

Environment - Planning

Stratford-on-Avon District Council

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Service Inspection

This inspection has been carried out by the Audit Commission under section 10 of the Local Government Act 1999 and is in line with the Audit Commission's strategic regulation principles. These principles embody the objectives of our Strategic Plan and Strategic Regulation. They also reflect the principles from 'The Government's Policy on Inspection of Public Services' (July 2003).

Audit Commission service inspections should:

- focus on public service outcomes from a user perspective;
- act as a catalyst to help inspected bodies improve their performance;
- concentrate inspection work where it will have most impact, so that it is proportionate and based on an assessment of risk;
- be based on a rigorous assessment of costs and benefits, with a concern for achieving value for money both by the inspected organisation and within the inspection regime itself;
- be, and be seen to be, independent of the inspected organisation;
- report in public, using impartial evidence to inform the public about the performance of public services so as to enhance accountability;
- involve collaborative working with other inspectorates and external review agencies to achieve greater co-ordination and a more holistic approach to the assessment of performance by audited and inspected bodies;
- share learning to create a common understanding of performance that encourages rigorous self assessment and better understanding of their performance by inspected organisations;
- be carried out objectively by skilled and experienced people to high standards and using relevant evidence, transparent criteria, and open review processes; and
- enable continuous learning so that inspections can become increasingly effective and efficient.

We assess services using published key lines of enquiry (KLOEs) to inform our judgements. The KLOEs can be found on the Audit Commission's website at www.audit-commission.gov.uk.

This report is issued in accordance with the Audit Commission's duty under section 13 of the 1999 Act.

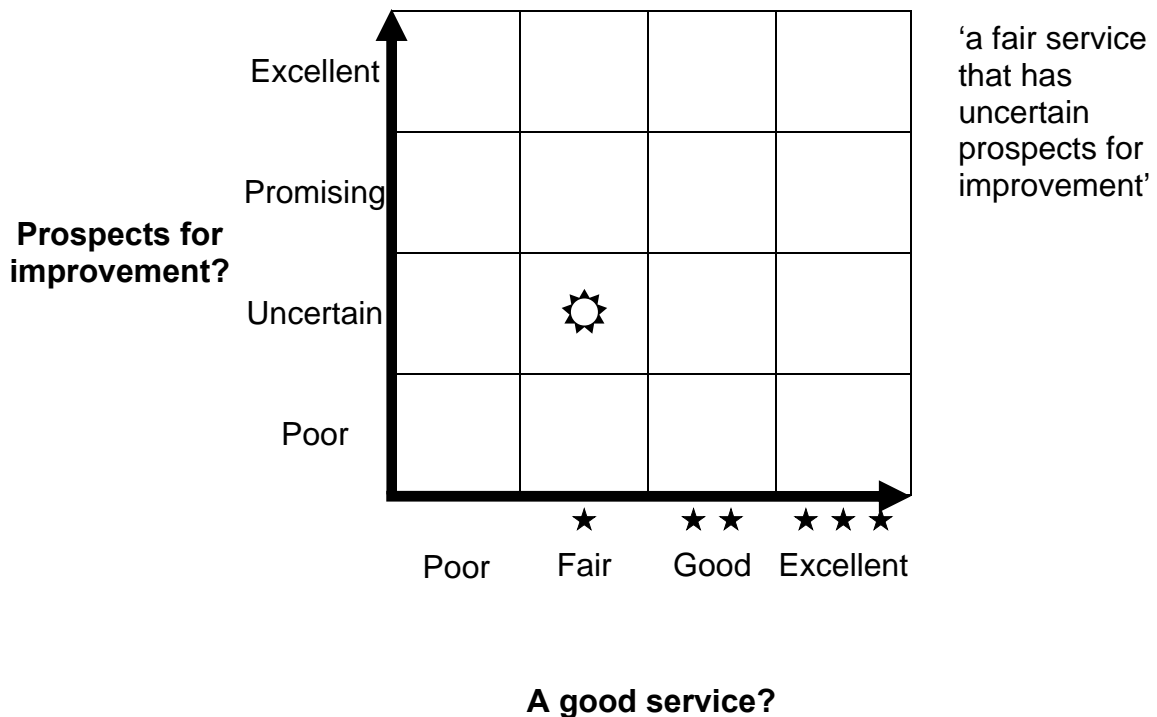
Summary

- 1 The area of Stratford on Avon is largely rural and made up of about 250 small towns and villages. At its heart, its largest community is the historic town of Stratford upon Avon, famous for its theatre and connections with Shakespeare. One of the largest English districts geographically, the district encompasses 979km² of South Warwickshire in the West Midlands.
- 2 In October 2004, the Audit Commission published a CPA category for Stratford-on-Avon District Council. This assessment categorised the Council as 'weak'. A progress assessment in December 2005 confirmed the Council is progressing well. It has made good progress on clarifying and communicating its vision and long-term ambitions at a council-wide level. These are beginning to drive the work of services. However, some key policies and strategies are newly in place or still in development.
- 3 The service under review consists of development control (including enforcement), planning policy (including heritage and design) and planning administration. The Council was identified by the Office of the Deputy Prime Minister (ODPM) as a Planning Standards Authority in 2003/04 for poor performance in dealing with 'major' planning applications. It was also re-designated as a standards authority for 2005/06 due to incorrect calculation of data related to the speed of determining applications. The Council is not designated as a standards authority in 2006/07.
- 4 The service was judged against the Audit Commission's new key lines of enquiry (KLOE) and methodology set out in 'Approach to service inspections' published in May 2005. The service is only fair because although there have been recent improvements in turning around applications and probity, these are outweighed by the fact that the service is poor at customer focus, accessibility to the service is limited and the needs of service users are not key to the design and delivery of the service. The planning service overall does not provide good value for money.
- 5 Prospects for improvement are uncertain as although the service can evidence a record of effectively implementing change that has led to some improvements in service delivery. This is fairly recent and cannot yet be described as a sustained long-term trend of effective improvement. In addition, critically, the service does not at present have clear aims and priorities for the future. Effective service planning is at an early stage, and future plans are not yet co-ordinated, robust and deliverable.

Scoring the service

- 6 The service was judged against the Audit Commission's new key lines of enquiry (KLOEs) and methodology set out in *'Approach to service inspections'* published in May 2005. We have assessed Stratford-on-Avon District Council as providing a "fair" one-star service that has uncertain prospects for improvement. Our judgements are based on the evidence obtained during the inspection and are outlined below.

