommending that the referral process for enforcement action is discontinued and all enforcement matters are delegated to the Head of Planning and Growth. To keep members informed regarding enforcement it is also recommended that a quarterly report on enforcement, including Planning Contravention Notices, Enforcement Notices, Breach of Condition Notices, Stop Notices, Section 215 notices and any appeals arising is circulated to members of the Plans Committee for information.

SECTION 8 RECOMMENDATIONS

Para 8.9
The procedure of referring both recommendations for enforcement notices and decisions not to pursue formal enforcement action to ward members is discontinued

Para 8.9
Officers circulate a quarterly report on enforcement matters to the Plans Committee

9 The Plans Committee

Composition of committee

9.1 The Plans Committee consists of 13 members, many of whom have been members of the committee for over five years. The Constitution allows for substitute members to sit on the committee in a committee member's absence, as long as they have undertaken the mandatory planning training.

Public access to Plans Committee meetings

9.2 Plans Committee meetings are currently held in the Preston Room of Woodgate Chambers, Loughborough. At the meeting which the Review Team observed, it was clear that the public seating area is not easily accessible to those with mobility issues and that although new screens have recently been installed for viewing officer presentations, they are not particularly easy to view from the public gallery. In discussions it was acknowledged that the room is not particularly appropriate for the Committee meetings and the Review Team understand that the venue may change in the long term.

9.3 For some years meetings of the Committee have been recorded and these audio recordings are then available from the Council's website. During the pandemic when meetings were held on a virtual basis the MS Teams recording were uploaded to the website allowing better access to information provided in the officers' presentations and a better understanding of the discussions taking place during the deliberation process.

9.4 Unfortunately the current committee room does not allow for video recordings to be made at a reasonable expense to the authority. It is highly recommended that, in the longer term and to facilitate public access to meetings, consideration should be given to finding an alternative venue for the Plans Committee that does allow for live streaming of meetings and suitable audio-visual recordings to be made for uploading to the website.

Length of Committee meetings

9.5 The Review Team have considered the agendas for Plans Committee over the previous 12-month period, commencing 26 May 2022 (see Table A below)

TABLE A – Meetings and number of items considered in the 12-month period from 26 May 2022		
Date	*No of items*	*Comments*
26.05.22.	1	Appeal lodged because of non-determination. Indicated that they would have agreed application in line with officer recommendation
23.06.22.	3	1 item agreed as per officer recommendation 2 items returned to committee for agreement of amended conditions
21.07.22.	3	3 items agreed as per officer recommendation
18.08.22.	3	1 item agreed as per officer recommendation 1 enforcement case agreed as per officer recommendation to take action 1 item refused against officer recommendation
22.09.22.	3	1 item deferred 2 items agreed as per officer recommendation

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20.10.22.	5	5 items agreed as per officer recommendation
24.11.22.	3	2 items agreed as per officer recommendation
		1 item refused against officer recommendation
22.12.22.	4	4 items agreed as per officer recommendation
19.01.23.	1	1 item agreed as per officer recommendation
16.02.23.	0	Meeting cancelled
16.03.23.	1	1 item
12.04.23.	3	3 items agreed as per officer recommendation

9.6 Meetings of the Plans Committee are timed to commence at 17.00. The Review Team had been told that some meetings have continued until well after 23.00, partly because of the number of applications but also because of the number of public speakers (see paras 9.26-9.31 below) and the length of committee discussion. However, this does not seem to have been the case over the previous 12 months.

9.7 At the moment most of the authority's committees vote after 2.5 hours for a 3-hour cut off but this is not the case currently for meetings of the Plans Committee. Despite a lack of evidence that longer meetings are the "norm", the Review Team is of the view that there should be an opportunity to vote for a cut off after three hours, particularly because meetings are being held during the evening. It is widely acknowledged that applications considered after 22.00 are unlikely to receive the same level of engagement and scrutiny as those considered earlier in the evening. In addition, applicants and objectors may be kept waiting several hours for their item to be considered.

9.8 The Review Team also recommend that the number of items on a Plans Committee agenda should be kept to a level that is able to be handled within a 3-hour meeting, if at all possible. While there is an overriding impetus to get applications determined at the earliest opportunity there is scope for improvement in managing agendas through a more robust case management approach with a clear target for decision making, identified early on in the process and with workload prioritised accordingly. Such an approach can assist considerably in managing agendas and informing officers and key members of the likely timescales for determining major applications. Timescales can and will change but having a programme focusses and prioritises workloads.

Site visits

9.9 Currently, the Plans Committee visit sites on the afternoon of the Committee meeting. The visits are arranged by the case officers and Democratic Services with a coach/large minibus being hired each month. There are 2 concerns with regard to site visits. Firstly, they represent a significant cost to the authority. Secondly, a number of members do not attend mainly because of work commitments. All of the Committee members interviewed considered that visiting the sites of applications was extremely helpful, particularly as the case officer attends and will explain exactly where the development would be within the site. Not all applications benefit from a site visit and many sites can be viewed from the highway or public spaces. Decisions as to which sites need to be visited, so that members can fully appreciate the issues, should be taken by the Group Leader Development Management, where necessary in consultation with the Chair of the Plans Committee.

9.10   The Review Team observed the site visit undertaken on 12 April 2023. The protocol for site visits was adhered to throughout and an objector representative was dealt with fairly and discreetly by the officers who were present.

9.11   However, all Councillors expressed their frustration that only around half the committee are able to participate because of when the visits are held (on the site visit observed by the Review Team only 5 out of 13 members attended). It is difficult to suggest an alternative which would provide members with the same experience which would not involve changing the timing to an alternative when more members might be available. During the summer months this could be early evening, or alternatively at the weekend. If the time remains during the working day it is inevitable that some members will not be available. The Review Team is aware that some councils are now experimenting with drone fly throughs which are viewed at the Committee meeting with a commentary from the case officer when an item is introduced. In the longer term this may be an option that is worth exploring.

9.12   The Review Team's experience is that site visits for some proposals can be very helpful, particularly where issues of height, levels and terrain are involved. They can also forewarn officers of issues/concerns that members are likely to raise during the Panel meeting and this allows them time to seek further information if necessary. However, given the pressures on committee members time the Review Team has concluded that introducing any change to increase participation in site visits would be difficult, but that it would be helpful if it was emphasised to newly elected members that if they are unable to attend the formal site visits, they should independently seek to familiarise themselves with the sites being discussed. The 'dos and donts' of visiting sites independently would need to be stressed.

