

**MIDDLESBROUGH COUNCIL**

<b>Report of:</b>	Director of Regeneration – Richard Horniman
<b>Relevant Executive Member:</b>	Executive Member for Regeneration – Councillor Theo Furness
<b>Submitted to:</b>	Executive
<b>Date:</b>	24 July 2024
<b>Title:</b>	Scrutiny Review – Planning Capacity
<b>Report for:</b>	Decision
<b>Status:</b>	Public
<b>Council Plan priority:</b>	A successful and ambitious town
<b>Key decision:</b>	No
<b>Why:</b>	Not applicable
<b>Subject to call in?:</b>	Yes
<b>Why:</b>	Not applicable

**Proposed decision(s)**

That the Executive:

- a. notes the report of the Regeneration Scrutiny Panel into Planning Capacity, and the accompanying recommendations; and,
- b. approves the action plan prepared by the service in response to the recommendations.

**Executive summary**

The Regeneration Scrutiny Panel considered the issue of capacity within the Council's Planning Service, which has been an issue of significant concern in recent months. As a result of their review, the Panel proposed a range of recommendations to address the identified issues. An action plan has been developed by the service in response to these recommendations and this has been included for consideration by Executive.

## **1. Purpose**

- 1.1 To inform Members of the review undertaken by the Regeneration Scrutiny Panel into capacity within the Council's Planning Service.
- 1.2 To set out the service's proposed actions to address the recommendations from the report. Executive approval to these actions is requested.

## **2. Recommendations**

### 2.1 That the Executive:

- a. notes the report of the Regeneration Scrutiny Panel into Planning Capacity, and the accompanying recommendations; and,
- b. approves the action plan prepared by the service in response to the recommendations subject to the availability of approved budget and funding.

## **3. Rationale for the recommended decision(s)**

- 3.1 The review considered the current situation within the Planning Service and identified a number of actions that could improve capacity.
- 3.2 The Planning Service deliver a statutory function where performance is monitored closely by Government. Failure to deliver a satisfactory level of performance due to capacity issues would result in the Council receiving potential intervention from the Government to correct the situation.

## **4. Background and relevant information**

- 4.1 The Regeneration Scrutiny Panel undertook a review of capacity within the Planning Service in the latter part of 2023 and the early part of 2024. At the time of the review commencing, significant concerns were being raised by the service regarding ongoing capacity and the ability to recruit staff to fulfil what is a statutory function. As a result, the Panel agreed the following Terms of Reference:
- a. to understand the current position in terms of Middlesbrough Council's present planning capacity, building control and enforcement provision;
  - b. to examine any non-statutory functions currently provided by Middlesbrough Council's planning service;
  - c. to consider measures, including joint working with other local authorities, that could be put in place to mitigate any gaps in the current service;
  - d. to investigate what additional resources, if any, can be accessed from Central Government or other bodies to assist with improving planning capacity; and,
  - e. to consider any potential implications/impact/challenges of the Regeneration and Levelling Up Bill on planning services.
- 4.2 The review considered evidence from a number of sources, including the Royal Town Planning Institute and Planning Managers from a number of different Local Authorities.

4.3 The review identified a number of actions for increasing capacity, which were included within a final report that is included as Appendix I.

4.4 The report and accompanying recommendations was considered and approved by Overview and Scrutiny Board on April 10<sup>th</sup>.

4.5 The recommendations have subsequently been considered by the Planning Service and an action plan developed to take them forward where appropriate. This action plan has been included as Appendix II.

## **5. Other potential alternative(s) and why these have not been recommended**

5.1 The Planning Service is a statutory function of the Council, and the process by which it must be delivered is set out in detail. Any flexibility in how the service is delivered was considered as part of the review.

## **6. Impact(s) of the recommended decision(s)**

### **6.1 *Financial (including procurement and Social Value)***

6.2 Actions 1 to 3 and 7 to 9 have been identified as being able to be delivered through the existing approved Planning budget. Action 4 requires external funding to be secured to enable implementation. Action 5, requires ongoing budget growth and therefore would need to be incorporated into the 2025/26 budget process in order to consider priority for and affordability against available resources as part of the budget to be approved by Council in February 2025. The financial implications of Action 6 cannot be determined at this time, so would require further consideration and approval in due course. Where external funding is required to deliver actions they have also been flagged as such. These proposals would not be taken forward unless the resources were secured, hence there is no additional request for Council revenue funding.

### **6.3 *Legal***

6.4 None of the proposals recommended for delivery require any specific legal consideration.

### **6.5 *Risk***

6.6 The proposed actions do not have any direct impact upon the Council's current risk profile.

### **6.7 *Human Rights, Public Sector Equality Duty and Community Cohesion***

6.8 The proposed actions do not have any direct impact upon the human rights of individuals, the public sector equity duty or community cohesion.

### **6.9 *Climate Change / Environmental***

6.10 The proposed actions do not have any direct impact upon climate change or environmental issues.

**6.11 *Children and Young People Cared for by the Authority and Care Leavers***

6.12 The proposed actions do not have any direct impact upon children and young people cared for by the authority.

**6.13 *Data Protection***

The proposed actions do not impact upon the Council’s current data protection approach.

**Actions to be taken to implement the recommended decision(s)**

Action	Responsible Officer	Deadline
Implement the Service Action Plan	Head of Planning	28th February 2025

**Appendices**

1	Scrutiny Review of Planning Capacity – Final Report
2	Service Response Action Plan
3	PAS Review Recommendations

**Background papers**

Body	Report title	Date

**Contact:** Richard Horniman

**Email:** richard\_horniman@middlesbrough.gov.uk