



Planning Peer Review

Thurrock Borough Council

30 October to 2 November 2023

Feedback Report 13 December 2023



Contents

1.0	Executive Summary	3
2.0	Key Recommendations	6
3.0	The Peer review approach.....	8
	The Peer review team.....	8
	The Planning Advisory Service (PAS)	8
	Scope of the review	8
	The peer review process.....	9
4.0	Context and background to the review.....	12
5.0	Detailed Feedback	14
5.1	Vision and Leadership.....	14
5.2	Performance and management.....	16
	Key performance measures.....	16
	Structure and capacity.....	17
	Enforcement	21
	Planning Committee	21
5.3	Community Engagement	23
5.4	Partnership Engagement	25
5.5	Achieving Outcomes.....	27
6.0	Implementation, next steps and further support	30
	Annex One	31

1.0 Executive Summary

- 1.1 This report presents the findings of a peer review of the planning service at Thurrock Council. The review was organised at the request of the Council by the Planning Advisory Service (PAS) and Local Government Association (LGA), it was undertaken on site between the 30th October and 2nd November 2023. Meetings with locally elected members and representatives from community forums were also held online later in November.
- 1.2 The peer review took place at an extremely challenging time for Thurrock Council, with commissioners appointed to oversee the Council just over 12 months ago, a Section 114 Notice issued and a Best Value Inspection (BVI) report detailing failures across the organisation. The planning peer review fully considered these factors and identified a number of important issues for the Council and its planning service to address as well as identifying strengths that need to be built on and real areas of opportunity.
- 1.3 Due to the situation in Thurrock, the Council does not currently have an up-to-date corporate vision or a set of well-defined corporate priorities. This, and a general lack of direction on some of the big issues facing Thurrock, such as the scale of economic growth and how to accommodate new homes, appears to be overshadowing many things that the planning service now needs to address. The Council and its key stakeholders are ambitious for growth, an aspiration articulated in most of the meetings and discussions held by the Peer Team. Despite this consensus, however, the ambition is not yet defined in a way that can usefully inform planning decisions on a day-to-day basis or unite the wider Council, local communities, and other stakeholders. Adopted in 2015, the Thurrock Core Strategy is not up to date and so fails to provide an effective policy framework to deliver Thurrock's strategic development requirements. A Local Plan review is still at the early stages of the plan-making process and has, so far, struggled to progress (note, the Local Plan Initial Proposals (Regulation 18) were approved for consultation by Thurrock Council shortly after the peer review on 6th December).
- 1.4 The absence of a clear corporate vision and up to date policy for the planning service, is affecting relationships within the service as well as between planning and other partners. Without clear strategic direction or priorities, or up to date policy, planners are delivering the day-to-day planning service based on their own sense of a professional planning code and their ethical framework. This frustrates senior managers and elected members who see planning as uncooperative or unable to work corporately on the significant challenges the Council need to address. An illustration of this can be found in some of the actions of the Planning Committee, overturning several officer recommendations seeking to refuse applications for development in Thurrock's extensive green belt. As one elected member on the Planning Committee stated – "the professional relationship is no longer there" and this needs to be addressed.
- 1.5 The planning service exhibits many of the issues identified across the wider Council in the BVI report. Planning officers feel that the service has lacked leadership and direction, that communication is poor and that there is limited understanding by senior managers of the day-to-day pressures facing staff. This is accepted and is being addressed by senior managers, who have a difficult task while the service relies on interim or temporary management arrangements. There is a tendency towards silo working amongst individual teams within the service, with officers finding it easier to "keep their heads down" and focus on immediate deadlines or individual responsibilities rather than engage with bigger challenges for which there is little direction, an example of what the BVI report refers to as "transactional activity at the expense of corporate endeavor". The planning

service needs to modernise its overall approach and procedures and move to a more positive and proactive culture.

- 1.6 These issues are not unique to the planning service; however the important role of planning and the work of planners exaggerates the effects of issues like silo working, the lack of an agreed vision, poor leadership and a resistance to address the big challenges facing the Borough. Planning cannot work effectively in isolation; it impacts most parts of the wider council. Similarly, planning needs to work to a long-term strategic vision and engage with the major issues and opportunities facing Thurrock so that it can set out an approach to addressing and delivering these in its local plan. Planning is also a very public process, engaging directly with external partners as well as a “shop window” for the Council in terms of publicly broadcast planning committee meetings. Often the issues with relationships and decision making highlighted above get played out in public, raising political sensitivities, and increasing the sense of urgency to find solutions.
- 1.7 Many of the issues facing the planning service have a long legacy and problems with management and leadership can be traced back a number of years. This is also the case for several operational issues including contracts or service level agreements on key pieces of work, an out-of-date service structure, and an inconsistent approach to individual performance and development plans for officers.
- 1.8 Despite these issues, there are significant things to commend the planning service for and some tremendous opportunities. Thurrock Council and the planning service has delivered impressive levels of growth over recent years, in terms of both job creation, economic development and the physical development of facilities like London Gateway port and logistics park. Numerous other schemes are currently seeking approval and will add to this impressive record. The service developed the largest Local Development Order in the country (at London Gateway) and is engaging with several Nationally Significant Infrastructure Projects, including one of the largest in the country at the Lower Thames Crossing.
- 1.9 For too often in the past, though, planning success has relied on the “heroic efforts” of individual planners and now the service needs to find ways of involving the whole team in delivering the big schemes of the future. There is real passion and professional competency amongst staff in all parts of the planning service. There is also significant developer interest and an appetite for further investment by developers in Thurrock which the service now needs to seize. The proposals for the Local Plan review were discussed at Full Council early in December and this represents a vital opportunity to build consensus (note, these proposals were approved at the Full Council meeting on 6th December). Everyone wants to see the local plan succeed. The policy agenda resonates with local communities, statutory consultees and other Council services who are all positive about the local plan, and the innovative approaches to engagement. Elected members should harness this positivity and lead the work on the Local Plan to develop a stronger sense of ownership as it takes shape.
- 1.10 Critically, developers and public sector partners recognise that change is starting to happen and wish to support and accelerate these efforts in very practical ways. The Freeport and Thames Estuary Growth Board, other public agencies, and developers may consider direct financial support to fund a new planning delivery team or co-locating experts from public agencies to work alongside the planning service on areas of common concern.