Chair's briefings

9.13   The Chair and Vice Chair attend a briefing meeting on the day of Plans Committee with the officers presenting in attendance as well as a member of the Democratic Services team. The Review Team observed the Chair's briefing on the afternoon of Wed 12 April. The meeting was efficiently run with each item being considered in turn and allowed the Chair to rehearse where any queries might arise and discuss the best way of dealing with potential issues that might arise, whilst at no time causing a potential predetermination by those councillors present. By this stage the Chair and Vice Chair have also received a script for the meeting which includes the finalised list of public speakers including the order for speaking and any other announcements that the Chair needs to make during the meeting.

9.14   It was clear that officers also found this meeting really helpful as it provided a good steer on political nuances that they may not have been aware of and allows them an opportunity to provide further information that the Chair/Vice Chair feel might be helpful at the Committee meeting. The Review Team's experience is that meetings such as this are always helpful and can also be enhanced if the Legal Officer is able to be present.

Officer reports to Committee

9.15   There was concern across the board about the length and detail entered into in the officer reports for Committee and the Review Team is aware that a new template for officer reports is currently in preparation.

9.16   The Review Team would suggest that the relevant policies should not be set out in detail but rather links to the policies should be provided, particularly where policies are again being quoted in full during the balancing of material considerations later in the report text. Details of consultation responses should be set out in an appendix rather than in the body of the report. Where responses have resulted in changes to a scheme or resulted in conditions being included or have been addressed through S106 requirements this can be pointed out in the report and be referenced to the specific consultation without going into extensive detail.

9.17   The Review Team would also recommend that adding an Executive summary at the front of the report would be helpful, although there was some concern amongst those interviewed that this would tempt committee members to only read the summary rather than the full report which would be counter-productive. On balance it is suggested that this is tried to aid the Committee to concentrate on the key material matters relevant in each case avoiding non-material matter.

9.18   It would also be helpful to review how internal consultations are dealt with in reports. These are dealt with in the body of the report under appropriate headings. The rationale behind this is that the report, as the report of the Head of Planning & Growth, takes account of the internal views of the service in coming to an appropriate balance. Other authorities include internal consultees' responses in their reports and then deal with what may be conflicting views in their appraisal. This can be interpreted as being more open and transparent, demonstrating that the views of specialists have been taken into account in coming to a balanced conclusion and recommendation.

9.19   All Committee reports are now uploaded into a relatively new Modern Gov system. This system has the advantage of ensuring that only one version of the report is available for amending, checking and publishing. It also enables elected members to then download their papers through an app which provides a facility for them to annotate their set of papers with their own comments for review during the meetings.

9.20   The Review Team understand that at the time of the Review there were four separate review checks on all Committee applications ahead of publication
        • The appropriate line manager/team leader
        • Group Leader, DM
        • Head of Planning & Growth
        • Legal Officer.
This level of oversight seems excessive, particularly as they are undertaken sequentially and within a very limited timescale. It demonstrates an exceptionally "risk averse" approach as well as impacting significantly on the lead in times for agenda publication and on the workloads of the officers concerned. It was estimated that these checks can take upwards of half a day for each officer, if there are an average of 4 applications on each agenda. The Review Team recommend that a single officer, either the appropriate Team Leader or the Group Leader Development Management, should have responsibility for signing-off committee reports and that the other officers currently involved should all be consulted concurrently and feed their comments back to the responsible officer.

Dialogue ahead of plans committee

9.21　The Review Team would strongly encourage contact should be made between members and case officers once the committee papers have been published, where clarification or further information was required. In addition, such contact can, on occasion, warn case officers about possible omissions in the report. In the Review Team's view this would not be seen as them pre-determining the application, and in authorities where members are pro-active in this way (within strict guidelines) it can significantly lessen the level of unnecessary questions raised at the committee meeting, allows Members to spend time productively on key material matters and is generally considered good practice.

Extras report

9.22　In 2015 the Review Team's report stated that

" …. the length and complexity of some of the 'extras reports' provided are wholly exceptional."

The report recommendation was:

Review the level of information that is provided in the Extras Report and consider the introduction of a publicised "cut off time" for late submission to be accepted.

9.23　It is clear that this recommendation has been implemented in full with the extras report now consisting of a simple update sheet.

Officer presentations to committee

9.24　The Review Team only saw officer presentations at one committee meeting. This limited observation showed variable standards of Committee presentation skills, which may benefit from some bespoke presentations skills training, but more importantly highlighted that presentations were, in the main, overly long and descriptive. It is understand that a template has now been produced for all Committee presentations to standardise style and assist officers in their preparation.

9.25　However, given that most applications have been subject to a site visit earlier in the day the Review Team would recommend that officer presentations should concentrate on the key material issues, especially those which are finely balanced or the subject of significant objection, rather than describing the scheme in detail. It is important to have key plans and photographs available, but these can be shown where necessary to answer questions or illustrate points of discussion. It is not necessary to describe every slide in detail. The Review Team have observed other authorities where the key issues for members to consider are usefully summarised and highlighted on a presentation slide. This may also have implications for the structure of officer reports.

Public speaking

9.26　Guidance for public speaking is currently held on the website and provides a clear and concise description of the process and warns about the length of time available to speakers and the cut off procedure if speakers overrun.

9.27　However, this guidance note is dated 2011 and the Review Team would recommend that the list of material and non material considerations should be reviewed against the lists attached at Annex C for update purposes.

9.28   Currently, requests to speak must be received 7 working days ahead of the meeting which is almost as soon as the agenda is published. At this stage, potential speakers will not have had the benefit of seeing the reports and whether their concerns have been addressed either through the recommendations or the conditions/S106, in which case they may decide not to speak. From reviewing the minutes of Plans Committee over the last year, it does not seem that there is a significant problem with late speakers being given permission to speak at the meeting but in the Review Team's opinion it would be better customer service to both objectors and applicants if the time limit on requests to speak were made more lenient. Many authorities say requests must be received at least 3 days before the meeting and this does not seem to cause significant issues in managing the meetings.