Figure 1 Scoring chart¹



Source: Audit Commission

¹ The scoring chart displays performance in two dimensions. The horizontal axis shows how good the service or function is now, on a scale ranging from no stars for a service that is poor (at the left-hand end) to three stars for an excellent service (right-hand end). The vertical axis shows the improvement prospects of the service, also on a four-point scale.

- 7 The service is a fair, one-star service because of the following.
- Satisfaction with the service is below average when compared to other councils and has not improved.
 - The service is not customer-focused:
 - the needs of service users have not always been key to the design and delivery of the service; and
 - there has been no ongoing engagement with users and the community to inform how the service is delivered, the impact being that accessibility to the service is limited.
 - Until recently the Council has been slow to determine applications. It was identified by the ODPM as a Planning Standards Authority (PSA) in 2003/04 for poor performance in dealing with 'major' planning applications. Audited data for 2004/05 indicates the Council performed poorly when compared to other councils. More recent unaudited data published by the ODPM indicates that speed of determining applications has improved and the Council is no longer designated as a PSA.
 - The planning service overall does not provide good value for money. In terms of cost per head of population, it is a relatively high cost service, though it compares better with others in terms of cost per application, giving variable levels of performance, poor customer focus and declining satisfaction.
 - Although the service has agreed and published enforcement priorities, awareness of enforcement procedures and monitoring is limited.
 - While there are key weakness in the customer focus there are, however, some strengths including some recent improvement to the planning website.
 - Work has also been undertaken in the last six months to re-engineer internal process and introduce a document management system but it is too early to see outward facing improvements to the service users receive.
 - There are now published planning specific codes of conduct for councillors.
 - The service has a general understanding of diversity issues and recognises the need to consult 'hard-to-reach groups' in order to inform policy and service delivery but is largely relying on groups or individuals coming forward voluntarily.
 - The local plan review contains some policies that seek to address the needs of minority groups. The service is helping delivery of housing to meet local need and enable people to remain in the area. The local plan replacement contains a number of policies aimed at supporting and building communities.
 - The service does consult with its community in respect of policy preparation. It has worked with, and provides some funding to parish councils to assist them in preparing parish plans and village design statements.

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- The service has successfully assisted the delivery of development that supports inclusive communities. In addition to local choice housing, section 106 agreements have provided public transport, cycle and pedestrian routes and local services.
 - The service has contributed to protecting and enhancing the built and natural environment. Listed buildings have been extended and/or converted to new uses.
 - New employment developments are providing facilities to encourage walking or cycling.
 - The service is contributing to improving community safety. Rat runs are being removed from schemes and road layouts incorporate traffic calming measures.
- 8 The service has uncertain prospects for improvement because of the following.
- The service does not at present have aims and priorities for the future that are clear, challenging and robust. This is a key gap at present as there is no clearly expressed vision for the planning service.
 - Effective service planning is at an early stage, future aims are not clear and future plans are not yet co-ordinated, robust and deliverable. The service has no comprehensive supporting improvement plan. The 2005/06 service plan is not outward and outcome-focused.
 - The lack of clear aims and priorities for the future and a robust supporting improvement plan means the service cannot confirm it has the capacity to deliver important user-focused improvements to the service.
 - Leadership is improving both at a corporate and service level, but as yet at a service level this is not harnessed to a robust vision and plan.
 - The service has a recent record of implementing change that has led to some improvements in service delivery, but this is too early to be described as a sustained long-term trend of effective improvement.
 - The recent improvements can be seen at three levels.
 - Following designation as a planning standards authority the service has improved the speed of determining planning applications.
 - At a corporate level, the Council has begun to respond effectively to its CPA report from October 2004. A recent progress assessment confirmed that the Council is progressing well.
 - The service has responded effectively to the findings of the Audit Commission's '*Probity in Planning*' report.

Recommendations

- 9 To rise to the challenge of continuous improvement, councils need inspection reports that offer practical pointers for improvement. Our recommendations identify the expected benefits for both local people and the Council. In addition, we identify the approximate costs² and indicate the priority we place on each recommendation and key dates for delivering these where they are considered appropriate. In this context the inspection team recommends that the Council should do the following.

Recommendation

R1 That the service improves its customer focus to ensure service is tailored to the needs of the people of Stratford and that the focus on speed of determining applications does not detract from other elements of the service by:

- *engaging a full range of stakeholders in the formulation of clear and measurable service aims, and monitoring and reporting performance against these aims; - by April 2007;*
- *investigating reasons for dissatisfaction, as indicated by survey results as well as through complaints, and ensuring these are addressed and that actions taken are reported back to the public so that they know what changes have been made in response to comments and complaints; - by October 2007; and*
- *ensuring that the service is fully accessible, with particular attention to availability of pre-application advice and negotiations and arrangements for visiting officers within the service; - by September 2006.*

The expected benefits of this recommendation are:

- higher levels of public satisfaction with the planning service; and
- clarity for the service and the public about what it is trying to achieve and how well it is performing.

The implementation of this recommendation will have high impact with medium costs. This should be implemented by the dates shown above.

² Low cost is defined as less than 1 per cent of the annual service cost, medium cost is between 1 and 5 per cent and high cost is over 5 per cent.

Recommendation

R2 That a systematic approach be taken to improving value for money by:

- *using the comparative data to identify areas in which performance is low compared to that achieved in other councils; - by October 2006;*
- *benchmarking with other high performing councils and councils that have significantly improved their performance; - by April 2007;*
- *identifying and implementing actions to improve value for money; - by April 2007; and*
- *managers and councillors using cost information alongside performance information to challenge and drive up performance by April 2007.*

The expected benefits of this recommendation are:

- that improved value for money will be secured by the service; and
- improved performance.

The implementation of this recommendation will have medium impact with low costs. This should be implemented by the dates shown above.

Recommendation

R3 Clarify the vision and outcomes for the service:

- *clarifying the vision for the service;*
- *producing a service /improvement plan that is outcome-focused, addresses weaknesses and includes recommendations R1 and R2; and*
- *develop capacity to deliver the vision.*

The expected benefits of this recommendation are:

- that the service has a clear direction for the future and can benefit from improved performance management.

The implementation of this recommendation will have high impact with low costs. This should be implemented by September 2006.

Recommendation

R4 Collate the outstanding action points from the probity in planning report into the service plan:

- *to sustain focus on improving decision-making in planning matters;*
- *to capture learning effectively; and*
- *training backbenchers in planning matters.*

The expected benefits of this recommendation are:

- that the service will continue to improve its decision-making in planning matters.