- 1.11 Thurrock Council and the planning service need to work together to seize these opportunities and develop the type of planning service that business and communities want and deserve. The development of a new vision for Thurrock and a corporate plan will be a critical step forward, alongside driving continued progress of the local plan – which is essential. Ideally, the vision and corporate plan would be in place for the Local Plan to take its lead from. However, the current situation is an opportunity for the planning service to use the Local Plan to help shape the new vision and set out what this means spatially in Thurrock. The Local Plan process needs stronger project management, a high-level cross party working group and better communications to ensure people have confidence in the work (note, the Council agreed to set up a cross party working group at its meeting on 6th December). Management arrangements need to be fit for purpose and the evidence proportionate to enable it to progress at speed.
- 1.12 Modernisation needs to start with the appointment of a permanent Chief Planning Officer, a vital role for the whole authority. This person will play a critical leadership role in delivering the detailed recommendations in the report including the creation of a development team approach to enhance the capacity for dealing with larger applications, a more robust approach to performance management, and some basic tools for individual planning officers such as an up-to-date Development Management Manual.
- 1.13 Such practical measures need to be underpinned by a change in organisational culture with clearer management leadership and a pro-active communications strategy explaining the role of planning and the Local Plan for Thurrock’s future, as well as a comprehensive training programme for both Planning Committee and back-bench members. The development of a clear vision and corporate priorities for the Council can act as a foundation for the re-instatement of personal appraisals and development plans for individual planning officers, helping to ensure that change is backed up by stronger management and support for individual officers.
- 1.14 The peer review team have set out some challenging issues and far-reaching recommendations for the planning service to address, with the support of the wider Council. They will require commitment and hard work at every level. That commitment, and a pledge to implement the recommendations of this report, has already been given unequivocally by both the Leader and the Managing Director Commissioner. Planning is the key to delivering the growth agenda for Thurrock, however this agenda is defined. Economic growth and housing delivery will help to provide the basis for a much more sustainable future that brings benefits to local people and, crucially, support the Council’s wider recovery. As such, planning has a fundamental role play in addressing the authority’s long-term financial challenges and should be at the forefront of the wider Council recovery programme, demonstrating by example what Thurrock Council can achieve in delivering its exciting growth agenda.

2.0 Key Recommendations

The table below sets out the key recommendations from our review. Further detail on each can be found in the main body of the report. These recommendations now need to be brought forward by the Council and used to develop a widely owned and agreed action plan that has corporate backing so that it can deliver the improvements that Thurrock’s planning service is capable of.

R1	<p>Urgently develop a new Vision for Thurrock and a new Corporate Plan with clear strategic priorities to address the silo working by all departments and achieve the stated aim of One Council: One Voice. The development of a Vision and corporate plan need to be actively supported by the planning service and should form the basis of an engagement programme to embed this into future departmental business planning.</p>
R2	<p>R2 Urgently develop and agree a stronger corporate narrative, with the planning service helping to shape a strong communications strategy around:</p> <ul style="list-style-type: none"> ➤ the necessity and benefits of growth, ➤ the role of planning and pivotal role of the Local Plan in shaping this, and ➤ securing balanced communities for the longer-term future of all citizens.
R3	<p>Urgently progress the Local Plan by continuing to ensure sufficient resources are allocated to taking it through to adoption. This should include:</p> <ul style="list-style-type: none"> ➤ stronger internal processes - to secure cross-party ownership in order to deliver the huge opportunity for growth in Thurrock (including a plan development cross party working group led by senior members) ➤ political leadership and guidance - to ensure the Local Plan addresses the growth ambitions and creates the political environment necessary to ensure the Local Plan is agreed and delivered by the Council. ➤ managerial leadership and stronger project management – with a clearer focus on the steps needed to produce the plan in line with the current timetable, re-assuring all partners of a realistic programme and proportionate evidence base. Further PAS support is offered on this.
R4	<p>Ensure the new Local Plan is promoted corporately and politically as the primary tool to drive housing and regeneration delivery in Thurrock. Political leaders from all parties should ensure that all members understand that the Local Plan is the delivery tool for future growth in Thurrock.</p>
R5	<p>Urgently recruit to the Chief Planning Officer post on a permanent basis with a view to that postholder implementing a restructure of the Planning Service. This should focus on:</p> <ul style="list-style-type: none"> ➤ Putting the business support staff that currently sit in the Public Realm Directorate under the Chief Planning Officer. ➤ The appointment of an Infrastructure Planning Officer to oversee the management, monitoring and collection of Section 106 funding and address recommendations of the PAS review in 2021 (potential for funding through a levy on S106 contributions). ➤ Embedding a development team approach to progress and deliver large strategically important major developments. ➤ The creation of a Planning Delivery Team (with the potential for external funding) to accelerate planning proposals in the Freeport. ➤ Developing a recruitment and retention strategy including career graded posts and pathways for development from planning apprentices upwards. ➤ Formalising a proper staff appraisal process and ensuring every officer has a performance and development plan.