9.29   The Review Team has also been told that, at Charnwood there are sometimes occasions when, particularly objectors, notify that they wish to speak to the Committee at the same time as they lodge their formal objections to the application. This has apparently caused issues where such requests have not been picked up by staff ahead of the meeting. A clarification that requests to speak must be formally lodged with development management, after publication of the committee papers should be included in the public speaking guidance and in the letters forwarded to objectors to resolve this issue. It is also good practice that those applications with speakers should be brought forward to the beginning of the agenda.

9.30   The current guidance states that speakers are allowed a maximum of five minutes and that this time period may be shared between objectors if they are unable to agree on a single spokesperson for them. This also applies where both applicant and agent wish to speak. However, ward councillors are also offered the opportunity of a five minute speaking slot as are the appropriate parish council. This means, in reality, that there may be up to 20 minutes of public speaking on a single application which is rather higher than is recommended good practice. During discussions the Review Team heard concerns that any reduction in this time allowance would be considered unfair when there was no time limit on the length of time allowed for officers to make their presentations. This is not in any form a reasonable comparison as it assumes that the role of the council's expert professional advisors should be put on equal footing to objectors or applicants. However, there is a valid point that officer presentations can be excessively long.

9.31   It is recommended that the authority consider a change to the rules which would limit public speaking slots to 3 minutes. At the same time separate guidance on time for officer presentations should also be introduced as a discipline for officers. This is becoming more commonplace in other local authorities and which has improved the conciseness and focus of reports as outlined in para 9.25 above. Charnwood may also want to consider whether applicants should only be afforded the right of reply where there are objectors speaking against an application. Where an application is recommended for grant and there are no objectors wishing to speak it may seem unnecessary to allow an applicant the opportunity to speak in support of the recommendation. This situation occurred at the meeting attended by the Review Team and only served to prolong the meeting.

9.32   If a ward member calls in an application for any reason it is imperative that they should attend the Committee meeting to explain their reasons for doing so during the

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public speaking period. Members of the Plans Committee were concerned and expressed frustration that this was not always the case. It is inevitable that on some occasions a ward member will justifiably not be able to attend, for either personal or professional reasons, but in that case they should be required to produce a written explanation for the call in of any application which can be read out by one of the attending officers or the Chair of the Committee.

9.34   The Review Team is aware of councils where if the ward councillor is not represented in this way at the Committee meeting then the item will be removed from the agenda at the beginning of the meeting and then subject to a delegated decision by the case officer. This is a hardline approach but has had the effect of ensuring that applications are now only called in when the ward member is able to justify such call in. The Review Team would suggest that Charnwood should consider such an approach.

Overturns of officer recommendations

9.35   In general terms it is essential that when members reach a contrary view to the officer recommendation they articulate a clear view of the reasons for doing so at that time and that these are minuted, Officers may be asked for advice during the meeting, thereafter it is considered acceptable for the final minor detailed finessing of the wording of reasons to be left to officers without further reference to the Committee. The minute should be clear on what the Committee has concluded and the reasons why. On the other hand, it is not, in the Review Team's view, acceptable for officers to be instructed to review the case and come back to Committee with reasons for the overturn for members to ratify.

9.36   The Review Team had heard that there have been some difficulties in getting Plans Committee members to clearly formulate material reasons for overturning an application. The Review Team were not able to observe an overturn to take a clear view on this but having reviewed minutes from the Committee over the last year there was at least one case where the Committee provided general grounds for their decision but then requested the officers to prepare the final wording of the reasons. This is not good practice and could lead to legal challenge on occasions. Where necessary a short adjournment or deferral to clarify the members' reasons may be a better approach.

Committee minutes

9.37   At Charnwood the Plans Committee minutes are a means of formally recording the decisions made by the committee rather than a verbatim description of the discussion and points raised. The Review Team notes that the grounds for overturn are provided in the minutes with the officers being given delegated authority to confirm the wording for the refusal.

9.38   The Review Team considers that this is the best way to provide a record of the meeting particularly when recordings are available online for checking discussion points.

Member training

9.39   The Review Team was surprised to hear one of the elected members remark that it would be "much better if officers did not make recommendations on their reports to committee as this inhibits the decision-making role of the Plans Committee". This,

and other similar remarks, illustrated to the Review Team that there is a wide level of misunderstanding amongst elected members, about the operation of the planning system and the external legal requirements that are placed on both officers and Plans Committee members as part of that process.

9.40   It is understood that there are quarterly training sessions held with the dates set well in advance. These sessions are mandatory for Plans Committee members and any substitute members, but are also open to all Council members although the Review Team heard that few outside of the Plans Committee members attend.

9.41   The Review Team would recommend proactively encouraging all members of the Council to undertake basic planning training in respect of how the current planning system works, both on a national and local level to provide context.

9.42   It is also considered that there would be a great deal to be gained by providing separate bespoke planning training for parish councillors who often request ward councillors' assistance to call in applications without a clear understanding of material considerations.

SECTION 9 RECOMMENDATIONS

Para 9.4
To facilitate public access to meetings, consideration should be given to finding an alternative venue for the Plans Committee that allows for live streaming of meetings and suitable audio-visual recordings to be made for uploading to the website.

Para 9.8
The number of items on a Plans Committee agenda should be kept to a level that is able to be handled within a 3-hour meeting, if at all possible, and that the arrangements for a vote, to continue or adjourn, after 2.5 hours should be introduced for the Plans Committee on the same basis as other committees of the authority.

Para 9.8
Introduce agenda planning and case management processes to provide early notice of committee cases and to manage numbers of applications on agendas

Para 9.9
Decisions as to which sites should be visited should be taken by the Group Leader, Development Management, where necessary in consultation with the Chair of the Plans Committee.

Para 9.11
In the longer term consider consider the timing of site visits or the use of drone fly throughs, to be viewed at the Committee meeting with a commentary from the case officer.

Para 9.12
Emphasise to newly elected members if they are unable to attend the formal site visits, they should independently seek to familiarise themselves with the sites being discussed.

Para 9.16
Consider providing links to planning policies in the text of officer reports rather than including the full text to avoid duplication with the quoting of policies again during the balancing of material considerations later in the report.

Para 9.16
Details of consultation responses should be set out in an appendix rather than in the body of the text.