The implementation of this recommendation will have medium impact with low costs. This should be implemented by September 2006.

Report

Context

The locality

- 10 The area of Stratford on Avon is largely rural and made up of about 250 small towns and villages. At its heart, its largest community is the historic town of Stratford upon Avon, famous for its theatre and connections with Shakespeare. One of the largest English districts geographically, the district encompasses 979 km² of South Warwickshire in the West Midlands.
- 11 The area's population is just over 111,480, with approximately 23,000 residents in the town of Stratford itself. Only 1.3 per cent of the total population are from black and ethnic minority communities, lower than the national average. Residents are on average older than the national average with 46.9 per cent of the population being over 45 years and only 18.3 per cent under 16 years.
- 12 The area is largely affluent with the highest average income levels in both Warwickshire and the West Midlands. Unemployment is low at 1.0 per cent (March 2005) and what deprivation exists is in small pockets across the area. Agriculture still plays an important role in the local economy, but tourism is a vital part providing an estimated 17 per cent of employment in the area. Approximately 3.8 million visitors came to the district in 1997, generating an estimated income of £135 million.
- 13 The District has over 3000 listed buildings, 76 conservation areas and much of it is within the West Midlands green belt and Cotswolds Area of Outstanding Natural Beauty. It has low crime rates and excellent road links with easy access to London, Birmingham and the West Midlands conurbation. As a result, it is a very desirable place to live which creates pressure for development, house prices are very high and the provision of affordable housing is a significant area of local concern. Another important challenge is balancing the needs of residents and businesses in the market towns and villages that make up the majority of the district with those of Stratford town, against the millions of tourists who visit every year.

The Council

- 14 In October 2004, the Audit Commission published a CPA category for Stratford-on-Avon District Council. This assessment categorised the Council as 'weak'. A progress assessment in December 2005 confirmed the Council is progressing well. It has made good progress on clarifying and communicating its vision and long-term ambitions. These are beginning to drive the work of services. The revised corporate strategy and priorities were directly informed by the views of councillors, residents, staff and partners, and as a result, they are becoming understood and owned at both councillor and officer level. A key improvement has been better relationships between members and clearer officer and member roles. However, some key policies and strategies are newly in place or still in development, such as around social inclusion and community cohesion.
- 15 The Council comprises 53 elected councillors. After the May 2005 elections the political make-up of the Council is 30 conservatives, 20 liberal democrats, and 3 independents, which gives the conservative administration an overall majority of 7. For most of the period from 2000, the conservatives held the balance of power by a majority of one. Prior to that there was a significant period of time when no party had overall control.
- 16 The Council has adopted a leader and executive model of government. The executive consists of a leader, deputy leader and six portfolio holders. There are three overview and scrutiny committees. The Council's net revenue expenditure for 2004/05 was £12.73 million. It became debt free through transfer of its housing stock to South Warwickshire housing association in 1996. As a consequence, it has substantial capital reserves. It has a fully funded capital programme of £27.8 million over six years with reserves forecast to stand at £28.5 million at the end of that period.
- 17 The Council restructured at the end of 2005 and there is now a chief executive with two strategic directors and eight heads of service.

The Council's Planning service

- 18 The service under review consists of development control (including enforcement), planning policy (including heritage and design) and planning administration.
- 19 The Council was identified by the Office of the Deputy Prime Minister (ODPM) as a Planning Standards Authority in 2003/04 for poor performance in dealing with 'major' planning applications. It was also re-designated as a standards authority for 2005/06 due to incorrect calculation of data related to the speed of determining applications. The Council is not designated as a standards authority in 2006/07 due to improved performance.
- 20 The budget for the service for 2005/06 is Development Control £1,035,200 and Policy Heritage and Design £765,665. This is a decrease of 7 per cent from the previous year. The Council was awarded £278,817 Planning Delivery Grant in the 2005/06 allocation.

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- 21** The service employs 26.5 FTE staff in development control, 10.2 FTE in policy, heritage and design and is supported by a central administration team of 9.1 FTE.

How good is the service?

What has the service aimed to achieve?

- 22** The long-term vision for the District is set out in the community plan prepared by the Stratford District Partnership for the period up to 2015. The vision is to 'maintain and enhance the heritage and green environment while building healthy, safe, informed and active communities enjoying local services and employment opportunities'.
- 23** The Council's aims for the period 2005/08 are set out in the corporate strategy. There are three aims which are:
- The development of safer and healthier communities;
 - The development of sustainable communities; and
 - The creation of inclusive communities.
- The aims are underpinned by 14 broad targets such as; develop a coherent social transport strategy; and provide 250 new affordable homes by 2008.
- 24** The planning service should be a key contributor in helping the Council deliver its aims. The service plan refers to the corporate strategy and to national priorities but does not set outward facing key aims nor a vision for the service with measurable targets that the people living, working or visiting Stratford would recognise. It concentrates instead on matters of process and inputs to the process. Local performance indicators have not been identified to measure outcomes that link to the corporate aims or longer-term community vision.
- 25** The planning service operates largely within a statutory framework and development is guided and controlled through policies contained in the development plans. The principal plan which sets the planning policies for Stratford is the local plan which underpinned the regional planning guidance for the West Midlands (RPG11) and the Warwickshire Structure Plan. The current plan adopted in May 2000 is now out-of-date but the replacement local plan (the replacement plan) is awaiting formal adoption in 2006 and, given its advance progress must be given considerable weight when determining applications. The replacement plan has been informed by local and regional data and has been the subject of consultation.

- 26 The replacement plan reflects recent national and crosscutting priorities such as sustainability, reducing car usage by incorporating maximum (not minimum) car parking requirements and requiring densities of between 30 and 50 dwellings per hectare in accordance. The plan is supported by a range of supplementary planning guidance (SPG), development briefs and master plans to reflect changing needs or circumstances. For example there is guidance on green commuter plans, cycle and parking standards and a new draft SPG on affordable housing is to increase the percentage of such units required from 30 to 40 per cent in order to increase the supply of affordable homes. Development briefs have been adopted for key sites such as the Cattle Market, Stratford and a master plan for the Waterfront, Stratford. The service has also worked with two neighbouring councils to jointly agree an SPG on lorries in the Vale of Evesham which seeks to minimise and control the impacts of HGV traffic arising from developments in the area.
- 27 The service acted promptly in respect of the Planning and Compulsory Purchase Act 2004. The replacement plan will be 'saved' and will remain the development plan for the area. However, it has submitted its local development scheme in accordance with government deadlines and has an approved statement of community involvement setting out how it will consult over the preparation of new planning policies. These will reflect regional policy as set out in the regional spatial strategy for the West Midlands (RSS) that replaces RPG11.
- 28 The Council is also one of three lead agencies in the World Class Stratford initiative established in 2005 which sets out to transform the town's attractiveness in order to reverse the decline in visitor numbers and realise the potential of this key destination for residents and tourism alike. Consultants have been appointed and have already been involved by the service in discussion about development proposals. This illustrates the challenge to the Council of balancing the needs of residents and businesses in the area against those of the millions of tourists who visit every year.