R6	<p>Produce a detailed action plan to improve the operation of Development Services. This should include:</p> <ul style="list-style-type: none"> ➤ The creation of a housing trajectory and delivery action plan immediately to address the lack of a 5-year land supply and failing Housing Delivery Test. This must be embedded in the Local Plan to provide further certainty and should be a Key Performance Indicator monitored by the Senior Leadership Team. ➤ The preparation of a Development Management Manual to provide clear guidance to officers and consistency of approach in dealing with applications. ➤ Address the backlog of planning applications and enforcement. ➤ Embed a performance management culture within the Planning Department including lessons from benchmarking and good practice case studies.
R7	<p>Alongside modernising and improving the service, a full resource review is needed. There are resource deficiencies in some parts of the service, but existing staff need to be used more effectively to avoid bringing in new resources to an inefficient system. Some areas of need are more obvious than others:</p> <ul style="list-style-type: none"> ➤ The lack of seniors, the “middle layer” of the DM team is very thin and needs to be addressed. ➤ The lack of a dedicated delivery team for supporting strategically important schemes ➤ Enforcement, if the Council agree this is a priority, an authority the size of Thurrock would need a larger team including one Principal/Team Leader.
R8	<p>Improve the efficiency and effectiveness of the Planning Committee. This should:</p> <ul style="list-style-type: none"> ➤ Refresh the constitution in line with the best practice available (e.g. see PAS website) and ensure this is adhered to in decision making. ➤ Review the decision-making process in relation to Member decisions to overturn officer recommendations, reducing deferrals and the number of times schemes return to Committee. ➤ Create a Member and officer training programme to ensure the Committee has a strategic focus – including a review of the length of reports and presentations, behaviours, and skills. ➤ Prepare a clearer briefing and introduction from the Committee Chair, setting out the constitutional role and “rules” which members should respect in the form of a script. ➤ Political leaders from all parties should ensure that Members with the appropriate skills and behaviours are appointed to the Committee and commit to future training. ➤ Ensure Senior officers are present at each and every Committee meeting, including senior legal representation.
R9	<p>Agree and communicate a set of cultural behaviours across the Council that seek to build trust and confidence among officers and Members and partners. With support from the LGA and PAS these should provide a collective agreement of how the behaviours will translate into actions.</p>
R10	<p>Work with officers and Members to co-design a targeted and structured planning training programme for elected members. With RTPI/PAS advice, this should provide members with of the planning committee with a clearer understanding of the planning balance and the skills and confidence they need as well as upskill local ward members on their own role in the planning process.</p>
R11	<p>Support all of the organisational changes above by streamlining the planning function to meet the challenges of customer focus and responsiveness to local needs. This means a faster pace of decision making, especially on discharge of conditions and reserved matters, greater utilisation of IT, agile working combined with regular “team days” together in the office as well as an ability for applicants to contact case officers.</p>

3.0 The Peer review approach

The Peer review team

3.1 Peer reviews, often referred to as peer challenges, are delivered by experienced elected councillors and officer peers. The make-up of the peer team reflected the focus of the peer review and peers were selected based on their relevant expertise. The peers were:

- **Paul Barnard**, Service Director of Strategic Planning and Infrastructure, Plymouth City Council
- **Councillor David Brackenbury**, Executive Member for Growth and Regeneration, North Northants Council
- **Councillor Mike McCusker**, Lead Member for Planning, Transport and Sustainable Development, Salford City Council
- **Artemis Christophi**, Head of Planning and Transformation, Lichfield District Council
- **Garreth Bruff**, Peer Review Manager and Principal Consultant, LGA/PAS

The Planning Advisory Service (PAS)

3.2 PAS is an LGA programme funded primarily by a grant from the Department of Levelling Up, Housing and Communities (DLUHC). It is our principal mission to ensure that local planning authorities (LPAs) are continuously improving in their execution and delivery of planning services.

3.3 To achieve this, the PAS work programme focuses on:

- Helping local government officers and councillors to stay effective and up to date by guiding them on the implementation of the latest reforms to planning.
- Promoting a 'sector-led' improvement programme that encourages and facilitates local authorities to help each other through peer support and the sharing of best practice.
- Providing consultancy and peer support, designing and delivering training and learning events, and publishing a range of resources online.
- Facilitating organisational change, improvement and capacity building programmes - promoting, sharing and helping implement the very latest and best ways of delivering the planning service.

3.4 PAS also delivers some of its services on a commercial basis including change and improvement programmes for individual and groups of planning authorities.

Scope of the review

3.5 The aims of this review were developed following initial conversations and correspondence with Thurrock Council as well as consideration of background documents. They are to:

- *help the planning service respond to the changing organisational priorities within the Council and develop into a class leading offer that plays a leading role in delivering the Council's growth ambitions;*
- *provide a comprehensive "health check" of core planning functions in terms of performance, capacity, and organisational arrangements, including an analysis of development management work over recent years; and*
- *look in detail at culture and behaviours in the service, working with both officers and elected members to see how these can be developed to address change, meet challenges and empower officers in their work.*

3.6 These aims and the issues they raise were examined by the Peer Team across five key themes, which are common to all peer reviews and form the structure for this feedback report. They are:

- **Vision and leadership** – how Thurrock Council and the planning service demonstrate leadership to integrate planning within corporate working to support delivery of corporate objectives.
- **Performance and management** – the effective use of skills and resources to achieve value for money, and the effectiveness of processes (and the roles of officers and members) in decision-making on development proposals.
- **Community engagement** – how the planning service understands its community leadership role and community aspirations and uses planning to help deliver them.
- **Partnership engagement** – how the planning service works with partners to balance priorities and resources to deliver agreed priorities.
- **Achieving outcomes** – how well the service leverages national and local planning policy to deliver the sustainable development and planning outcomes its community requires.