Para 9.17
Add an executive summary at the front of the reports

Para 9.18
Review the way that internal consultations are dealt with in reports, to demonstrate that the views of specialists have been taken into account when coming to a balanced conclusion and recommendation.

Para 9.20
Either the appropriate Team Leader or the Group Leader Development Management should have responsibility for signing-off committee reports and that the other officers currently involved should all be consulted concurrently and feed their comments back to the responsible officer.

Para 9.21
Encourage dialogue ahead of the committee meeting between members and case officers to ensure clarification or further information can be provided and to warn of any possible omissions in reports.

Para 9.24
Consider providing bespoke Committee presentation skills training for officers

Para 9.25
Officer presentations should concentrate on the key material issues, especially those that are finely balanced or the subject of significant objection, rather than describing the scheme in detail.

Para 9.27
Review and update the list of material and non material considerations

Para 9.28
Shorten the deadline for receipt of requests to speak from 7 to 3 working days

Para 9.29
Clarify when and how objectors should request the right to speak to avoid requests being made within their formal written objections which can be easily missed once the committee papers are published.

Para 9.31
Consider a change to the rules which would limit public speaking slots to 3 minutes.

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Para 9.31
Consider introducing guidance to limit the length of officer presentations.

Para 9.32
Ensure that if a ward member calls in an application to be heard at Committee that they attend in person to explain the reasons for the call in, or if unable to attend they produce a written explanation to be read out by one of the attending officers or the Chair of the Committee.

Paras 9.41
Proactively encourage all members of the Council to undertake basic planning training in respect of how the current planning system works, both on a national and local level to provide context.

Para 9.42
Provide separate bespoke planning training for parish councillors to promote a better understanding of material considerations.

10 Administrative and procedural issues

The validation, registration and allocation process

10.1 In Charnwood, the process of "validation" refers to the initial checking that all documents have been received and that the appropriate fees have been paid. This is undertaken by members of the team of technicians.

10.2 Once validated, cases are passed to Team Leaders for allocation to a case officer. The Review Team heard that this takes place twice a week but this delay can add several days to the process and cause a significant hold up in getting an application to the case officer. The Review Team would recommend that this process be frontloaded so that allocation takes place ahead of "validation".

10.3 Once the case officer has received the file they are responsible for double checking all work undertaken by the technician and if everything is current then they "register" the application. The information provided to the Review Team would seem to indicate that this process takes case officers on average around 4 hours a week and for major applications this time estimate could be significantly higher.

10.4 In the Review Team's experience this double checking of documents and fragmented process inevitably delays applications being considered and is an unnecessary duplication of work.

Documentation

10.5 The Review Team understands that the Group Leader Development Management is currently producing a much needed DM process manual but there is also an urgent need for both a local validation list and a completely revised list of standard conditions. It is understood that additional capacity may be made available to allow work to be completed on these urgent projects and the Review Team would endorse such an approach.

Tree preservation orders

10.6 Currently the Review Team understands that any objections to the issuing of Tree Preservation Orders (TPOs) are dealt with by the Appeals and Reviews Committee. However, the current Constitution states that
The Plans Committee's functions include:
"8. To carry out functions relating to the formal preservation of trees and protection of important hedgerows where the Head of Planning and Growth considers the exercise of delegated powers to be inappropriate."

The Constitution also says that the Appeals and Reviews Committee's functions include:
"3. To determine objections to tree preservation orders"

10.7 There seems to be no logical reason for this split between functions, particularly as the members of the Appeals and Reviews Committee are not involved in the work of the Plans Committee..

10.8 In the Review Team's experience elsewhere it is normally the case that all TPO are delegated with the Plans Committee only being involved if there is an objection to a new TPO or where a TPO may be in danger from new development, and it is

recommended that this current separation of functions is reviewed to bring Charnwood's procedures into line with best practice.

S106s and the emerging local plan

10.9 It is understood that work begins on S106s immediately after the Committee decision although the Heads of Terms have normally been agreed previously by the agent/applicant and the case officer. The authority should ensure that sufficient work on S106 obligations is undertaken prior to Committee to ensure that the legal test is satisfied that decisions should only be taken if the obligations overcome any potential reasons for refusal. Preparing them is mainly outsourced to a specialist firm of solicitors because of limited capacity in the authority's legal services. With a view to speeding up the process a S106 agreement template is currently under preparation and the Review Team would endorse this approach to standardising agreements as being current best practice.

10.10 In the course of the Review Team's research, however, two concerns have arisen relating to processes in respect of S106 agreements and the emerging local plan.

10.12 The first relates to the current policy situation at Charnwood. The Review Team saw an example of a decision on an application being referred back to the Plans Committee on the basis that the situation with regard to the emerging local plan had moved from 'limited' to 'moderate' weight, which the Review team felt was unnecessarily risk averse. This appears to have been a 'one off' and other similar applications are dealt with under delegated powers.

10.13 Secondly, the Review Team has heard that all signed S106 agreements are reported to the Senior Leadership Team for agreement. It appears that this is a corporate requirement before the authority's seal can be used and that this SLT review has not previously caused any issues. However, this seems unnecessarily bureaucratic and time-consuming for a service which is time critical to meet government targets. The Review Team would recommend that this process should be reviewed with the intention of exempting S106 agreements from this corporate process.

SECTION 10 RECOMMENDATIONS

Paras 10.2-10.4
Review the validation and registration process so that allocation takes place ahead of validation and seek to remove the current unnecessary double checking of applications at both validation and registration.

Para 10.8
The current separation of functions relating to objections to Tree Preservation Orders should be reviewed.

Para 10.13
The issue around signed S106 agreements having to seek approval from the SLT, should be reviewed at an early date to avoid unnecessary work being undertaken.

11   Staffing

Staff numbers and workload

11.1   There is no official indicator of an appropriate caseload for development management staff and the only benchmark widely quoted is the Planning Advisory Service's figure of 150 applications per officer per year which was published over 15 years ago. This takes no account of the mix of applications, what other duties are expected of case officers (pre-applications, appeals, prior notifications, general inquiries etc) and what IT systems the authority has in place and it therefore has only ever provided a very rough guide. More recent unpublished benchmarking undertaken by PAS suggests a more realistic figure might now be 80-90 cases per year, but this includes both case officers and support staff (but not managers).

