



Planning Improvement Peer Challenge – Follow Up Review

Wirral Metropolitan Borough Council

July 27, 28 and July 30 2020



1.0 Executive Summary

1.1 This report summarises the findings of a planning improvement peer challenge follow up review, organised by the Local Government Association (LGA) with the Planning Advisory Service (PAS) and carried out by its trained peers. The aim of the peer challenge follow up review was to review the Council's progress on implementing the 14 recommendations contained within the July 2019 peer challenge of its Planning Service. All the peers involved in this follow up report were part of the original peer team in July 2019 which has aided the consistency and quality of the assessment.

1.2 Due to the ongoing limitations to normal working practices and the need for social distancing as a result of the continuing Covid 19 world pandemic, the Council agreed with the peer team that the review would be undertaken virtually. Therefore, our report and findings reflect a set of specific circumstances that have prevailed since the coronavirus crisis and the report should be viewed within this context. The peer review was undertaken before the Government's release of the White Paper 'Planning For The Future' in August 2020. The peer team have not therefore considered the potential implications of the consultation White Paper for local plan development at Wirral. Doubtless senior managers in the planning service will raise this in its ongoing discussions on progress on Wirral's Local Plan with officers at the Ministry for Housing, Communities and Local Government (MHCLG).

1.3 The need for the Council to manage the huge organisational and on-going impacts arising from the Covid 19 pandemic coupled with the Council decision to move to a Committee governance structure (delayed from May 2020 to September 2020) have inevitably taken senior management and member capacity away from corporate and service improvement. Examples include the work of some staff in the Regeneration and Place Directorate prioritising business resilience grants rather than regeneration projects while at a corporate level, cabinet meetings were suspended between April and late July 2020. However, despite the pressures the Council recognises the continuing need for external review and as such commissioned this follow up review.

1.4 The peer team found enhanced political commitment to reimagining Wirral through the vision and strategy set out in Local Plan. There has been a tangible shift in political coherence and commitment to driving forward a new and exciting vision for Wirral which has great potential to deliver a vibrant new future for the Borough

1.5 Encouragingly the team witnessed a demonstrable change in behaviours, characteristics and some processes to move away from the problems that have historically beset Wirral and were evident and reported on during the original review in June 2019. This change is exemplified by far greater political co-operation and coherence around a 'brownfield first' regeneration focus in the Local Plan backed by significantly enhanced master plans and greater appreciation of the 'blue banks' (river frontages) for the LeftBank renaissance.

1.6 The peer team has seen clear evidence of substantial progress on some, but not all, the 14 recommendations despite the wider organisational challenges the Council has had to contend with. The peer team recognise the deliberate choice the Council made to focus on the strategy, resourcing and process for completing the Local Plan deciding to focus on modernisation of the development management service later. The report particularly focuses on areas that require faster change.

1.7 While the Council met the deadline for its plan making Regulation 18 stage it has recently discussed with MHCLG that the next stage of Regulation 19 and submission to the Secretary of State for Housing, Communities and Local Government will be significantly delayed for some months in order to complete the work required. It is vital that the Council clearly communicates (and can support where necessary with evidence) the reasons for the delay and agrees a revised Local Development Scheme (LDS) with MHCLG as soon as possible. There is an absolute imperative for the Council to adopt a Local Plan as soon as possible and without it, further Government intervention remains a distinct possibility.

1.8 The Council has failed to make progress on tackling issues in the quality of support from Legal Services to the substantial and demanding regeneration and growth agenda in Wirral. In relation to Wirral's regeneration needs, investors and partners describe the position as getting worse not better. They say the attitude, tone and approach of the Council's Legal Service is combative and inefficient. The peer team consider this a key risk to delivering on the Borough's land use and regeneration issue and this needs immediate attention.

1.9 The new Strategic Applications Sub Committee has potential to focus on those significant major applications that will help deliver growth. However, the peer team found a degree of confusion among most senior officers and members about how the proposed Committee would operate and how the interrelationships between it and its parent Planning Committee would work. Related to improving efficiency is the need for the Council to ensuring that its Scheme of Delegation and pre application processes and member briefings are reviewed to support the anticipated substantial increase in large applications.

1.10 Wirral is clearly on the cusp of a transformational opportunity. It has shown political and professional leadership in the last year to make progress which has instilled partners with confidence. With the upcoming change of Leader, introduction of the new Committee system and in the challenges of the May 2021 election it will be vital for the whole Council, along with the support of its partners, to be resolute and unwavering in the furtherance of its ambitious but challenging land use strategy. The Council needs to now maintain its focus to get the Local Plan adopted and then proactively ensuring it delivers the commitments in the Local Plan.