The peer review process

3.7 Peer reviews are improvement focused and it is important to stress that the review of Thurrock's planning service was not an inspection. The process is not designed to provide an in-depth or technical assessment of all plans and proposals or to undertake a forensic analysis of every aspect of service. The peer team used their experience and knowledge of local government to reflect on the information presented to them by Thurrock as well as by people they met and the things they saw, reviewing this through a strategic lens to focus on the most important issues for the planning service.

3.8 The peer team prepared by reviewing a range of documents and information to ensure they were familiar with the planning service and the challenges it is facing. The team then carried out the core of the review onsite over 3.5 days in late October/early November. As well as in-person meetings, some meetings were held virtually during and after the onsite review to reach as many people as possible. In total, the team gathered information and views from over 100 people. All the information collected is on a non-attributable basis to inform this report.

3.9 At Thurrock's request, PAS also carried out a more detailed consideration of development management work in the planning service over recent years. This looked at issues like officer caseloads, speed of decision making, delegation rates, extensions of time, member decision making and overturns, etc as well as how these compare to similar authorities. The results of this were shared with the peer team as part of their preparation and have been reflected in this report where relevant (see section 5.2 below).

3.10 In presenting this feedback report, the peer team have done so as fellow local government members and officers. By its nature, the review represents a snapshot in time and the peer team appreciate that some of the points in this report may touch on things that Thurrock is already addressing or progressing. However, the team are keen to provide a comprehensive report and full understanding of their conclusions. As part of the work, the peer team presented a verbal summary of this report and evolving recommendations to an audience made up of those that took part in / were interviewed as part of the review.

3.11 The peer team would like to thank councillors, staff, community representatives and partners for their open, honest and constructive responses during the review process. The team was made to feel welcome and appreciate the time that everyone committed to their work.

- 3.12 However, the team also faced a number of practical challenges in their work, experiencing problems in gathering the information they required for the review as well as last minute changes or errors to the meeting schedule they had been given. These are explained in more detail in Box 1 below. Late changes to a meeting schedule and problems collecting data are not unusual for a peer review, which requires a lot of organisation by the host authority. However, the number and scale of issues experienced with the Thurrock review was significant.
- 3.13 These problems are detailed here as the peer team believe that they demonstrate some of the challenges in the planning service and reinforce points made in other sections of the report. A tendency for silo working, poor communication and unclear lines of management were revealed by the peer review process and experienced directly by the peer team during their visit, who worked hard to ensure that such problems did not compromise the rigour of their review.

Box 1: Experience of the Peer Review Process in Thurrock

The peer review is a well-established and rigorous process that has been developed by the LGA over many years and applied successfully in every type of local authority and across most forms of local services. Following the agreement of a scope, a host authority is asked to provide a range of information for the peer team before they arrive on site as well as prepare a detailed schedule of meetings, focus groups and workshops to ensure the team meet all key stakeholders during their visit. Written guidance and examples are provided to help the host authority undertake these tasks.

The Thurrock planning service struggled to provide information to the peer team in a timely manner and the format requested. This could be partly explained by the situation Thurrock Council is currently facing, however several key documents that we would expect to see in a planning authority were not immediately available. For example, the service does not have an up-to-date Annual Monitoring Report setting out progress in preparing and delivering development plan policies (the latest on the website is dated 2016). Similarly, the latest Housing Delivery Test is from 2021 and the latest updates on Section 106 and infrastructure spending were not publicly available.

Thurrock officers sought to address these issues by providing bespoke information and the peer team are grateful for their time on this, but it meant that information was shared in a piecemeal fashion. Significantly, the service was unable to provide a single, authoritative position statement reflecting the whole service and Thurrock as a place. Again, gaps and missing pieces of information were addressed through additional submissions, with a very useful briefing prepared by officers for the peer team when they arrived on site.

Problems were also experienced with the meeting schedule shared with the peer team. A pre-meeting between peers and planning officers revealed that many members of staff had not been invited to take part in the process and wished to do so. To be as accommodating as possible, the peer team agreed to meet people in person as well as online during their visit. Similar invites were sent to stakeholders outside the Council and the schedule included face to face and online meetings as well as several meetings that blended the two.

Managing this complex situation was challenging, particularly following a change in admin support (due to illness) part way through the process which led to some practical complications. IT problems and last-minute changes to an invite list or room location meant that several meetings felt poorly organized with valuable time lost in meetings as IT was set up or rooms changed. Some officers received an invitation for more than one meeting with the peer team, whilst others did not attend the meeting they were expected to, creating confusion. A meeting with local community groups was affected as some participants did not receive invitations or were unable to enter the building. A meeting with elected members did not take place as the invitation circulated to members did not match the schedule given to the Peer Team. These issues were subsequently addressed with further meetings for both elected members and representatives from community forums across Thurrock, held online later in November. The peer team are grateful to people for accommodating these.