11.2   The number of applications determined by Charnwood has averaged 1192 per year for the last 4 calendar years to December 2022. The number has remained fairly stable between 1110 in 2020 and 1263 in 2021 (All figures from DLUHC statistics tables 134). The number of case officers on the establishment is currently 10.6 although there were two vacancies at the time of the Review. This figure does not include the Strategic Development Team. Excluding the Team Leaders and support staff this works out to 112 cases per year on average. If support staff are included the figure would be nearer to the PAS figure of 80-90. This level of work is within the range of cases per officer that the Review Team has found in reviews undertaken across the country. This a comparative rather than an absolute assessment and does not imply that staffing levels are generous. Staffing levels across planning authorities have been under pressure across the country while expectations on the service have increased. Local factors such as the mix of applications are also relevant.

11.3   What these figures do imply is that the authority needs to look elsewhere to understand the underlying reasons for the comparatively poor performance if EoTs are excluded, and the pressures that staff feel. These reasons include:

- Delays and procedural 'bottlenecks' at registration, validation, and sign off
- Delegation arrangements for call-in cases
- Reliance on EoTs
- Risk averse culture
- Lack of emphasis or understanding of performance issues

Management and structure

11.4   Issues of the risk averse consultation and sign off process for committee reports have already been covered in para 9.20. The brief for the current review excluded structural and management issues except where they impinged on the democratic interface and business efficiencies. This report does not explore these matters in any detail but the Review would wish to highlight areas which the authority could usefully examine in the future.

11.5   **Role of managers**: Managers in Development Management are very often the most experienced staff with a strong history of dealing with complex cases, and there is always the temptation for them to deal with some of the more involved applications. The DM Team Leader at Charnwood was carrying a personal caseload of 16 applications at the time of the review. If managers are to fulfil their primary function of

managing the workload of their team effectively and efficiently they should not have a personal caseload.

11.6 **Managing Major Applications**: There needs to be a robust system in place to manage major applications through from pre-application to determination. Managing these applications is a pro-active rather than reactive function with a regular review meeting of all cases led by a senior manager.

11.7 **Performance management**: this has already been explored in some detail. Performance management needs to be embedded at all levels in the organisation. This is not about meeting what some might consider 'arbitrary' targets – although this can be very important if the authority is risking failure against national criteria. Performance management is about providing a good and timely service to its users and the community and which is efficient and cost effective.

11.8 **Resilience**: There were clear indications that the admin and support functions in application processing did not have the back up and resilience necessary. This applied to validation and registration, allocation, managing consultations as well as signing off applications. All of these processes will need to be incorporated in the new IT system to be introduced later in the year. This will be a resource hungry process and the authority should not underestimate the staffing and training implications which will be needed for a successful transition.

Use of Interim Staff

11.9 Recruiting and retaining planning staff in the public sector is an acknowledged problem nationally and as seen in the current consultation on fees and performance is acknowledged by Government. Charnwood has experienced continuing difficulties in recruiting staff over recent years and has been reliant on contract planners to cover vacancies. Many if not most local authorities are employing interim staff at most levels although, as at Charnwood, the position is most acute for senior/principal planner posts. At the time of the Review Team's visit 6 of the 9 posts currently occupied in the development management team at senior/principal level were temporary contract staff (see organisation chart at Annex D). Employing interim staff has been essential to maintaining the service and at the moment remains the most likely solution to filling posts. The interim staff employed at Charnwood provide a valuable asset to the authority (this isn't always the case in other authorities). However, there are disadvantages in the reliance on temporary staff:
- Potential for rapid turnover
- Lack of familiarity and commitment to the area and cases
- Doesn't provide for staff career progression or training/mentoring responsibilities
- Less opportunity to develop working relationships at officer and member level
- Costs are higher than permanent staff

Realistically Charnwood will need to rely on a level of interim staff in the short/medium term while recruitment measures nationally and locally are progressed.

Recruitment and Retention issues

11.10 There is no 'magic bullet' to solve the problems Charnwood and most other local authorities are facing. Salaries are a factor in both recruitment and retention, and there was a feeling that Charnwood wasn't competitive in this respect, but many other factors can also have an impact. Training opportunities, career progression,

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variety of work, levels of responsibility, working in a well performing authority can all play a major part professionally, while flexibility of working arrangements, working environment and the quality of the area are also relevant. Charnwood is restricted in the levels of salaries it can afford when compared with the larger city authorities in the area. Establishing Charnwood as a 'good place to work' with an interesting variety of development and a growth agenda is probably going to be a more effective and practical option in the future than financial incentives. This does not rule out individual hard to fill posts which may need higher grading or market supplements and the Review Team is aware that these options are being explored. Initiatives to 'grow your own planners' by taking on entry level candidates and the potential to work with the newly established planning school at Loughborough University are to be encouraged, although these must be seen as medium to long term solutions.

Relationships with members

11.11 The Review Team heard from both officers and members that their day to day working relationship was generally good. Members did have concerns about lack of response to emails and requests for meetings and this needs to be addressed. An acknowledgement may be all that is needed. It is understood that this should become easier when the new back office software is fully operational.

SECTION 11 RECOMMENDATIONS

Para 11.11
Ensure that all emails from elected members are at least acknowledged.

Interviews and workshops held

Rob Mitchell, Chief Executive
Karey Summers, Director of Customer Experience
Richard Bennett, Head of Planning & Growth
Carolyn Tait, Group Leader, Development Management
Susan Garbutt, InterimTeam Leader, Development Management
Sarah Hallam, Acting Team Leader, Planning Enforcement
Steve Holmes, Senior Technical Officer
Kathryn Harrison, Legal Officer
Karen Widdowson, Democratic Services Manager
Karen Barton & Sharon King, Development Management Support Officers (together)

Cllr Jonathan Morgan, Leader of the Council
Cllr Richard Bailey, Cabinet Lead Member for Planning
Cllr Hilary Fryer, Chair of Plans Committee

Workshop with group of Development Management planners attended by:

Linda Walker, Interim Principal Planning Officer
Akram Mohammed, Interim Principal Planning Officer
Debbie Liggins, Senior Planning Officer
Harry White, Planning Officer
Paul Oxborough, Planning Assistant
Lydia Bailey, Planning Assistant