Is the service meeting the needs of the local community and users?

Accessibility, customer care and community/user focus

- 29 The needs of service users are not key to the design and delivery of the service. Satisfaction with the service is below average when compared to other councils and has not improved. Audited performance indicators show 77 per cent of applicants were satisfied with the service in 2000/01. In 2004/05 this had fallen to 72 per cent. While satisfaction levels declined nationally, satisfaction with the service fell more than other councils. In 2004/05 the service scored 72 per cent for the planning service quality checklist which is below average. The service acknowledges that customer focus has been poor in the past and while it has recently improved the website the benefits to users, to date, are limited and do not address many of the weaknesses below.

- 30** The service has not actively sought to understand the needs of its users and the reasons for the relative dissatisfaction when compared to other planning services. There has been no ongoing engagement with users and the community to inform how the service is delivered. User feedback is not routinely used to shape and influence service and to improve satisfaction levels. While it has undertaken a survey of parish clerks there is no evidence of changes being made to address many of the weaknesses raised. There has been no regular planning agents forum, the service re-established this in November 2005, it having lapsed some years before. It is too early to see any outcomes arising from this.
- 31** Until December 2005 there had been no published service charter setting out what users can expect. The new charter has not been informed by users views and does not include the level of service to be provided for key activities such as those highlighted as weaknesses at the agents forum. For example, the time taken to deal with the approval of conditions is reported to be taking many months and is increasing. Since a planning permission can not be implemented until information to satisfy conditions (materials, landscaping) has been approved, the fact that the service has improved the speed of determining the actual application does not assist the applicant if the time taken to approve of conditions is long or increasing. The charter is not being monitored to ensure those standards it does include are being met.
- 32** Accessibility to the service is limited. The customer services centre staff are supported by planning technicians who can answer straightforward enquiries but more detailed enquiries need to be referred to the duty officer who is not permanently available and can be out of the office carrying out site visits. There is no late night or weekend opening nor regular surgeries to provide a service to those unable to get to the main offices in Stratford town centre. Application files can only be viewed in person if requested 24 hours in advance but for applications submitted since the end of 2005 documents associated with them can be viewed on the website. Committee reports are clear and detailed. Delegated application have an officers' report setting out the key facts and analysis so that it is clear why a certain decision has been made. Pre-application meetings are not available to all with the service only prepared to hold meetings on certain types of proposals or where an application has been refused. Informal use of development teams (a team of officers from relevant council departments and external organisations involved in pre-application discussions so that all issues are identified early) are used only for some large proposals.
- 33** There is inadequate written guidance or advice available specifically for householder and other small types of proposals which make up the majority of the applications. While there are some answers to 'frequently asked questions' on the Council's website there is no more specific locally written design advice on particular forms of development proposals such as conservatories, house and roof extensions and satellite dishes. Consequently applicants for minor developments, who are often not assisted by professional agents, do not have access to clear written guidance to enable appropriate initial applications to be made. These applicants are also excluded from pre-application discussions.

- 34 There is limited guidance on procedures. While there is guidance on councillor site visits and enforcement the latter is not well publicised nor recognised. Given enforcement can be contentious the perceived lack of information can lead to a public perception that the Council is not dealing with complaints or treating everyone fairly.
- 35 The published guidance and service standards that do exist are not displayed in the reception area of the Council or in other public buildings. As a consequence, users may be unaware that such information could assist them. However, the service does make current applications and the plans available for public inspection through its three area offices and the parish councils. Since December 2005 applications, their plans and associated documents have been available to be viewed on the Council's website.
- 36 While there are key weakness in the customer focus there are, however, some strengths. Specialist guidance is available such as the conservation and design officers and a landscape officer who provide advice on historic buildings, conservation areas and landscaping of developments. There is a district design guide which has won a RTPI award and some specific guidance on S106 obligations which was formally adopted as supplementary planning guidance in 2002. This sets out what developer contributions will be required for transport schemes in Stratford. Based on a multi-modal transport study the guidance sets out the justification and the methodology for calculating contributions to enable developers to be clear about what they are expected to provide and why. This includes capital contributions for transport schemes identified in the transport strategy, and provision of or contributions towards public transport, walking and cycling schemes. The guidance also includes a template setting out the text of the legal obligation thereby assisting the effective, efficient and quicker preparation of the obligation. This guide won an external award from the Royal Town Planning Institute in 2003. A similar SPG and template is in place for the provision of open space. The provision of such guidance helps ensure developers are treated consistently, that the Council does not miss opportunities and that the use of S106 is seen by the public and developers to be transparent, fair, and consistent.
- 37 There have been some very recent improvements to the planning website. The national Pendleton survey of planning websites scores websites using 21 criteria, the higher the score the better the website. The survey indicates that out of 21 the Council's website scored 10 in 2003, 12 in May 2005 and in Dec 2005 it rose to 19. The website now allows users to submit applications, view current applications and their plans and submit comments on line.
- 38 The service does consult with its community in respect of policy preparation. It has worked with, and provided some funding to parish councils to assist them in preparing parish plans and village design statements. These have been used to assess local need and provide housing to meet local need. The Council has an adopted statement of community involvement that clearly sets out how it intends to consult the public, stakeholders and other organisations about emerging policy that will form the local development scheme.

- 39 Planning committees are well advertised and held in the main council offices which are accessible to the disabled. Screens are used to display the plans and microphones make it easier to hear what is being said. The meetings are well run, officer introductions clear and relevant and the applicant and third parties can address the committee prior to a decision being made. This is a major improvement on the position two years ago. When applications of local interest to a particular area are considered, additional committee meetings are occasionally held in other venues.
- 40 In response to previous criticisms made in 2003 by the Audit Commission in its' report on *Probity in Planning* the Council has acted on the recommendations. There are now published planning specific codes of conduct for councillors - for example a leaflet setting out the guideline for undertaking site visits. This sets out how such visits will be undertaken to ensure all parties are treated fairly and to avoid the perception that applications have been pre-judged. Councillors declare any interests at the start of the meeting and withdraw when appropriate. There are clear, published procedures that allow supporters, objectors and parish councils to address the planning committee. Councillors determining planning applications are now required to undertake a minimum level of training which had led to more open and effective decision-making. However, there is a very strong perception amongst applicants and third parties that written comments on proposals are given less weight if those making the comments of support or objection do not attend the committee in person to reiterate their comment.