4.0 Context and background to the review

- 4.1 Thurrock Council is working hard to address some major organisational and financial problems. Following serious financial concerns, Commissioners were appointed by the Secretary of State in September 2022 to oversee the work of the Council and a Section 114 Notice was subsequently issued by Thurrock in December 2022, confirming it did not have the resources to cover its expenditure and seeking exceptional financial support. A Best Value Inspection (BVI) into these issues identified a range of organizational deficits affecting every aspect of the Council. The BVI report identified a pattern of failure within the Council enabled by:
- failures in political and managerial leadership and oversight, including a lack of consistent strategic direction and the creation of an inhibiting working environment;
 - inadequate governance arrangements;
 - weaknesses in the Council's control environment, including failures of the officers in the Council's three statutory roles to maintain the integrity of the authority; and
 - a failure to secure appropriate and sufficient skills, capability, advice and resource to successfully deliver major projects.
- 4.2 Since then, the Council has been on a journey of improvement and recovery, with a far-reaching Improvement and Recovery Plan prepared (and recently updated) and a number of major changes to working arrangements. As well as significant spending controls, a complete restructure of the Council has begun with the appointment of a new interim leadership team and senior managers. At the time of the review, a recruitment process was underway to appoint permanent staff to Director and Assistant Director posts across all services. As part of this restructure a new post of Chief Planning Officer was created, replacing a broader assistant director role. A similar process of restructure across all levels will follow in due course.
- 4.3 It is clear that difficult decisions lie ahead for the Council, with the need to tighten spending across all services, reduce debts and increase income. Understandably, officers in the planning service are concerned about the future and unsure what further changes may mean for themselves and their role. In contrast, senior managers are concerned about losing good members of staff in this period of change and appreciate the difficulty of recruiting experienced planning officers at the current time.
- 4.4 The Strategic Services arm of the planning service is responsible for delivery of the local plan and strategic planning as well as a strong design and more specialist services team. The Development Services arm of planning is responsible for development management, with two teams of case officers and two Major Applications Managers as well as an enforcement team and building control team. At the time of the review, the planning service was led by interim officers, with an Interim Director of Development and Interim Chief Planning Officer. This area has also seen a lot of staff turnover in recent years, losing experienced case officers and currently carrying seven vacant posts in development management and others in the Local Plan Team. It relies on some agency staff and the use of consultants for key pieces of work. At the time of the review, two interim managers were also being recruited to manage the Strategic Services side of planning and the Development Services side.
- 4.5 More widely, these are very challenging times for local government and planning services in the country, with extensive resourcing difficulties that are expected to continue. The Levelling Up Regeneration Act has recently received royal assent, bringing major reforms to the planning system especially for the local plan process. This is critically important for Thurrock who are looking to submit a new Local Plan by June 2025, before reforms to the plan making process take effect.

4.6 Government policy is also being refreshed, with changes to the National Planning Policy Framework expected in the near future and a new requirement to deliver mandatory biodiversity net gain across most planning schemes coming into force in the new year.

5.0 Detailed Feedback

The following sections set out the findings of the peer review, including an analysis of strengths and areas for improvement. In line with the peer review process, findings are structured around each of the five key themes considered in a review.

5.1 Vision and Leadership

- 5.1.1 The peer team identified a strong commitment amongst political leaders and senior managers to developing an exciting new vision for growth in Thurrock. There is a real ambition to grow the economy and create jobs in Thurrock, exploiting its location and local assets such as the ports to attract investment and improve opportunities for local people. This isn't only significant locally; Thurrock has a key place in the global economy with three international ports and over 18 miles of Thames River front as well as well as a nationally important role in terms of the Thames Freeport and infrastructure like the Lower Thames Crossing and Norwich to Tilbury energy transmission project. Estimates suggest that the Thames Freeport alone could generate around £300 million of investment in infrastructure and development – it is a national priority with the potential to transform Thurrock.
- 5.1.2 However, this commitment needs to be backed by an up-to-date vision and corporate strategy. The ambition and strategy for growth needs to be clearly articulated by political leaders and senior managers in ways that can be understood across the organisation and by residents and external partners, and then taken forward by the planning service with the support of elected members across the Council. The role of growth needs careful positioning to avoid future investment being seen to be pursued at the expense of other local priorities, focusing on quantitative targets like jobs and houses rather than “building real communities” as local members’ and local community forums desire. There is a concern amongst some local members that the Council could be “putting all its eggs in one basket” by promoting the logistics sector at the expense of other sectors such as Thurrock’s creative industries or failing to consider strategic issues like flood risk effectively.
- 5.1.3 The Peer Team identified a “vision vacuum” which is constraining progress on many planning issues. Similarly, Thurrock Council do not have an up-to-date Corporate Plan or set of agreed corporate priorities to help guide the work of the planning service, inform planning decisions and shape the development of policy through the local plan. This lack of a corporate plan and priorities has created a “priorities vacuum” which compromises the work of the planning service and goes some way to explaining a lack of cohesion on significant planning questions.
- 5.1.4 The production of a draft corporate plan in early 2024 will be an important step forward in achieving the desired “one council - one voice” ambition that Thurrock aspires to. The Peer Team were pleased to see that the recently agreed Enhanced Improvement and Recovery Plan seeks to publish a draft corporate plan in January 2024. The development of the corporate plan should be accompanied by a stronger corporate narrative around the necessity and benefits of growth in the context of the wider financial position of the council, and the pivotal role planning and the Local Plan can play in shaping this. The importance of the Local Plan in articulating the spatial vision for growth aligned to the new corporate plan, means that the Planning Service should play a key role in helping to develop the “one council-one voice” approach.
- 5.1.5 It is also worth noting that these issues affected the ability of the peer team. Without a vision and clear priorities to compare and measure progress against, it has been difficult for the Peer Team to judge the effectiveness of the planning service or make a judgement on whether it is well resourced to undertake the work that is needed. As such, the Peer Team have worked hard to understand the broader context of Thurrock’s planning service. This includes referring to the Council’s own recovery plan and the BVI report as well as listening to the views of all stakeholders in order to

anticipate where the planning service can improve, and to address what will be a new vision and corporate priorities.