Focus workshop for elected members attended by:

Cllr Sue Gerrard, Plans Committee
Cllr Sandy Forrest, Plans Committee
Cllr Colin Hamilton, Plans Committee
Cllr Mark Charles, Plans Committee
Cllr Paul Ransom, Plans Committee
Cllr Anne Gray, Plans Committee
Cllr David Snartt, ward member viewpoint
Cllr Mary Draycott, ward member viewpoint
Cllr Margaret Smidowicz, ward member viewpoint
Cllr Jenny Bokor, ward member viewpoint

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Charnwood Planning Performance Tables

TABLE 1 Speed of decision-making - Major Applications

Rank		Decisions	Within 13 weeks	PPA/EoT	Within PPA/EoT time	Within 13 weeks or agreed time
	National	23,444	4,729 (20.2%)	17,053 (72.7%)	15.548	86.5%
169	Charnwood	60	3 (5%)	54 (90%)	51	90%
106	Blaby	33	10 (30.3%)	22 (66.7%)	21	93.9%
323	Harborough	82	15 (18.3%)	44 (53.7%)	41	68.3%
328	Hinckley & Bosworth	90	12 (13.3%)	57 (63.3%)	46	64.4%
207	Melton	62	3 (4.8%)	55 (88.7%)	50	85.5%
144	NW Leics	110	44 (40%)	60 (54.5%)	56	90.9%
288	Oadby & Wigston	12	2 (16.7%)	9 (75%)	7	75%

Designation threshold: 60% determined within 13 weeks or agreed extended period
Source: DLUHC live planning table 151A Jan 2021 – Dec 2022

TABLE 2 - Quality of decision making – Major Applications

Rank		Major Decisions	Not determined	Total	Appeal decisions	overturned	%
	National	25,053	184	25,237	1,442	547	2.2
275	Charnwood	73	1	74	4	3	4.1
207	Blaby	45	0	45	1	1	2.2
217	Harborough	85	0	85	2	2	2.4
267	Hinckley & Bosworth	91	0	91	10	3	3.3
161	Melton	61	1	62	2	1	1.6
1=	NW Leics	128	0	128	2	0	0.0
1=	Oadby &Wigston	17	0	17	0	0	0.0

Designation threshold 10% appeal decision overturned at appeal as percentage of decisions made (excluding appeals relating only to conditions)
Source DLUHC Live planning table 152: 24 March 2020 – June 2021

TABLE 3 - Speed of decision making - Non-Major Applications

Rank		Decisions	Within 8 weeks	No with PPA/EoT	Within PPA/EoT time	% within 8 weeks or extended time
	National	709,797	346,812 (48.8%)	286,919 (40%)	25,662	85.2%
120	Charnwood	2,173	421 (19%)	1614 (74%)	1553	90.8%
64	Blaby	1,300	357 (27.5%)	897 (69%)	881	95.2%
285	Harborough	1,772	934 (52.7%)	450 (25.4%)	424	76.6%
339	Hinckley and Bosworth	1,348	337 (25%)	425 (31.5%)	289	46.4%
190	Melton	854	222 (26%)	550 (64.4%)	505	85.1%
179	NW Leics	1,405	652 (46.4%)	619 (44%)	566	86.7%
216	Oadby and Wigston	744	239 (32.1%)	430 (57.8%)	386	84.0%

Designation threshold: 70% of applications determined within 8 weeks or agreed extended period
Source; DLUHC Live planning table 153: Jan 2021 – December 2023

TABLE 4 - Quality of decision making - Non-Major Applications

Rank		Total Decisions	Not determined	Total cases	Appeal decisions	Overturns	%
	National	666,407	969	667,376	24,023		1.0
54=	Charnwood	2,109	2	2,111	50	8	0.4
13	Blaby	1,202	0	1,202	25	2	0.2
76	Harborough	1,751	1	1,752	44	10	0.6
280=	Hinckley and Bosworth	1,352	3	1,355	57	18	1.3
170=	Melton	791	1	792	27	7	0.9
21	NW Leics	1,366	1	1,367	24	4	0.3
35=	Oadby and Wigston	653	0	653	7	2	0.3

Designation threshold: 10% of total decisions overturned at appeal (excluding appeals related only to conditions)
Source: DLUHC Live planning table 154 Quality of non-major decisions: March 2020 – June 2021

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TABLE 5 - Applications received, decided, granted and delegated and environmental statements received to year to end of December 2022

Authority	Application received	With ES	Subject to PPA	EoT (% of decisions	Total decisions	% delegated	granted	% granted
National	409,459	349	2,044	165,564 (42.9%)	385,758	96	336,538	87
Charnwood	1,286	1	0	928 (80.3%)	1,155	97	1,073	93
Blaby	624	0	0	378 (60.1%)	629	97	577	92
Harborough	1,128	0	1	250 (26.3%)	951	95	868	91
Hinckley and Bosworth	724	1	10	292 (35%)	834	94	779	93
Melton	486	0	0	323 (64.9%)	498	97	474	95
NW Leics	817	0	0	382 (49.6%)	770	99	707	92
Oadby and Wigston	310	0	0	275 (77.2%)	356	98	319	90

Source: DLUHC Live planning tables; Table P134: 1 Jan-31 Dec 2022

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Material Planning Considerations

All applications must be treated on their planning merits. However, the law requires that any decision shall be in accordance with the statutory development plan and the National Planning Policy Framework, unless material considerations indicate otherwise.

- ➢ 'Up to datedness' of the development plan
- ➢ Government policy and the NPPF
- ➢ Statutory consultation responses
- ➢ Supplementary Planning Documents
- ➢ Prematurity
- ➢ History
- ➢ Layout, density, design/appearance, character (Design & Access Statement)
- ➢ Amenity: daylight, sunlight, privacy
- ➢ Noise, smell or other disturbance (eg. A nightclub in a residential area)
- ➢ Access/traffic (parking and road safety issues)
- ➢ Conservation/listed building impact (ie. Harm to their character, appearance or setting)
- ➢ The provision of affordable housing
- ➢ Fear of crime
- ➢ Local economy and employment generation
- ➢ Cumulative impact
- ➢ Previous similar decisions
- ➢ Rarely, personal circumstances
- ➢ Intention to undertake unauthorised development (when determining retrospective applications)

These other material considerations may in fact be covered by general policies in the development plan. The list above is by no means exhaustive.

