

Summary Note

Effectiveness of Local Planning Authorities in Wales Report June 2020

In June 2020, a report on the “Effectiveness of Local Planning Authorities in Wales” was produced by the Public Accounts Committee of Senedd Cymru /Welsh Parliament. The report follows the Auditor General for Wales report in June 2019 – which considered the progress of local planning authorities in delivering their new responsibilities established by the Planning (Wales) Act 2015 and how planning services are acting in accordance with the Well-Being of Future Generations (Wales) Act 2015.

Five recommendations came out of the 2019 report to support LPA’s:

- improving how they involve stakeholders when making decisions and considering choices.
- addressing deficits in funding and working collaboratively to increase capacity.
- strengthening decision making.
- creating a clearer and more ambitious vision for their local area; and
- reviewing charges for development control and improving local planning authority’s performance.

The Public Accounts committee inquiry, in their June 2020 report, have focused on the following areas:

- Resilience of planning services.
- Dealing with and deciding on planning applications.
- Community impact and involvement; and
- Planning and Well-being.

A summary of the key findings and conclusions of the Committee inquiry within the June 2020 report include:

Resilience of planning services:

- Planning is critical but at present it is not able to deliver the aspirations of the Planning, Environment and Well-being of Future Generations Acts because of reductions in resources.
- Elements of the planning system are not working as they could and should (for example, effective involvement work with communities and enforcement work) and there is no agreement on how to address this and strengthen resilience and capacity.

Dealing with and deciding on planning applications

- The status quo is not viable given the reduction in planning officer capacity. It is noted that whilst the rebalancing of responsibilities with an enhanced approval role for Welsh Government and the introduction of more regional planning will add some complexity to the planning system, it will also improve resilience and help support all levels of the planning system to deliver their wide-ranging responsibilities.

Involving people in Planning to improve communities

- There is much more work for Local Planning Authorities to do on ensuring there are robust and effective arrangements in place to involve people in planning.
- It was noted that Place Plans “are a good way of engaging with and involving communities” and a Place Plan can be the “bridge between communities and LPA’s and help to deliver planning choices that meet the needs and aspirations of the community”. It was however noted that Place Plans can be resource intensive which can be problematic for LPA involvement.
- The Committee believe that if Place Planning is a good option to involve people in and encourage community led planning, then it needs to be given greater status, resourced, and made central to the Local Development Plan.
- With regard to planning agreements – it was concluded that S.106 agreements are essential in delivering the wider infrastructure needed with new housing – however the system is not working as well as it could and there needs to be external direction from Welsh Government to address this.

Planning and Well-Being

- The Well-being of Future Generations (Wales) Act 2015 has the potential to be a ‘game changer’ refocusing the main purpose of Planning. However, evidence to the Committee on how Planning is taking forward the Well-being of Future Generations agenda highlighted that there remains much to still do.
- There was compelling evidence that there is a need to simplify planning law and its implementation and creating a specific Planning Inspectorate for Wales. It was noted that continuing with a joint inspectorate means that Welsh law will not be fully implemented – and the Welsh Government’s approach to creating a separate planning inspectorate was welcomed.
- Raising the status of and recognising the central importance of Planning to the Well-being of Future Generations needs to be addressed.

The Public Accounts Committee report makes 8 recommendations where it believes current performance can be improved:

Recommendation 1 - that the Welsh Government addresses the cuts made to Planning budgets by using the Welsh Ministers’ powers under the Planning (Wales) Act 2015 to ensure Local Planning Authorities collaborate and merge to improve resilience and build capacity. This should include measures to ensure there is adequate knowledge sharing and information exchanges between the separate planning bodies in the UK to support learning and enhance expertise.

Recommendation 2 - that the Welsh Government works with the Planning Officer’s Society for Wales to review the current National Performance Indicators to ensure the measures used to judge the performance and impact of Planning reflects the contribution of all agencies in the Planning system and develops new measures to better judge the impact of Planning on improving wellbeing in communities and people.

Recommendation 3 - that the Welsh Government works with the Planning Officer's Society for Wales to review current standards for engagement and develop new approaches that better reflect 21st century communication to ensure people are involved in the planning process.

Recommendation 4 - that the Welsh Government works with the Planning Officer's Society for Wales to strengthen how developers consult with local communities before applying for larger or 'major' developments.

Recommendation 5 - that the Welsh Government works with the Future Generations Commissioner and the Planning Officer's Society for Wales to make Placemaking and Place Plans a statutory plan and introduce guidance on how Local Planning Authorities must work with local communities to ensure Place Planning is made central to delivery of the Well-being of Future Generations (Wales) Act 2015.

Recommendation 6 - that the Welsh Government strengthens Section 106 agreements by:

- updating guidance to require development option appraisals to be based on a single source of information using the building cost information service construction data to improve estimates, cost advice, plan costs and benchmarks; and
- introducing a tranche payment system for Section 106 contributions with developers being required to pay a third of the agreed sum at the point planning permission is given; a third when on site development begins; and a third when the site is fully developed.

Recommendation 7 - that the Welsh Government commissions research on the use of Section 106 agreements to determine whether the identified contributions from developers when agreeing a planning application are realised. The Committee also recommends that the Welsh Government works with the Planning Officer's Society for Wales to evaluate how Section 106 agreements work and identify where approaches need to be strengthened including resourcing legal expertise and management of Section 106 agreements.

Recommendation 8: - While the Committee welcome the Welsh Government's approach to establish a Welsh Planning Code, given the divergence in the Planning systems between Wales and England, the Committee recommends that this goes beyond a Code and is enshrined in legislation to help drive consistency in decisions.

Further information:

The Effectiveness of Local Planning Authorities in Wales – Welsh Parliament Public Accounts Committee June 2020 Report

<https://business.senedd.wales/mglIssueHistoryHome.aspx?IId=25600>

The Effectiveness of Local Planning Authorities in Wales – Auditor General for Wales. June 2019 Report

<https://www.audit.wales/publication/effectiveness-local-planning-authorities-wales>