- 5.1.6 The Council Leader and Portfolio Holder strongly support the production of the Local Plan. They clearly wish to see the plan advanced and recognise its role in setting out a new place vision and spatial strategy to deliver the growth potential of Thurrock. There is also a recognition that this needs to be developed with cross-party support, given the sensitive challenges and opportunities the Local Plan will have to address - for example seeking urban intensification, changes to the green belt and the development of strategic infrastructure. Members from different sides of the Council also want to see the Local Plan progress and recognise that innovative community engagement has taken place as part of the plan process to engage people. This commitment has been backed up with a substantial budget for the Local Plan process, reflecting a political recognition of its important role.
- 5.1.7 However, members revealed concerns about how they have been briefed on the plan. Too few members feel properly engaged or able to shape it in the ways they would wish to now that the cross-party local plan task force no longer meets. The risk here is that the local plan process is seen as planner led, without the clear steer from elected members that it needs. This should be addressed immediately and elected members from all sides of the Council need to be brought more closely into the process. A cross party local plan working group, led by the planning portfolio holder, will help to give the plan the profile and steer it needs as well as proper leadership. The Plan must transition quickly from ideas (issues and options) to decisions (site allocations and new policies). An extraordinary meeting of the Full Council in early December will consider the latest Regulation 18 draft of the local plan. The meeting will be a vital turning point for the council and its future reputation and credibility (note, this meeting was held on 6th December and approved the Local Plan Initial Proposals for consultation as well as formation of a cross-party working group to help steer the plan process).
- 5.1.8 Many planning officers point to a lack of leadership within their service and poor management direction to help shape their work. Officers are frustrated at the inability of the service to work together across different teams, are uncertain on some basic issues like the budget for key pieces of work and describe poor visibility or involvement of senior managers in the operational work of the service. For example, the Local Plan business case and budget did not get agreed until very recently meaning that preparation for the next stage was affected; others referred to people working “in their own bubble” and many suggested that the structure of the service is no longer fit for purpose but felt unable to do anything about this.
- 5.1.9 These problems are not a recent phenomenon. Many of the issues facing the planning service have a much longer legacy and officers traced management and leadership difficulties back a number of years. Much of this situation is now accepted by senior managers who are seeking to respond to the problem, and the peer review is a key part of this response. However, officers questioned whether interim managers have the time to provide the leadership the service needs on a day-to-day basis, given the wider issues they are dealing with. It is certainly the case that management and leadership will be difficult to provide completely whilst the service has to rely on interim or temporary arrangements.
- 5.1.10 Planning officers appear to have filled this vacuum on corporate priorities and leadership by working to their own sense of a professional planning code. Seeking to make up for a lack of priorities and absence of leadership in the past, officers refer to their own professional or ethical framework for day-to-day work such as developing advice and recommendations to members. Several officers spoke of the need to protect their “professional integrity” or referred to the ethical code set by the Royal Town Planning Institute (RTPI) in the absence of a clear Council-led framework. Although this may be understandable in some instances, and the RTPI professional

competences framework is a reference point for all planners, it is not a realistic solution to the problems in the service and needs to be resisted. It has led to a situation where officers in the Planning Service are missing that sense of leadership and 'cover' leading to a reluctance to fully embrace the opportunity they have to help create and shape an exciting new growth agenda for Thurrock. It is also responsible for the perception that the planning service is unresponsive and frustration amongst senior managers and elected members who see planning as uncooperative, unable to work corporately on the significant challenges the Council need to address. As one member put it, the "professional relationship [with planners] is no longer there" and this affects the confidence that members place in planning advice.

- 5.1.11 The planning service clearly needs to change, to change its culture and address what are unhelpful behaviours amongst some officers. A new, permanent leadership is urgently required through the appointment of the Chief Planning Officer, accompanied by a restructure and wider modernisation of the service to establish a proactive, positive planning approach that will deliver the new growth agenda. More positively, the Peer Team were extremely pleased to hear an unequivocal commitment from the Managing Director Commissioner to address leadership issues within the Planning Service, recognising that Thurrock needs to move away from the historic focus on the tactical delivery of individual services ("the council will do it all" mentality) to a more open, focused and enabling role working with strategic partners.

5.2 Performance and management

- 5.2.1 Given the focus of the peer review, this section is largely focused on the Development Services arm of the wider planning service, responsible for development management and planning enforcement, as well as the operation of the Council's planning committee.