Draft development plans can also influence the Council's decision, although they normally carry less weight as they have yet to be formally adopted. Nevertheless, the planning authority may use them to help decide applications if, say, the statutory plan is out of date.

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Non-Material Considerations

There are a number of matters often raised by objectors which are not material planning considerations.

These include:

- Impact on property values
- Profit
- Ownership of land/right of access
- Work has already been carried out
- Commercial competition
- Moral objections to development like public houses or betting shops
- Loss of private views
- Restrictive covenants
- History of the applicant
- Change from previous scheme
- Matters covered by other legislation

The local planning authority should not take these issues into account when making its decision, which must be based on the planning merits of the application.

ANNEX D

POSe Review – Action Plan September 2023

Ref	Recommendation	Officer Response	Lead/ support	Actions	By When	Comment/Update
Priorities for Development Management						
001	Review the performance monitoring process to ensure that corporate, department and service priorities are regularly monitored at the appropriate level and to the right timescales	Agreed. Performance is reported to SLT and the lead member currently. Links to project 004	**CT** SHo, IM	Set up a sub group to review performance monitoring and oversee monthly reporting.	July	COMPLETED
002	Introduce a monitoring framework to include current and future government criteria and likely future "designation" criteria	This process commenced in January 2023, before the commissioning of POSe, and the KPIS for the service were amended for the 2023/24 Service Plan. However, there are limitations on what the back office can report on and further work will be necessary during the year to ensure the government's proposed indicator set can be reported. A subgroup will be set up to take this work forward	**CT** SHo, IM	Monitoring sub group to consider how the KPIS can be improved to reflect the emerging government indicator set and to prepare comparative data on a quarterly basis against national and family group.	November	Outline of required performance tables and indicator set discussed at team meeting 8/8/23. Recognized that we need to wait for govt update on performance KPIS to avoid wasted effort.
003	Establish a process and targets for reducing the reliance on Extensions of Time and therefore the average length of time taken to determine applications	Agreed. The Service Performance Action Plan has already identified this an action and measures are being brigaded	**CT** SHo	Staff briefing Prepare Customer Charter and protocol for post submission amendments to applications Agent forum messaging Amend website text and upload customer charter Publish the Local Validation List	August	Staff briefing in DM Team meeting 4 July and Staff meeting 6 July. Letter sent 19 July to agents; DD signed 18 July with implementation date for Local Validation List, customer charter and new approach to dealing with planning applications of 31 July.
004	Regular reporting of the key performance indicators to members including the Plans Committee	Agreed. Links to project 001	**CT** SHo	Provide a Quarterly report of KPIS in the Plans Committee Agenda.	August	Monthly performance score card to be reported to Plans Committee members as part of the committee presentation slide deck, as a standing report
005	Review the role of the Team Leader to ensure the management and professional roles are clarified.	This post has been subject to pressure from the turnover of staff in the DM service. Staff turnover has meant the post has picked up a case load of applications which has made it very difficult to also undertake management responsibilities. Job description should be reviewed to be more specific and	**RB** CT	Review job description and undertake JE Readvertise post	September	JD reviewed and first draft completed JE panel held 20 September
The Member Interface						
006	Review and revise the member call-in procedures for planning applications and clarify the position regarding member call-ins in single member wards	Agreed	**CT** SG, LW, HW, MH	Review the delegated report template and implement Review the constitution and amend technical briefing for members 7 September Report to Cabinet October Report to Council November Implement 1 December	December	Discussed at the member briefing session on 7 September. Amendments to the process made including increase to 28 days for member call in requests. Reported to Cabinet 12 October COMPLETED
007	Review and revise the member call-in procedures for enforcement cases	Agreed	**SHa** RB, CT, MH	Review the enforcement process and policy Explain the enforcement plan to members briefing 26July and invite issues and comment Consult members on proposed changes to plan August Review the constitution and amend technical briefing for members 7 September Report to Cabinet October Report to Council November Prepare a standard enforcement quarterly report template for plans committee	December	Discussed at the member briefing on 26 July and views sought in advance of a consultation exercise during August. Discussed again at Member briefing on 7 September and consultation feedback provided. Reported to cabinet on 12 October COMPLETED

008	Review and revise the pre-application process to provide for the Council to initiate early engagement on major proposals including members		**RB** MP, SG, MH	Review the pre-application protocol Update protocol and publish on website Review Chapter 25: Protocol on Presentations to Councillors technical briefing for members 7 September Report to Cabinet October Report to Council November Amend website content	December	Pre app process reviewed following meeting on 24 July. Minor amends to guidance made. Changes to the Constitution proposed to remove ambiguities with the pre-app guidance. Dem service review of practice in other authorities to provide benchmarking. Changes to the wording of chapter 25 suggested in cabinet report 12 October
Plans Committee						
009	Officer presentations should concentrate on the key material issues, especially those that are finely balanced or the subject of significant objection	Agreed. This will reduce officer presentation time and encourage members to read reports before the meeting (rather than relying on officer presentations)	**CT** SG	Prepare a protocol for officer presentations and add to the DM manual	July	COMPLETED
010	Changing the rules around public speaking, limiting slots for applicants, objectors and ward members to 3 minutes and reducing the deadline to register to speak from 7 to 3 working days	Agreed	**MH** CT/KW	Amend the constitution and meeting procedures Update the website and guidance note for public speaking technical briefing for members 7 September Report to Cabinet October Report to Council November	December	Discussed at the member training session on 26 July 2023 and views sought. Resistance from some members to reduce time for speaking but case will be put forward to cabinet on 12 October based on national best practice and the potential for efficiencies
011	If a ward member calls in an application, they should attend in person to explain the reasons for the call in, or if unable to attend they produce a written explanation to be read out at the meeting	Agreed	**MH** CT/RB	Review the constitution and meeting procedures technical briefing for members 7 September Report to Cabinet October Report to Council November	December	Discussed at Member briefing on 7 September. Strong desire from members to tighten the wording of the constitution on this issue. Suggested wording to 12 October cabinet
012	Review plans committee meeting arrangements	Agreed.	**KW** CT/RB	Review venue for plans committee and/or provide for live streaming from venue	December	Meeting held at Preston Rooms with ICS and Dem Services 16 August to discuss a solution to webcast the committee meetings and provide an additional audience focused monitor in the Preston Rooms. Further consideration of alternative venues has been made. Final solution and costs have been provided and budget is being sought. COMPLETED
			AW	Consider limiting the time committee can sit for without a vote up to a maximum of three hours AW to prepare a paper setting out the options for meeting start times, lengths, rules of debate and mitigating actions pros and cons (chair and vice chair to visit other LAs to look at rules of debate?) Consult with members technical briefing for members 7 September Report to Cabinet October Report to Council November	December	Discussed at Member briefing on 26 July and will not be taken forward. Members do not support this and constraining the time of committee could have serious consequences for planning performance and appeals COMPLETED
			CT	Consider using drone footage to illustrate sites Decisions about the sites to be visited to be made by Group leader in consultation with Chair Update the advice to members about visiting sites Encourage Cllr dialogue with officers prior to committee meetings	July	Complete. Process for Group Leader discussing sites with Chair to be visited confirmed. Drones will not be used at this time due to the costs and logistics. COMPLETED
013	Review Plans Committee reports	The committee template has recently been changed to simplify its content and format. The suggested changes will be considered	**CT** SG/JW	Utilize the suggested template Provide hyperlinks to policies in reports Details of consultation set out in appendices Add exec summary to reports Consider how internal consultee responses are set out	August	Templates reviewed but not all recommendations taken forward due to the added burden this places on reporting process COMPLETED
				Consider training for staff on presentations to cllrs Shorten officer presentations to salient facts	July	Officers have been advised on how to present items to committee. Training will be identified through PDRs COMPLETED