2.0 Background and Scope of the Peer Challenge

2.1 This report summarises the findings of a planning improvement peer challenge, organised by the Local Government Association (LGA) in cooperation with the Planning Advisory Service (PAS) and carried out by its trained peers. Peer challenges are managed and delivered by the sector for the sector. They are improvement orientated and are tailored to meet the individual council's needs. They are designed to complement and add value to a council's performance and improvement. They help planning services review what they are trying to achieve; how they are going about it; what they are achieving; and what they need to improve.

2.2 The aim of the peer challenge was to review progress on the 14 recommendations arising from our July 2019 planning peer challenge review. Our review took the form of an analysis of the Council's Position Statement on its progress, review of supporting documents and structured interviews with political leaders, cabinet members, planning

committee members, senior managers and some external growth partners. Due to the continuing impacts as a result of Covid 19 - interviews were conducted online.

2.3 Peers were:

- Paul Barnard – Service Director, Strategic Planning & Infrastructure Plymouth City Council;
- Bryony Rudkin, Labour Group peer, Deputy Leader Ipswich Borough Council;
- Nicola Sworowski, Local Government Association/Planning Advisory Service; and
- Robert Hathaway - Peer Challenge Manager, LGA associate.

2.4 Where possible, PAS and the LGA support councils with the implementation of the recommendations as part of the council's improvement programme. A range of support is available from the LGA at <http://www.local.gov.uk>. It is recommended that Wirral Metropolitan Borough Council discuss ongoing PAS support with Martin Hutchings, Improvement Manager, Martin.Hutchings@local.gov.uk and corporate support with Claire Hogan, Principal Adviser, Claire.Hogan@local.gov.uk

2.5 As part of the peer challenge impact assessment and evaluation, PAS and the LGA will contact the council in 6-12 months to see how the recommendations are being implemented and the beneficial impact experienced.

2.6 The team appreciated the welcome and hospitality provided by Wirral Metropolitan Borough Council and partners and the openness of their discussions. The team would like to thank everybody they met during the process for their time and contribution.

3.0 Detailed Feedback

Recommendation 1 *'Implement an integrated Place Directorate as a matter of urgency to drive delivery of the vision for Wirral set out in the Strategic Regeneration Framework and to drive emerging growth targets in the Local Plan. Take urgent steps to appoint a "Strategic Director of Place" position. Ensure that the Directorate possess the necessary skills, competence and confidence to deliver on the long-term vision in partnership with the private sector and other public sector agencies.'*

3.1 Significant progress has been made in creating an integrated Regeneration and Place Directorate to drive the exciting agenda for change set out in the Local Plan. The Council has successfully completed phase one of the restructure which was to bring the existing place - shaping functions into a single Directorate. The new Directorate benefits from focused and respected leadership at Director level with good support from the Chief Executive and Cabinet.

3.2 Delays caused by the Covid 19 pandemic have led to an interruption in recruitment to the vital roles of Chief Planner and Assistant Director for Asset Management and Investment. The Directorate recognises the need to put renewed impetus into completing

Phase 2 of the restructure to ensure the significant benefit of the organisational changes are not lost; not least so that the initial improvements in culture, approach and improved reputation are maintained.

3.3 The Council aim to appoint to these positions in August 2020. These positions will provide vital support to the Director and Council and create added capacity in relation to the Local Plan and modernisation of the Development Management Service and to help drive infrastructure, assets and investment on the ground. The peer team were encouraged to hear the strength of applicants for the new Chief Planner role, and it is vital that this appointment is made soon so the Directorate can continue on its modernisation journey.

3.4 There is need to think carefully and well in advance of the adoption of the Local Plan, about the delivery skills required given the scale and ambition set out in the Local Plan for Wirral. As the Local Plan is adopted, and the regeneration strategies and delivery plans finalised, the Council needs to ensure it has the right skills and capacity to deliver the significant and complex scale of regeneration that is planned.

Recommendation 2 *'Urgently adopt a Local Plan, with a clear spatial vision and continue to ensure sufficient resources are allocated to taking it through to adoption and develop stronger internal processes to secure deeper cross-party ownership to the commitments it contains on housing, employment and infrastructure. The political leadership should ensure they create a conducive political environment necessary to ensure the Local Plan is agreed and delivered by Council.'*

3.5 The Council can evidence progress on its Local Plan with the completion of Regulation 18 stage which started in January 2020 based on the agreed Local Delivery Scheme published in October 2019. Given our previous findings on a lack of long-term political coherence around growth and the green belt, it was very encouraging to learn that the 'brownfield first' land use strategy embedded in the emerging Local Plan secured unanimous Full Council support.