Key performance measures

- 5.2.2 The service generates and monitors a comprehensive performance "dashboard" for development management, with regular reports on key measures such as the number of applications received, validation times, speed of decision making, case load of individual staff, backlog of applications, complaints and fees generated, etc. This is exemplary and an extremely useful tool for managers, which has also been drawn on by the Peer Review Team. However, the Peer Team question how well this data is being utilised and whether there is a real sense of ownership in terms of addressing key performance issues. This is linked to points made in Section 5.1 above, concerning the lack of leadership and management in the service and the Peer Team did not see evidence of a management led response to some performance issues facing the service, several of which are outlined below.
- 5.2.3 Using data provided through the dashboard, Box 2 provides a snapshot of trends and issues over recent years. In terms of some key measures, the service appears to be operating extremely successfully. For example, 97% of decisions on Major applications are made within the Government's target timescale if we allow for those with an agreed Extension of Time (EoT) or Planning Performance Agreement (PPA). However, without these extensions this figure would only be 25% made within the timescales set by Government (13 weeks). This is not unusual, and many LPAs request an EoT when considering large and complex schemes which require time to assess and consult statutory consultees.
- 5.2.4 A similar pattern can be seen on non-Major applications. At face value, 100% of applications for non-Major developments are decided within the timescale set by Government. But a deeper analysis shows that only 55% of applications are made within the eight-week target set by Government, the remainder relying on EoT. Again, this is not unusual for LPAs, but Thurrock could

find that underlying performance issues are exposed if the Government restricts the use of EoT on some applications, something that is being considered by DLUHC. Of particular concern is the use of EoT for Householder applications, which is unusual and should not be necessary.

- 5.2.5 Appendix One provides more detail, setting out the numbers of applications, the percentage of decisions made in time (according to Government targets) and percentage of these which rely on an Extensions of Time. Looking over the last two years and comparing Thurrock to other LPAs in Essex (as well as Plymouth as a benchmark), Thurrock is performing relatively well in terms of Major applications and for Minor applications. However, Thurrock is unusual in the proportion of “Other” applications which involve an Extension – this would include Householder applications.
- 5.2.6 As shown in Box 2 the service has been successful in generating a substantial amount of income from PPAs. However, the Peer Team were concerned to hear of frustrations from some partners about the delivery of these. Although the service does well in securing the PPAs, payments and procedures for PPAs often take too long to set up and these need to be streamlined. Equally, the service’s ability to work to key milestones in a PPA is not always guaranteed and there could be more rigor in the way that costs and time are calculated for these agreements. Ensuring there is dedicated officer resource available to maintain, manage the record officer time spent on PPAs, as well as oversight of invoicing and basing a tariff on the true costs of officer time, will help to ensure that the service is resourced to deliver the PPAs they sign. PAS also provide a range of guidance on PPAs and pre-application advice which can be utilised for this.

Structure and capacity

- 5.2.7 The commitment and dedication of planning officers is evident and is something that is recognised by the Managing Director Commissioner, Leader and senior Council management as well as internal and external parties. Despite the issues on leadership and management described in section 5.1, many planning officers are working hard to deliver the best service that they can in the circumstances. This is reflected in the positive relationships that officers from other Council services and statutory consultees (e.g. National Highways, Environment Agency and Natural England) have with officers of the planning service. However, one statutory consultee commented that they were asked to comment on applications which they were not legally required to.
- 5.2.8 However, there are some frustrations amongst senior managers, developers, and elected members with the way that the planning service are managing some key planning applications. The Peer Team heard that engagement with case officers can be difficult, with officers not contactable by email and phone at times, and relationships with key internal and external colleagues needs to be stronger on these types of application. This may be because of the increase in home working since the Covid lockdowns and the fact that many officers are rarely working from the Council offices. Combined with increased workloads and pressure of meeting performance targets, it led officers, and some elected to members, to express frustration in being unable to elicit responses from planning officers.
- 5.2.9 More significant for the Council has been the absence of a responsible manager above the Principal Planners which has meant that Teams are siloed without any managerial capacity to help individual teams and planning officers to find solutions. This has led to an inconsistent approach to case management, a lack of 1-2-1 support for officers, particularly when dealing with larger applications, and reflects poorly on the overall structure and operation of the service even when individuals were seeking to provide the best service they could in the circumstances.

Box 2: Trends in development management

- **Speed of decision making on Majors:** performance looks excellent with 97% within the Government target of 13 weeks, but this would only be 25% without Extensions of Time. This is not untypical in LPAs, but conflicts with Thurrock's priority on growth.
- **Speed of decision making on Non-majors:** performance appears excellent again, with 100% within Government target of 8 weeks. However, excluding Extensions of Time this figure drops to 55%. If Extensions of Time are restricted, as has been suggested by DLUHC, Thurrock could find that performance issues are revealed.
- **Speed of decision making on Householder applications:** the service has a target of 35 days but do not appear to have met this in recent years. Unusually, Extensions of Time are used for householder applications. Many decisions are also made just after the Government eight-week target, suggesting it shouldn't be difficult to decide without these extensions.
- **Applications received:** applications to the Council peaked in a post Covid bulge of 2021/22 and are quite significantly down this year, which is in line with national patterns. However, 2023/24 is forecast to be lowest when looked at over last 5 years at 1,310 applications.
- **Caseload of DM officers:** the service sets a benchmark of 40 cases for Planning Officers / Assistants and 20 for Seniors / Principals. Generally, this target appears to be being met and suggests that workload is being managed well. Looking at all decisions for the same group of planning officers and assistant planners, the projection is that each officer deals with 159 applications on average in a year, which appears sensible (figures may be affected if some staff are part time which was not possible to assess from the data). The average case load per officer in Thurrock is generally lower than the national average of 60 (planners), 40 (seniors) and 20 (principals), with the 'average' planner determining circa 250 cases per annum.
- **Numbers over determination date or Extension of Time:** a fairly steady figure of 120 cases could be defined as a "backlog". This includes around 50 applications over 26 weeks which could result in large sums of money *potentially* being paid back to applicants through the planning guarantee - £164k in June 2023. Again, this is not uncommon in many LPAs but not good practice and leaves the Council vulnerable.
- **Applications permitted:** the number of applications permitted is below the national average in Thurrock, the figure dipped below 70% in 2021/22 and is currently around 81% against a national average of around about 87%. The wider Essex average is nearer 78%, which is extremely low when compared to national average.
- **Complaints:** complaints to the planning service look to be about average when compared with previous years with a projection of 43 this year. More positively, the number of complaints going to stage two has reduced considerably with only one case by the end of August this year, part of a trend in recent years.
- **Income from planning application fees:** forecast to reduce this year, down to £790k compared to over £ 1million in the last year.
- **Income Pre application advice and Planning Performance Agreements (PPAs):** Income for pre-apps is better than in previous years and currently forecasting to be £77.5k. However, this still appears to be quite low when compared to other local authorities and may not being promoted as well as it could be. Of greater significance is the income from PPAs which has already exceeded the total from 2022/23 at £332,000 and is more significant than in many other LPAs.
- **Legal agreements / S106 outstanding:** although reducing, the number of outstanding legal agreements is significant at 33 and includes some very old cases dating back as long as 2014. These legacy cases are a concern.