Diversity

- 41 The service has a general understanding of diversity issues and recognises the need to consult 'hard-to-reach groups' in order to inform policy and service delivery but it is largely relying on groups or individuals coming forward voluntarily. While a range of consultation techniques are used, for example the website, media and workshop groups these will not reach individuals that have no access to IT, transport or for cultural reasons are unable to attend such groups.
- 42 The new statement of community involvement setting out how the Council will consult the community on new planning policy identifies a range of organisations, such as the South Warwickshire Support Services and the Race Equality Support Worker of the County Council, that will be consulted. However, the service is still largely relying on indirect information or people coming forward rather than proactively and directly engaging itself with hard-to-reach groups. As a consequence, the service can not be sure that the needs of the most vulnerable parts of the community are heard.
- 43 Information about the service, and new emerging planning policy is provided in a number of formats. Documents can be provided in a variety of languages, Braille and large print versions on request. Translation and assistance for those who can not read or write are provided by Language Line. Staff in the new customer service centre can also record verbal comments on planning applications for those unable to submit them in writing. However, parts of the website uses a pale green text which can be difficult to read by those with impaired vision.

- 44 The local plan review contains some policies that seek to address the needs of minority groups. Policy COM15 seeks to ensure all new housing layouts, approaches and entrances permit accessibility to all potential occupants, particularly the elderly and disabled. An example of such a development is in the village of Brailes. While housing need information does not identify any current need for additional sites for travellers the plan contains policy CTY7 which would permit new permanent traveller sites if a need arose. However, the service acknowledged it needed to do more especially since an existing site was to close. The Council has granted planning permission for developments that meet the specific needs of minority groups. For example, short-term accommodation for women suffering from domestic violence.
- 45 There is a general understanding of the implications of the Human Rights Act. Officers had some initial training but there is no ongoing, active monitoring of case law to ensure the service remains up-to-date and any implications are taken account of. There is some awareness of the implications of the Disability Discrimination Act (DDA) and a local access group has recently been asked to provide comments on planning applications and to provide training for officers. There is, however, no formal arrangement between planning and building control to ensure advice and guidance given by planning complies with the requirements of the DDA and other regulations such as those relating to means of escape and energy conservation.

Service outcomes for users and the community

- 46 We examined how the service delivers against the corporate objectives and national priorities.

Sustainable communities

- 47 The service is helping delivery of housing to meet local need and enable people to remain in the area. Unaudited data provided by the Council indicates that the number of affordable houses built each year since 2002/03 has increased with 184 built in 2004/05 and further 148 by the end of 2005. Rural exception housing is also being approved to provide housing to meet the specific needs of rural communities. Since 2003/04 14 such dwellings have been granted permission but have yet to be built. Special needs housing, including sheltered units for the elderly and a domestic violence refuge, is being approved. Since 2002/03 64 units have been granted permission with 14 built to date.
- 48 The views and needs of local communities are being used to identify and meet local need. Policy COM 1 of the replacement local plan seeks to utilise information contained in parish plans, and village design statements to: assess the merits of schemes promoted by communities to meet needs the community has identified and to identify any S106s that may be required and; identify opportunities for environmental and other forms of enhancement. To date two 'local choice' schemes have been developed under this policy at Brailes and Long Compton, providing a total of 19 units of mixed sizes, with 14 being affordable units restricted to occupants with local connections. Ten units have been built to 'Lifetime Homes' standard.

- 49 Local employment needs are being met. Structure plan targets are being met and a number of mixed use sites are in various stages of development. The Stratford General Hospital site provides GP and dental surgeries, community health services, a day hospital and a home for the elderly or mentally infirm. The Cattle Market site is the subject of an adopted planning brief to provide employment and residential accommodation together with an enhance 'gateway' to the town. Redundant buildings are being refurbished or converted to provide rural workshops, starter units and studios for local businesses - for example at Ardens Grafton and Clifford Mill. The latter example won a design award in 2004.
- 50 Section 106 obligations have been used to secure contributions that support sustainability. In addition to contributions towards public transport and projects to alleviate traffic issues in Stratford caused by visitors, other contributions include a pedestrian bridge over a railway to link housing to employment, and cycle routes.
- 51 The service has contributed to protecting and enhancing the built and natural environment. Listed buildings have been extended and, or, converted to new uses - for example Compton Verney Art Galley which was a grade I country house designed by Vanborough set in Capability Brown landscaping. The conversion completed in 2004 won a Civic Arts Award. Through the identification of sufficient housing land to meet regional requirements and sites within villages to meet local need, further encroachment into countryside has been avoided. Ecologically important sites are being retained and biodiversity enhanced through support and provision of specialist advice. An example is the Bridgetown woodland and meadowland scheme completed in 2005 which creates a variety of habitats with public access provided via a network of footpaths.

Healthier and safer communities

- 52 The service is seeking to reduce the opportunities for crime and address the fear of crime. There is a published draft advice note that gives a comprehensive list of design advice - for example on layouts of streets, open space and footpaths which has influenced the design of some recent residential schemes that are currently being built.
- 53 The service refers planning applications to the police architectural liaison officer in order to ensure the design does not encourage crime. Outcomes from this include designs where car parking and children's play areas are intentionally overlooked due to the positioning and orientation of adjacent housing or offices. Rat runs are being removed from schemes and road layouts incorporate traffic calming measures through use of bends and road narrowing, rather than through the later addition of road humps and other measures.
- 54 New employment developments are providing facilities to encourage walking or cycling. Secure cycle storage has been provided at new offices in Timothy's Bridge Road and a pedestrian bridge will allow more direct access between housing and employment.