3.6 Indeed, the peer team were very impressed by the very strong evidence of a collaborative, open, transparent and proactive approach to cross-party political engagement on the Local Plan by the Cabinet Member for the Local Plan. It is vital that this stronger collaborative approach continues at pace.

3.7 The Council have significantly increased resources for the production of the Local Plan both internally and through the use of consultants. Internally the team is at capacity with good managerial and technical support and the setting of the Local Plan as a key corporate priority has helped increase funding and ensured helpful scrutiny of progress. Consultancy support has focused on ensuring the preparation of an extensive suite of evidence studies to undergird the emerging land use designations and the 'brownfield first' strategy. Key documents that will support the necessary delivery of major regeneration in the form of housing, employment, leisure, public realm and transport corridors being prepared which will support policies in the Local Plan and the supplementary documents such as the Birkenhead Regeneration Framework (BRF) and associated Delivery Action Plans.

3.8 However, despite this generally good progress on the Local Plan, the risk of intervention by the Secretary of State for Housing, Communities and Local Government remains, and will presumably until the Local Plan is at least submitted for examination. The biggest risk at play in terms of further intervention by the Secretary of State is the delayed Local Plan delivery timetable. The Council is predicting a significant delay of some months as a result of a number of factors. These include delays to the completion of evidence based studies due to shielding issues with consultants as a consequence of Covid 19, need to complete further studies and masterplans such as BRF and employment land in pursuit of the 'brownfield first' strategy and length of time taken to deal with the 24000 responses to the Regulation 18 consultation stage. We explored with the Council opportunities for shortening this period to make more rapid progress on adopting the Local Plan and this is currently under discussion with MHCLG. With such a potential delay the risk of further intervention is still very real and whatever timetable is eventually agreed with MHCLG it must be achievable without the need for further changes.

3.9 Local Plan delivery is managed by an experienced programme manager reporting to a programme board. The programme manager receives good support from Directors, the Chief Executive and supporting officers. Given the large number of internal staff, interim and project staff plus consultants involved in the production of the Local Plan, it is important to ensure that a designated 'lead officer' is appointed for the submission and Public Examination stages. There is a danger that some parts of the work could get siloed without an overall coordinator who also has the ability and authority to orchestrate things and make decisions when needed.

3.10 The Council will need a lead witness for the Public Examination who is able to call on others when needed. All internal witnesses need to be trained and fully aware of their role and be totally confident of the Plan led strategy and believe in its deliverability. The Council will also rely on external witnesses and partnerships should be established as early as possible. This is vital in order that clear defensive and offensive strategies with undergirding strong evidence bases are marshalled and rehearsed before the Public Examination. This is especially the case as the Council is already aware that the 'brownfield first' strategy will come under sustained attack from landowners/developers/investors who own land or who have options in the greenbelt.

Recommendation 3 *'Develop a stronger corporate narrative around the necessity of growth for Wirral and the benefits this will bring to local communities and the pivotal role of the Local Plan in shaping this, supported by a resourced and shared Communications Strategy.'*

3.11 The Council can evidence clear progress in developing a 'brownfield first' growth narrative for Wirral. The Council has come a long way in the last 12 months and is to be commended not only for all the work it has done to get the Local Plan to Regulation 18 stage but also in developing a clear wider narrative around growth and working hard to ensure this is widely communicated and understood. Importantly we found far greater cross-party support for growth to be delivered through the social and economic regeneration of Birkenhead as strategic spatial priority. It is clear that an extensive regeneration masterplan framework approach for the various sites that make up the

LeftBank of the Mersey has helped to generate greater purpose, commitment and buy in from members, local communities and partners.

3.12 The Cabinet Member for the Local Plan has shown excellent leadership and commitment by developing cross-party buy-in to the development of the Local Plan. This leadership and continuity need to be maintained all the way through to Local Plan adoption and thereafter onto delivery, as well as managing any messaging required about potential delays to the plan production timetable.

3.13 Funding and implementation partners stand ready to work in partnership with the Council in developing the narrative to reimagine Wirral as a nationally significant opportunity for investment. It is important for the Council to realise that partners stand ready to work with it to support the defence of the Local Plan strategy at the Public Examination but also in relation to future funding bids and promoting the exciting place-making agenda it is now pursuing.