			This was a misunderstanding about the process followed occasioned by the induction of the new Group Leader at the time the review team were on site.	RB	Consider the workflow for signing off committee reports	July	COMPLETED
				SHo	Review the list of material and not material considerations for M3 consultation letters and the Members committee manual	August	COMPLETED
014	Planning training			CT	Promote Plans training sessions to cllrs Provide bespoke training to parish and town councils on the planning system to promote better understanding of material considerations	September	Plans Training promoted to members by Dem Services on quarterly basis Commission PAS or other provider to run PC training annually COMPLETED

Administrative and Procedural Issues

015	Review the validation and registration process so that allocation takes place ahead of validation	Agreed.		CT	Change the format of allocation so this is undertaken by the Group Leader (TL in her absence) and carried out before the validation	September	**CT to meet with SG and SHo. Look to implement from mid September**
016	Seek to remove the current unnecessary double checking of applications at both validation and registration stages.	This appears to be a misunderstanding about the validation and registration process. However, it would be helpful to review the process and document this (for the DM manual) and to ensure there is no double handling of work through this process.		CT SG, LW, HW, SHo	Review the procedure for validation and registration and document this in the DM Manual Consider a rota system for uploading submitted application information to info@work Consider how many applications are being returned as invalid at registration stage	September	
017	Review the separate functions relating to TPOs to bring them back under the purview of Plans Committee			AW/KW RB/CT	Prepare an options paper setting out the choices for how TPO appeals can be heard by members and consult councillors. If changes are necessary then: technical briefing for members 7 September Report to Cabinet October Report to Council November	December	Discussed with members at the member training on 26 July and views sought. Members not in support of changing the current situation and this will not be taken forward COMPLETED
018	Consider the process for signing and sealing S106 agreements and review the involvement of SLT			RB/CT	Change wording of plans committee resolutions to give delegation to HoG rather than HoSS	August	Will be actioned from the plans committee in August COMPLETED
				MH CT/AW	Introduce new wording to the constitution to give delegation to the HoPG, or any officer subject to sub delegation, to enter into s106 agreements from reports not considered by plans committee technical briefing for members 7 September Report to Cabinet October Report to Council November	December	This can be dealt with on a report by report basis inviting plans committee to give this delegation. However, consider changes to the constitution to provide fallback position. Suggested wording in report to Cabinet on 12 October **COMPLETED**

Staffing

019	Develop a recruitment and retention strategy with corporate and HR support to reduce the reliance on temporary staff	Agreed. There is a recruitment strategy in the performance action plan		RB CT	Raise staffing issues and recruitment issues with the Workforce Board	July	Strategy eported to the Workforce Board 12 July COMPLETED
020	Ensure emails from elected representatives are acknowledged	Agreed.		RB	Issue a further staff instruction to remind them of the need to acknowledge emails	July	Complete but keep under review. Work instruction issued to all officers on 3 July 2023 COMPLETED

Misc

| 021 | Not related to the POSe Review - Update the meeting procedures to include reference to how late items will be dealt with in Extras Report, to formalize this approach | This advice exists but is not part of the meeting procedures. It would be helpful to formalize it for the avoidance of doubt. | | MH | technical briefing for members 7 September
Report to Cabinet October
Report to Council November | December | The text for this exists and needs to be incorporated into the meeting procedures for the avoidance of doubt. Will be taken forward in cabinet report in October |

| 022 | Not related to the POSe review. Amendments to constitution (while we're in there) | 1. Cllrs making motion to refuse against officer recommendation to provide evidence for any subsequent appeal (4.2 of members planning code of good practice)
2. Applications from family members do not need to go to committee. Should they?
3. s106 agreements not signed by a specified date (or date agreed) decision reverts to officers | **MH**

CT, RB | technical briefing for members 7 September
Report to Cabinet October
  Report to Council November | December | Suggested wording included in 12 October cabinet report that:

applications made by family members/partners of serving members and officers shold be referred to committee.

Signing of S106 agreements not signed by a specified date (or date agreed) decision |

Notes:

- Grey shading indicates actions that are entirely complete.
- Pale blue shading indicates actions dependent on cabinet/council decision
- Pale yellow shading indicates low hanging fruit and quick wins
- Grey shading indicates an action has been completed
- RB: Richard Bennett; CT: Carolyn Tait; SG: Susan Garbutt; MP: Mark Pickrell; HW: Harry White; MH: Michael Hopkins; LW: Louise Winson; SHo: Steve Holmes; AW: Adrian Ward; KW: Karen Widdowson
- * if required