Inclusive communities

- 55** The local plan replacement contains a number of policies aimed at supporting and building the communities. Policies cover issues such as home-based working (COM18), local choice housing (COM1), bus service support (COM7) and local shops and services (COM2 and 3). Such policies support developments that enable people to continue to live and work locally thus also contributing to sustainable communities.
- 56** The service has successfully assisted the delivery of development that supports inclusive communities. In addition to local choice housing referred to above, S106s have provided public transport, cycle and pedestrian routes and local services.
- 57** The service has worked with local communities and parish councils to identify and meet local needs. To date 7 parish plans and 24 village design statements have been produced. The parish plans have not been adopted as supplementary planning guidance but Policy COM 1 of the local plan requires them to be considered when determining applications. The plans and design statements have been used to inform proposals and deliver development to meet local need - such as in Long Compton.
- 58** The town of Stratford is a major tourist attraction which can create tension. Traffic congestion is a major issue and the Council has identified a number of projects to alleviate the problem and the service is securing S106 contributions to carry out road improvements and fund longer-term plans to integrate public transport and coach facilities.
- 59** The service, in liaison with other bodies has contributed to the Waterfront master plan which sets out a comprehensive range of physical improvements to Stratford town and elements in it, in particular the Royal Shakespeare Company theatres. In addition to the Council, this work has involved the County Council, the Royal Shakespeare Company, the Arts Council and Advantage West Midlands. The plan has been underpinned by a variety of feasibility studies that included creating an overall vision for the riverside, including urban design and landscaping proposals. The master plan has been adopted as SPG and is now influencing and guiding the current redevelopment proposals for the theatres, other developments in the town and improvements to the riverside such as a proposal to build a new pedestrian bridge to link new residential developments to the town centre.
- 60** The service has agreed and published enforcement priorities. These are broadly in line with council priorities and focus on where the potential impact of unauthorised development will be high. For example, the protection of listed buildings, conservation areas, trees and residential amenity. However, enforcement is mainly reactive rather than proactive. There is no active targeting of, for example, planning conditions relating to tree protection measures. Once there has been a breach of the condition the potential damage to the trees is irreversible. Building control staff do not routinely check plans to ensure consistency between building regulation and planning applications and reporting of potential unauthorised developments is ad hoc, reliant on individuals rather

than a systematic requirement. This means that enforcement activities are not being focussed on priorities or where infringements can be prevented.

- 61** Awareness of enforcement procedures and monitoring is limited. Officers are not aware whether the Council is signed up to the Enforcement Concordat and the service does not publish monitoring reports in accordance with the concordat. There is some information on how enforcement complaints will be dealt with, setting out what the Council will do but public awareness of this is limited. Given enforcement is often a lengthy, complex and contentious procedure, such information is important so that all persons involved can see they are being treated fairly. The perceived lack of such information and clear reporting of outcomes has also led to a public perception that the Council is not taking appropriate action.

National priorities

- 62** Until recently the Council has been slow to determine applications. It was identified by the ODPM as a Planning Standards Authority in 2003/04 for poor performance in dealing with 'major' planning applications. It was also re-designated as a standards authority for 2005/06 due to incorrect calculation of data related to the speed of determining application. The Council is not designated as a standards authority in 2006/07.
- 63** Audited data for 2004/05 indicates the Council performed poorly when compared to other councils. Speed of determining minor and 'other' applications showed the Council's performance was in the worst performing quartile. In 2003/04 it determined 47 per cent of minor applications in eight weeks against a national target of 65 per cent. For 'other' applications the Council determined 60 per cent in eight weeks against a national target of 80 per cent. Since 2002/03 performance had fallen for both types of application.
- 64** Compared to other councils, speed of determining major applications in 2004/05 was below average. The Council determined 52 per cent of all major applications in 13 weeks against a national target of 60 per cent. Again performance had fallen since 2002/03.
- 65** More recent unaudited data published by the ODPM indicates that speed of determining applications has improved. For the year ending September 2005, 63 per cent of major, 69 per cent of minor and 80 per cent other applications were determined within the national targets. For the quarter (June to September 2005) performance was 71, 79 and 86 per cent respectively. While this is commendable, the service acknowledges that it has focussed on improving speed to the detriment of other parts of the service, particularly customer focus which remains below an acceptable standard, and in some instances, such as pre-application negotiations, declined. Poor elements of the service - such as long delays in dealing with approval of conditions negates the benefits applicants gain from quicker decisions on applications.

- 66 The Council has had mixed success in terms of ensuring the effective use of land and reuse of previously developed (brownfield) sites. In line with the national requirements of achieving densities between 30-50 dwellings per hectare a number of recent developments are achieving higher densities - for example a development of 760 units in Bridgetown achieves a density of 40 dwellings per hectare. However, unaudited data provided by the service indicates the average density achieved over the preceding three years has been between 25 and 30 units per hectare although these results are skewed by some of these developments having been approved some years ago.
- 67 The Council has been less successful in using brownfield sites to provide new housing with only 40 per cent of new housing on such sites compared to a national target of 60 per cent. However, this lower figure can be partially explained by the high level of completions on previously committed greenfield sites. Housing sites identified in the new local plan are primarily on brownfield sites. Higher densities and use of brownfield sites is important to ensure greenfield (previously underdeveloped) sites is minimised to protect the character of the area.
- 68 Parking standards have been revised to reflect national policy to reduce the reliance on car transport. Minimum car parking requirements for new developments have been changed to maximum requirements to limit the amount of parking provided to encourage reduced car ownership and amount of land used to provide parking. Provision of cycle storage is now required. Examples of developments that meet these new requirements are that secure cycle storage has been provided at new offices in Timothy's Bridge Road and a pedestrian bridge will allow more direct access between housing and employment.
- 69 The replacement plan includes specific policies to address sustainability issues. Policy PR5 seeks to minimise depletion of finite and irreplaceable materials and PR6 encourages the use of renewable energy. To date there are few examples of outcomes but external agencies have welcomed the inclusion of such policies in the new plan.
- 70 There are a few examples of joint working with neighbouring councils. The SPG on lorries in the Evesham Vale was prepared jointly with Wychaven and Cotswold councils to provide guidance for developments in order to minimise the impact of lorry traffic in the Vale.

Is the service delivering value for money?

- 71 The planning service overall does not provide good value for money. Value for money is the efficient and economic use of resources to deliver effective services that deliver outcomes that address local and national priorities. In terms of cost per head of population, it is a relatively high cost service, though it compares better with others in terms of cost per application, giving variable levels of performance, poor customer focus and declining satisfaction.