3.14 Additional communications capacity has been deployed on the Local Plan Communications Strategy including supporting regeneration workstreams. This needs to continue all the way through to Local Plan adoption and into site delivery. The large community and professional response to the Regulation 18 consultation is at least in part an indicator of the successful stakeholder engagement on the Local Plan.

Recommendation 4 *‘Investigate the use of independent facilitation of the Leader’s Local Plan Working Group and wider membership of the Council, to foster ownership and collaboration in order to broaden support and ownership of the Local Plan. The alternative is to accept democratic planning powers may be removed from Wirral Council by the Secretary of State for Housing, Communities and Local Government.’*

3.15 This recommendation from our June 2019 report grew out of the peer team’s concern about a lack of political coherence and indeed mistrust between political leaders within the Working Group. However, there has been a significant turnaround and the Working Group decided that independent facilitation was not required given the collaborative working style and commitment demonstrated by the Chair (the Cabinet Member for the Local Plan). Indeed, the Working Group appears to have been a vital ‘forum’ in building political confidence across the Council for its Local Plan strategy.

3.16 The peer team found that the Chair is well regarded and has the trust of members across the Council. One member of the Working Group took the opportunity to comment on the Chair’s “excellent leadership and collaborative style”. We were told that the Working Group is effective and collaborative and is well respected inside and out. As a result of this success there is greater understanding of the plan among all members due to the work of the Working Group and Chair’s co-operative approach.

3.17 Again, there is a need to ‘keep on – keeping on’ – keeping up momentum especially as the Local Plan passes through the May 2021 election period, Regulation 19 and onto submission and the Public Examination.

Recommendation 5 *‘Urgently develop a housing supply position through a housing trajectory and produce a HDT action plan (by Aug 2019). This must be embedded in the*

Local Plan to provide further certainty and should be a Key Performance Indicator (KPI) monitored by the Senior Leadership Team and Cabinet.'

3.18 The Council produced a Housing Delivery Test (HDT) action plan for August 2019 thereby meeting the milestone introduced by MHCLG for those councils whose housing delivery was below target. This involved the establishment of a cross service working group to review the housing trajectory, updating all relevant planning applications, empty property projections and Strategic Housing Land Availability Assessment (SHLAA) challenge. A further action plan is to be produced for a deadline in August 2020 as the HDT results have only improved slightly. We found some confusion among senior officers as to who was preparing the HDT Action Plan and although there is a named officer who is very clear of the responsibility, wider ownership of the issue and clarity of approach would be beneficial.

3.19 The Directorate has already undertaken work and is continuing on fully understanding the housing supply from the 'brownfield first' strategy being pursued. The Council recognises that significant challenges remain in order to demonstrate a robust housing land supply position to the Planning Inspector. Challenges include understanding how the 'brownfield first' strategy will play out in terms of being delivered. Furthermore, empty homes are being used in the supply figure which will need some serious evidencing (an empty home being brought back into use would not ordinarily be considered as a new dwelling).

3.20 No KPI for the HDT exists but a 'placeholder' has been made at a corporate level while more work is undertaken on understanding the issues involved. In autumn 2019 the Council put down a marker in corporate reporting for the housing trajectory to reflect the updated SHLAA but the reality is that the Council has been constantly updating the SHLAA with brownfield sites arising from the regeneration strategy which has been constantly changing. However, we were assured that the housing trajectory is a key driver in the Council's land use strategy and once the Directorate integrates the BRF consultation outputs into the SHLAA during August 2020, the Council will have confidence in putting in a corporate KPI into the public domain via a corporate KPI.

Recommendation 6 *'Explore the benefits for creating a dedicated Housing Delivery Team, integrated within the planning function, to proactively drive forward delivery of the Local Plan housing sites.'*

3.21 The recommendation has been addressed through the first phase of the Regeneration and Place Directorate restructure. In designing the structure of the Directorate, the Council decided not to establish a dedicated HDT as many of the brownfield projects are mixed use schemes. The peer team understand the Council's reasoning that extracting housing delivery as a separate regeneration programme had the potential to risk some disjointed delivery.

3.22 In order to proactively drive forward the delivery of the 'brownfield first' strategy there needs to be management arrangements in place to ensure a multi-disciplinary "one-team" approach to ensure the desired outcomes are achieved on the ground. This will be required to have a successful Local Plan as the 'brownfield first' strategy while it is to be

commended isn't an easy strategy to firstly argue through the Public Examination and then even more difficult to deliver that plan on the ground.

3.23 The Council recognises the challenge that the strategy poses and have already appointed external specialists to bring forward key housing sites including Hind Street. It will require some new skills in issues of contract administration, project management, viability and high functioning problem solving skills. These will be found either through staff acquiring these skills and competencies or these being brought in. Only through accelerating the delivery on the ground will the 'brownfield first' strategy establish confidence for both the Local Plan Inspector and ultimately lead to a successful Local Plan.

Recommendation 7 *'Finalise at pace, arrangements for a new 'Strategic' Planning Committee to provide the clarity needed to focus on delivering major projects that will support delivery of the growth ambitions in the Local Plan to help meet the Housing Delivery Test and provide sufficient homes to meet local needs.'*

3.24 This recommendation has yet to be implemented due to the need to await the new corporate governance arrangements delayed by Covid-19 crisis. Terms of reference and relationships between the new Planning Committee and the Strategic Applications Sub-Committee have been set and an implementation date of September 2020 is anticipated.

3.25 However, the peer team found confusion among most senior officers and members about how the proposed new Committees would operate and how the interrelationships between them would work. For example, the existing Chair of the Planning Committee was unclear about the arrangements for the new Strategic Applications Sub-Committee.

3.26 In the short time available before the start of the new committees, there needs to be greater ownership and understanding of the decision-making processes by members/officers if high quality and efficient decision making is to result. The Council's next steps in implementing this recommendation include a good focus on member training and this is vital and needs to be appropriately resourced to ensure this fits with member learning styles and capacity, especially given the restrictions imposed by the Covid 19 pandemic that makes face to face group events more difficult.

3.27 The proposed smaller number of members on the Strategic Applications Sub-Committee (six – nine) offers opportunities for high quality and efficient decision making by a highly trained, more tightly focused group of members on the most major and controversial decisions in the Wirral. It also supports the Terms of Reference in reducing the potential for parochial or local ward level issues to come in front of the Strategic Applications Sub Committee which needs to retain a strategic focus.

3.28 In order to meet the aspirations discussed in our previous report for high quality and efficient decision making in a growth environment, it is vital that the Council understand that committee decision making is part of what needs to be part of a continuum rather than just a high-profile singular event. Therefore, this recommendation links with other important matters such as pre application processes, scheme of delegation and post planning approval processes such as reserved matters and discharge of conditions. An early start has been made on pulling these threads together through the 'Modernising the

Planning Service' theme but we consider that more collaboration and joining up between senior officers and members needs to occur on this matter.

3.29 The peer team discussed with senior officers and members their aspirations for the new governance decision making by Committee and suggested that any timetable in the coming years factored in a review. This would be important both for progression of the stages of the Local Plan plus reviewing the success of the planning decision making committees.

Recommendation 8 *'Explore ways to establish opportunities for informal (non-decision making) pre planning briefing for members of the planning committee and ward councillors.'*

3.30 The Council has yet to introduce a member engagement protocol linked to a revised pre application process but a start has been made as part of looking at the Strategic Applications Sub Committee. A 'Member Protocol for Pre-Application and Application Engagement' exists in draft but has yet to be formally adopted and rolled out. Built on principles established by the Planning Advisory Service the protocol offers clear potential to support earlier more meaningful engagement by members in the planning process.

3.31 The peer team found that members understand the potential benefits of early engagement and recognise that a stronger pre-application process at Wirral has potential to support enhanced community leadership opportunities at an earlier stage and will also help developers de-risk projects. This was accompanied by a clear appetite among members across the council to be engaged with developers as long as risks in terms of probity were appropriately managed and engagement properly facilitated.

3.32 However at least some members indicated that they needed more confidence and training and they also stated that they thought there was a nervousness among some officers in engaging with them and developers at an early stage in the planning process. The Council recognise the value of training and asked for pointers to good examples and we shared the name of a Greater Manchester authority with the Council where there were opportunities for some learning. In order to support members, the Council is actively examining training opportunities on the introduction of member pre application and application briefings including a focus on probity and the role of the member in the briefings.

3.33 In relation to cross party briefings on planning matters, members advised that the Covid 19 crisis had brought an improved culture of joint working in terms of pre-Planning Committee briefings, albeit on significantly reduced number of applications coming in front of the virtual Committee. It was good to hear members recognising the need to build on emerging stronger picture of cross-party collaboration via continued pre committee briefings under the new committee system and we strongly support this.