- 72 The service has not undertaken any work to understand its current costs and how they compare with other councils. The service acknowledges that it is relatively high cost but it is not clear that it knows the real reasons for this.
- 73 It is not benchmarking itself against other councils. The most recent information the service has on costs is from 2003 and it has no information on comparative levels of the quality of service that it and other councils provide. As such the Council can not be sure that the additional cost of the service is adding value in those areas that contribute to the Councils aims and priorities.
- 74 While the service has recently started to visit other councils to date there is little evidence that it has learnt from the best performers and modified its own service so as to improve it.
- 75 The service has not sufficiently considered alternative service delivery models so as to ensure that it optimises and improves the service. There is little joint working with other councils. Without ongoing and robust examination of alternatives it can not be sure that the current delivery methods are the most effective, efficient and economic means to meet the needs of the community.
- 76 However, in areas where it cannot justify employing permanent officers, the service has effectively used consultants to provide specific expertise. For example, consultants were used to advise the Council and negotiate with a major house builder in order to successfully increase the S106 contribution for affordable housing. Consultants were also brought in following an examination of the enforcement function by the overview and scrutiny committee in order to reduce the backlog of cases.
- 77 Use of a S106 template for transport and public open space-related developer contributions enables more efficient production of the legal document and is an example of effective use of resources. However, such a practice does not appear to have been used for all other forms of S106s.
- 78 Unaudited data published by the ODPM shows that for the quarter ending September 2005 88 per cent of applications were delegated which is slightly less than that of many other councils. The effective use of delegated powers (ie decisions on applications made by officers rather than by councillors) ensures decisions are made quickly and efficiently, while allowing councillors to focus on those applications which are more complex or have greater local interest or potential impacts for the area.

What are the prospects for improvement to the service?

What is the service track record in delivering improvement?

- 79 The service can evidence a record of effectively implementing change that has led to some improvements in service delivery. This is fairly recent and cannot yet be described as a sustained long-term trend of effective improvement, there remain some areas that the Council acknowledge are still key areas for improvement. The recent improvements can be seen at three levels. For example, the service has responded to some external criticism. Following designation as a planning standards authority the service has improved the speed of determining planning applications. Unaudited data shows recent performance meets the national targets. The direction of travel of this key performance indicator is thus showing some important signs of improvement in an area of the service that users would notice. However, other planning performance indicators have not improved over the same period.
- 80 The second important area of improvement is that at a corporate level, the Council has begun to respond effectively to its CPA report from October 2004. A recent progress assessment confirmed that the Council is progressing well. It has made good progress on clarifying its direction in terms of vision and long-term ambition. This is important as it means the planning service is now operating in a clearer corporate context with stronger corporate leadership. The progress assessment confirmed that some of the improvements were at an early stage and that work to develop and implement a performance management culture is not complete. This can be seen in the next section of this report.
- 81 Thirdly, the service has responded to the findings of the Audit Commission's *Probity in Planning* report. This represents a major improvement on where the service was two years ago. The main areas of concern that were identified were: councillor behaviour in planning committees; public speaking; councillor decisions not based on planning grounds; lack of consistency between four areas committees; and councillor and officer relationships. The Council has put in place mandatory training for all councillors involved in making decisions on planning applications which has led to a better understanding of what is, and is not relevant when considering applications and improved the standard of debate and relationship between councillors and officers. The number of area committees has been reduced to two and the procedures for public speaking tightened up and implemented. However, the number of recommendations overturned by committee remains high (about 20 per cent) and appears to have increased recently.

- 82 The Council has also undertaken reviews of parts of the service and acted to improve it. Planning enforcement was the subject of a review by the Environmental Services Overview and Scrutiny Committee Working Group who considered that current targets were unrealistic and noted that they were not being achieved. As a consequence, the enforcement case priorities and targets were revised and the backlog reduced through the use of consultants. Work has also been undertaken in the last six months to re-engineer internal process and introduce a document management system but it is too early to see outward facing improvements to the service users receive.
- 83 As referred to in the first judgement above, the development control part of the service has focussed primarily on improving the speed of applications, and other parts of the service, particularly customer focus, remain poor. While the service recognises that customer focus is poor it has done less to improve it. The recent improvements in IT permit online access to documents, applications and allow the submission of comments on applications. However, this will not address issues around the lack of direct access to officers, the inability for many to have pre-application negotiations, lack of householder specific guidance or delays in dealing with approval of conditions all of which were raised as concerns at the recent agents forum. At present therefore, although the service can show that it has delivered recent improvements in key performance indicators related to the speed of determining applications, it has not delivered other significant improvements that would be experienced by users.
- 84 The Council has officers and members who show some awareness of value for money in day-to-day activities and decision-making. There is, however, little evidence of the service improving value for money over time to date. Value for money building blocks are in place and there have been recent improvements though not long-term sustained trends in improved efficiency. The service has not undertaken any work to understand its current costs and how they compare with other councils. The service acknowledges that it is relatively high cost but it is not clear that it knows the real reasons for this.

How well does the service manage performance?

- 85 The service does not at present have aims and priorities for the future that are clear, challenging and robust. This is a key gap at present as there is no clearly expressed vision for the planning service. The 2006/7 plan improves on this position - but this is only a draft document.

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- 86** Leadership is improving both at a corporate and service level, but as yet at a service level this is not harnessed to a robust vision and plan. As noted by the CPA Progress Assessment, the Council has targeted work to improve under-performance in priority areas that is beginning to have a positive impact. The Council has made some progress in these priority areas. The Council now has a new portfolio for performance and change management. For the future customer satisfaction in planning is to become a high profile, improvement plan priority, this should lead to increased focus on the current key weakness of the service. At service level there are signs that managerial leadership is improving, there is clear leadership from the new head of service and the Council has taken steps to improve direction, particularly in terms of customer focus at a strategic level.
- 87** The service has no comprehensive supporting improvement plan. Service planning is at an early stage, future aims are not clear and future plans are not yet co-ordinated, robust and deliverable. The 2005/6 service plan is not outward and outcome focussed. It is primarily process focussed, for example speed of responding to enquiries or complaints, rather than seeking to deliver outcomes on the ground that the public would recognise. Local performance indicators clearly linked to corporate priorities are not being used. On the positive side, most but not all actions in the plans are resourced and the plans include tasks for the short to medium term.
- 88** Improvements in performance management are not yet complete or embedded. The progress assessment confirmed that some of the improvements were at an early stage and that work to develop and implement a performance management culture is not complete. There has been an improved focus on using the results of performance monitoring to improve service performance in priority areas and this has led to some improvements that local people will be able to recognise. Work to improve target setting is ongoing corporately but this has not been in evidence at service level where not all targets are yet outcome-focused. The Council recognises the scrutiny role of councillors is improving but is not yet effective. The role and effectiveness of the Overview and Scrutiny Committees has been reviewed, with changes in operation commencing 24 January 2006 - it is too early to see any impact from this.
- 89** Effective performance management arrangements are not thus yet in place to drive and monitor progress, and review impact. Despite this, progress is evident in that the Council has identified 20 key priority indicators in 2004/05 which are reported against. There has been an improved focus on using the results of performance monitoring to improve service performance in priority areas. Monitoring reports are submitted to each committee but the overall focus is on process not outcomes. Portfolio Holders, Shadows and officers meet monthly to consider performance and budget monitoring reports relating to the service and discuss any necessary corrective action. Within the service the service plan identifies how the service will contribute to the corporate objectives but this is largely descriptive - such as adopting advice notes or implementing training without any clear identification of public facing outcomes and means to ensure that they are delivered.