Recommendation 9 *'Review the Scheme of Delegation, in line with the wider review of governance underway, in order to ensure this supports efficient and effective decision-making and the growth ambitions of Wirral.'*

3.34 Concerns remain that growth-related decisions could be unduly delayed as there has been no thorough review of opportunities to ensure that the optimum level of delegated

decisions is in operation. We made this recommendation a year ago as we were not convinced that the decision-making arrangements that existed then were conducive to the necessary efficient and effective decision-making required to deliver the Council's own stated political priorities for growth in the borough.

3.35 As mentioned earlier in this report, this recommendation aligns with others and needs to be part of the big picture of modernising officer reporting and officer/member decision making via a robust scheme of delegation where planning decisions only go to the relevant committees by reason of controversy or scale.

3.36 Opportunities therefore remain to further modernise the Scheme of Delegation to reflect the pipeline of applications that will be coming forward as part of the substantial growth agenda. While the move towards the new committee form of governance has inevitably been the Council's focus over the last year, we are concerned that growth-related decisions might be delayed. We advise the Council to continue to monitor this as a priority as the new form of governance is introduced.

3.37 Given the positive way in which trust has been built between members and officers through the temporary delegated powers given to the Strategic Director during the Covid 19 crisis, there is still an opportunity to review this again to ensure growth-related decision-making is efficient and effective. We heard about the greater levels of trust that had built up between the Strategic Director and members arising from the temporary delegated powers afforded to him arising from the impact of the lockdown in line with the practice of other councils. This model of greater delegation in planning decision making in consultation with the Chairs of the Planning Committee and Strategic Applications Sub Committee offers a building block for the Council to consider as part of further reviews of the Scheme of Delegation.

Recommendation 10 *'Ensure appropriate governance arrangements take a risk aware approach in relation to legal and procurement processes to ensure the delivery of future growth projects.'*

3.38 While noting that the Council's governance focus will have been on the creation of the new committee system, nevertheless there has been no clear demonstration of progress in relation to this recommendation.

3.39 We reported last year that we had received strong messages from partners in relation to their concerns about the role of the Council's legal services in facilitating land and development agreements and delivering planning decisions. The peer team have to report that serious concerns remain in relation to how the Legal Department continues to support the Wirral growth agenda and the Regeneration and Place Directorate. From what we were told, internally but also especially by external partners, there appears to be a lack of support from Legal Services which has the potential to de-rail the growth agenda. For example, investors and partners remain very concerned how the Legal Department interfaces with them and the time taken to deal with issues.

3.40 Worryingly, in relation to Wirral's regeneration needs, investors and partners describe the position as getting worse not better. They say the attitude, tone and approach is combative and inefficient. While in general partners reported an improving change in corporate culture and approach and in the Council's reputation, this issue is impacting

negatively in relation to confidence. We recognise that there have been moves to outsource legal work on some regeneration schemes to external commercial lawyers. However, such work still has to be commissioned and coordinated through the Legal Department.

3.41 This is one of the **key risks** to the Council achieving its ambitions moving forward and requires the direct attention of the Chief Executive to resolve if it is not to have a major impact on the Council's ability to secure the necessary funding. The peer team therefore repeat what we said before that we have serious concerns as to how this could impact on your growth agenda and the delivery of major regeneration schemes.

Recommendation 11 *'Ensure high level representation and clarity of any financial 'ask' to the CA, Local Enterprise Partnership (LEP) and partners such as Homes England, including building strategic alliances with partners.'*

3.42 The Council can evidence a clear gear change in strategic engagement with the Liverpool City Region Combined Authority (LCRCA) and Homes England both of whom were very complimentary about Wirral's ambitions, commitment and approach.

3.43 Partners spoke warmly about the increased visibility and direction of the Leader, Chief Executive and Director of Regeneration and Place in providing increased confidence for them to invest time and energy in a competitive commercial environment. The Council has been instrumental in establishing the LeftBank Steering Group with LCRCA and Homes England to design the programme to deliver the BRF (a major plank in the LeftBank vision). This is an important forum to access appropriate resource and funding to bring forward Wirral's key housing sites. Indeed, one of the priorities of the Steering Group is to develop financial packages for the Delivery Action Plans to deliver Wirral's regeneration programme. LCRCA have selected the Hind Street site (an important area for growth and renewal that has the potential to be a bell weather site for change in the wider Birkenhead community) as the regional candidate to put forward for the national Brownfield Housing Fund competition

3.44 Improved joint working with, and commitment from, the LCRCA has also led to ongoing discussions about a potential Mayoral Development Zone for the LeftBank and endorsement of the programme via LCRCA Chief Executive's and Leaders Group. With the anticipated change in Council Leader in September 2020, on the retirement of the existing Leader, it will be important to ensure continuity in commitment at the most senior political and executive level to the LCRCA and organisations like the Local Enterprise Partnership.

3.45 Developer and investor partners such as Peel Land and Property and Muse also commented positively on improved strategic engagement with more opportunities for having a 'single conversation' although they felt that capacity and speed of decision making still needed to be improved. We still see opportunities to further enhance strategic relationship management below the Director level with external developers/investors including the Councils' own Growth Company through perhaps a strengthened 'account manager' approach.

Recommendation 12 *‘Review ways to re-establish commitment for the need of design excellence in new public and private schemes including use of Design Reviews and ensuring that the Council has urban design and conservation skills and capacity to support Planning Committee decision making.’*

3.46 The peer team were encouraged to note a positive sea change in the Council’s strategic approach to design excellence. This has swept and enthused members to champion the benefits of public realm, green spaces, transport corridors and high-quality building design. We noted this change among both members and officers who spoke with a clear sense of excitement and vision over the prospects of high-quality development. This contrasts with their previous views last year when it appeared that members felt that unwelcome and poor-quality development was going to be imposed on local communities.

3.47 The Council has promoted this success by working with its partners to set and insist upon design excellence in all of its master planning and design brief work. For example, design excellence is set as a key requirement of the BRF including 3D digital modelling which helps to better communicate its design approach in a more user-friendly way. This is also to be rolled out in development management decision making and will be a local requirement to meet validation standards.

3.48 The Council and its advisers are also looking to the best examples of regeneration in the UK and abroad and this ‘raising of the bar’ in design terms is having a positive impact on aspirations knowing members and the public to be clearer on what is achievable. Integral to this success in attitudinal changes has been a stronger focus on engagement and consultation with members, local groups, colleges and special interest groups and this has been supported through the Regulation 18 Local Plan consultation.

3.49 The Council has started to use Places Matter - Design Review Panels (DRP) for its large scale BRF and its supporting Development Action Plans. This is already having a positive impact in an independent review of the opportunities for public gain with the BRF proposals being amended as a result of the need for the regeneration scheme to be more strongly linked to the Mersey Waterfront and better use made of valuable green space and pocket parks and walking and cycling opportunities.

3.50 The Directorate recognises that it needs to increase its internal expertise and capacity in urban design both for large scale projects and for conservation heritage. The peer team strongly support this need for recruiting an urban design specialist in the Regeneration and Place Directorate. Also, further detailed training still needs to be provided for officers and members on design issues. The Council recognises the need for enhanced internal expertise and training in design competency across officers and members

Recommendation 13 *‘Modernise the planning function to meet challenges of customer focus, faster pace, IT, agile working, and speed of decisions such as ‘discharge of conditions’ and ‘reserved matters’ applications post planning.’*

3.51 The peer team were encouraged to find a far clearer focus on the need for modernisation of the Planning Service with an improving focus in particular on improving development management. Through the engagement of a specialist contractor experienced in supporting Planning Service improvement there has been early

groundwork in terms of a rigorous self-assessment of improvement needs with good engagement of staff. This fresh approach is starting to get even some very basic standard management processes in place such as holding DM team meetings and asking staff/customers their views on improvement needs.

3.52 This work has led to the setting up of five Service Improvement Groups namely technical, customer service, process, people and promotional issues. Some early improvements include a recognition of the under capacity at principal officer level and the need to ensure decision making on some applications at a more appropriate level to free up time to manage/support, mapping of application processes and customer surveys. The groups have also helped with introducing systems/process changes to address home working as part of the Council's response to the Covid 19 pandemic.

3.53 These groups offer clear potential for change and were it not for the Covid 19 crisis it is likely more widespread change would have occurred by now. The peer team consider that the Service Improvement Groups focus on producing stronger SMART plans under the umbrella of a Planning Service or Development Management Service Improvement Plan to both bind the various improvement threads and to ensure greater internal management ownership and drive.

3.54 The Development Management Service recognises it has more work to do in terms of both understanding and meeting the needs of especially major developers and investors. The customer survey referred to above did not receive responses from the scale of developer/investor that will be necessary to deliver the major schemes. This links to our earlier comment about the need for stronger relationship management with the private sector and Growth Company and a greater focus on a development team approach to emerging planning applications.