- 90** Other weaknesses in performance management include;
- some incorrect data returns – leading to repayment of part of PDG awarded in 2004/05;
 - the online performance management system not yet live, the Council is about to implement an electronic, real time corporate performance management system; and
 - incomprehensive coverage in the service of targets being set at an individual level to link to those set for the service. The improved service planning process will include personal development statements for individual staff to identify their contribution to the achievement of the service and the Council's Corporate Strategy.
- 91** As we acknowledge in the previous section of this report, the service is addressing important service weaknesses around speed of processing and probity. However, though seeming to be looking to improve the right things, this loop has not yet been closed, in that it is unclear due to the lack of user input in shaping the service whether these are the things that matter most to users and communities.
- 92** There is some recent evidence of the service trying to learn from others including high performing councils. It is clear also that the service understands its strengths and weaknesses in the context of the challenges it faces. There are elements of self-awareness and the service can be self-critical for instance in its response to the probity in planning issues. However, this is not all positive, as we've seen some of the concentration on improving speed of dealing with applications has been at the detriment of an accessible customer-focused service. While the service has recently started to visit other councils, to date there is little evidence that it has learnt from the best performers and modified its own service so as to improve it.
- 93** The service does not yet have clear and robust proposals for meeting efficiency targets and improving value for money. The Council's approaches to prioritising its resources and managing its performance are improving, however, a value for money culture is not strongly embedded. The service budget is monitored monthly to ensure that value for money is being achieved and to identify savings. There is sound, basic information on costs but benchmarking is not well developed. There has been a shift towards the efficiency/value for money agenda, but this is recent.
- 94** Procurement is a developing area and the Council and the service have yet to ensure that procurement makes an effective contribution to value for money. The Council is engaged in the shared services agenda but this is at a very early stage. There are examples of better financial planning, particularly corporately, but service and improvement planning is less effective. The service is relatively weak at evaluating success of the various initiatives it has undertaken, including for instance the response to the probity in planning report.

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- 95** There is strong evidence of the links between the corporate strategy and the medium-term financial strategy, with annual budgets completing the chain. This provides the framework for future improved effective performance management arrangements to drive and deliver improved value for money. Corporately, budget monitoring arrangements are robust, with an appropriate emphasis on high risk volatile budgets.

Does the service have the capacity to improve?

- 96** The service has improved its capacity in a number of areas - for example, ICT improvements and increased staffing. However, it remains unclear as to the adequacy of the service's arrangements or whether capacity is at the right level to meet the improvement agenda they have set out and the recommendations in this report endorse. Answering the question is hampered by the lack of clear vision and robust plan for the service – see above.
- 97** New working arrangements around performance management and service planning are at an early stage and are not robust as confirmed by the CPA progress assessment. The lack of a clear aims and priorities for the future means the service cannot confirm its future plans are deliverable. There is no robust supporting improvement plan for the planning service.
- 98** Despite this it is clear that the service has improved its capacity in a number of ways. The Council has committed long-term resources to increase the establishment of the Development Control team, through the creation of new permanent posts which will provide additional capacity for both continuing performance improvement and improved customer care. Resources have been committed to improvement in the planning service such as planning delivery grant and e.planning
- 99** The planning delivery grant has been used to improve the capacity of the service. The 2005/06 grant has been used to improve IT, commission consultants to prepare a good practice guide, employ an additional four planners and create a new post of urban design officer. The additional posts have been made part of the permanent staffing establishment and are therefore not dependant on future planning delivery grant allocations.
- 100** In terms of having appropriate skills to deliver improvement, councillors and staff have access to training and development to help boost knowledge and skills. The Council has put in place mandatory training. Councillors are required to attend a minimum amount of training before they are entitled to sit on a planning committee. This has included planning induction and enforcement but there is no ongoing, regular training of councillors on specific topics (such as material considerations), interpretation of policy to ensure consistency or on new national policy. Officers attend internal or externally provided training courses.

- 101** In addition, new arrangements are in place to set out councillors and officers roles and responsibilities. Senior management protocols and competencies have been developed and as a result the Council has councillors and/or board members and officers who are much clearer about their strategic and operational roles, responsibilities and accountabilities. The impact of the recent re-structuring seems positive, for instance this is aiding the service in starting to focus on customer focus. Although member development is improving and there has been a good impact in those members involved in 'planning', backbenchers have not yet been trained in planning issues and can still speak and influence at committee as ward members.
- 102** The service has made progress in the improved use of ICT and has plans for E gov. Since December 2005 applications, their plans and associated documents have been able to be viewed on the Council's website. It has improved access for parishes in plans, but not yet as effectively as it could to deliver service objectives and improvements, or to achieve efficiencies in operations.
- 103** There is little evidence of effective human resource planning. The Council has an HR strategy and has produced a draft workforce development plan, which includes a three to five year action plan. A range of HR procedures and corporate training support the service. The service has not yet carried out an analysis of what skills the service needs and what are available to ensure the appropriate skills needs are met. This is made more complex by the fact the service does not have a clear vision or outcomes identified that it is seeking to deliver. But there is evidence of positive change, morale and enthusiasm are good; and recruitment and retention are not a problem. The service has well regarded officers whose skills are supplemented by the use of consultants and the upcoming appointment of an urban designer. Alongside improvements to strategic and service management these are moves which will help them deliver the tough improvement agenda this report advocates
- 104** The Council has a robust Medium-Term Financial Strategy and a modern Procurement Strategy, which aims to support the Council's vision and strategy and provide savings and better value for money. But it needs to develop and embed approaches to benchmarking, including robust information on unit and comparative costs and link this to the analysis of performance.