3.55 Central to this is the need to significantly strengthen the Council's pre application process which remains a major weakness. We recognised earlier in this report the production of a 'Member Protocol for Pre-Application and Application Engagement' but staff findings on pre applications shows that there are significant improvements to be made. For example, staff consider that 'there is not an effective development team approach in place', 'response to developers is slow' and 'no systematic process for decision-makers to take account of pre-application discussions is in place'. Clearly a quality pre application service is a vital part of a modern customer focused Development Management Service that wants to say 'yes' to appropriate development, engages with members early and provides greater investment certainty for developers/investors. The Council also recognises there is more work to do in thinking though the fuller end to end processes including ensuring appropriately efficient mechanisms for dealing with 'discharge of conditions' and reserved matters'.

3.56 Members spoke enthusiastically about their role in undertaken detailed examination of existing supplementary planning guidance in areas such as houses in multiple occupation (HMOs), car parking and trees that they considered would be important when it came to deciding on applications in the future. They considered that the model of joint working across parties was beneficial and also gave them a stronger insight into the opportunities involved in working with policy.

3.57 We commented earlier on the need for the Council to fill the Chief Planner post as soon as is possible. Along with their external facing responsibilities there will be the vital

need for the postholder to be empowered and have the necessary management support to drive cultural and organisational change in relation to the planning functions.

3.58 In overall capacity terms the Directorate is seeking to overcome national shortages in planning officers through a stronger focus on graduate training schemes and therefore growing 'its own' future planners. Given the exciting and varied roles that could be offered to graduates, a scheme involving a period in a variety of disciplines such as development management, planning policy, regeneration and economic development has the potential to be a strong employment offer in the north west region. This can assist in ensuring capacity and succession planning for the longer term.

Recommendation 14 *'Embed a performance management culture within the planning function including lessons from benchmarking.'*

3.59 The Directorate displays an improving recognition of the need to use benchmarking data in its early stages of modernisation but this focus needs to be owned and shared across the whole development management team. Much of the evidence that undergirded the emerging improvement work is backed by a far greater focus on benchmarking than we saw last year including areas including matters such as officer caseloads, speed of decision making and approaches to pre application and charges to name but a few. A learning organisation looking outside itself to high performers is one of the hallmarks of an organisation that is hungry to improve and this gives the peer team much more assurance of the acceptance and potential for the need to improve.

3.60 Performance reporting is stronger both in terms of reporting to staff at monthly meetings, performance reported to the Departmental Leadership Team and planning performance indicators included in corporate performance reporting. A renewed focus on performance has supported significantly improved planning application performance against previous results. Planning decision making between March 2019 and March 2020 saw 89 per cent of 'major' applications determined in line with agreed timescales against a Government threshold of 60 percent. In 'minors' the figure was 87 per cent against a threshold of 65 per cent. While both these were significant improvements on previous years there is no room for complacency as these results remain the lowest in the Liverpool City Region

3.61 We commented last year on missed opportunities to use the corporate capacity of the Council's performance and intelligence capabilities. The peer team this year found better collaboration with the Council's Intelligence Service, especially over Regulation 18 consultations but the Development Management Service still needs to make more use of this corporate capacity and intelligence to modernise. Areas for particular attention that would benefit from additional support from the Council's Intelligence Service would include best practice in development team approaches and the use of account management approaches, best practice in pre applications and planning performance agreements and end to end efficiency processes including a focus on discharge of conditions and reserved matters.

4.0 Further Support

4.1 A range of support from the LGA and PAS is available at <http://www.local.gov.uk> and via the [PAS website https://www.local.gov.uk/pas](https://www.local.gov.uk/pas). Costs may vary.

4.2 PAS has a range of practical support available and please contact Martin Hutchings if support is required. Martin can be contacted at Martin.Hutchings@local.gov.uk.

4.3 The LGA has a range of practical support available. The range of tools and support available have been shaped by what councils have told us they need and would be most helpful to them. This includes support of a corporate nature such as political leadership programmes, peer challenge, LG Inform (our benchmarking service) and more tailored bespoke programmes.

4.4 Claire Hogan, Principal Adviser is the LGA's focal point for discussion about your improvement needs and ongoing support and can be contacted at Claire.Hogan@local.gov.uk

4.5 PAS and the LGA will follow up about the support that we can provide to the council to help address the recommendations highlighted in this report. The council may also benefit from a further 'light touch' visit in 6-12 months to review progress on how the recommendations are being implemented and the beneficial impact experienced.



Local Government Association 18 Smith Square, London SW1P 3HZ

Telephone 0207 664 3000 Fax 0207 664 3030

Email info@local.gov.uk

www.local.gov.uk