- 5.2.10 The structure of the Development Services side of the planning service is also limiting opportunities for career development. There are notably fewer senior planning officer grades in the Thurrock service, when compared to similar services, which means that there are too few opportunities for more junior staff to develop their career in Thurrock. Officers will also benefit from consistent access to a more diverse workload. The current structure does not foster many opportunities for this to take place. A more balanced structure would contain teams with a spread of officer levels and exposure to a wider range of application types and associated complexities. Linked to this, planning officers themselves are concerned about the limited training and development opportunities that they have access to, with a feeling that staff appraisals are a “mechanical process” or “box-ticking exercise” that have little real impact. The restructure of the service could create more opportunities for career development, ensure robustness and create capacity for future growth as the service stabilised in the future.
- 5.2.11 Local members, developers and planning officers question the capacity of Development Services and whether there are enough experienced planners working on DM to meet the demands of a place like Thurrock. As one interviewee pointed out *“it’s not just about bums on seats, it’s about having experienced planners”* able to manage the size and complexity of applications in Thurrock. On the surface (and as noted in Box 2), caseloads are not excessive with target caseloads largely being achieved. However, this is only part of the picture - the service has lost experienced staff in recent years, it is carrying vacancies and relies on agency workers and consultants for many aspects of work. This is not a sustainable position in the medium to long-term. As noted at the outset of the report, the short-term reality is that good planners are extremely difficult to recruit and it is not realistic to assume that Thurrock could quickly and easily fill new posts with the right people, or that Council funds are available to do so given the wider financial pressures.
- 5.2.12 The Peer Team would caution against bringing in more resources to the service without wider change and restructuring first to ensure that these additional officers are effective. Without a full resource review, it is difficult to come to a firm conclusion, but the Peer Team believe that there are deficiencies in some parts of the Development Services side of planning. Some of these are clearer than others, for example the Enforcement Team is small (see ‘Enforcement’ section below) and there are fewer senior officer grades than would be expected in a Service like Thurrock’s. But there are two elements to addressing capacity issues that need to work together - recruiting additional staff and ensuring more effective and efficient use of the staff already available. Recommendations in this report cover both aspects.
- 5.2.13 The Council may be able to address capacity issues through a “development team” model that brings together case officers with other officers in the Council to create a virtual team for progressing large or important applications. This would include officers from Economic Development, Highways, Legal and Health to work together on important applications in a more consistent way, reducing delays from consulting on individual issues and working pro-actively to a shared project timeline. It would also be an opportunity to bring together experienced planning staff with more junior officers to develop their experience and enable them to learn from the skills of their senior colleagues.
- 5.2.14 More generally, the Peer Team identified a number of practical ways in which the wider development management process could be better placed to ensure that applications are processed, and decisions made in a more efficient and accountable way.

- 5.2.15 Technical support officers, who work closely with development management case officers, are currently located in a separate directorate to the planning service and this is causing frustrations. For example, technical officers are unable to contact case officers at times and there are opportunities to simplify the administration of invoicing and charging - important tasks like raising Purchase Orders or submitting invoices for PPAs can fall between the gaps in the current service, resulting in delays to work. The support role is critical to the development management function, responsible for some key steps in the process, and efficiencies and improved effectiveness in the overall process can be achieved by bringing the technical support team within the same directorate as the planning service to ensure closer working.
- 5.2.16 Linked to this, the task of validating applications is currently shared between technical support officers and planning case officers – with tech support validating householder applications whilst case officers validate Major and Minor applications. The efficiency of this process would be improved by upskilling the technical team to validate all types of applications, based on an agreed validation checklist and accompanied by a defined protocol with clear guidance and performance targets alongside exploring optimum IT solutions to assist the process. This would give planning officers more time to spend processing planning applications, and a knock-on effect of processing applications more quickly and reducing the reliance on Extensions of Time.
- 5.2.17 The planning service could also use IT much more efficiently and comprehensively. Like many LPAs, Thurrock uses the Uniform software system to manage applications. The uniform system is not being used to its full capability with only the “bare minimum” of information being put into this system and relying on other means to complete some tasks. This makes it difficult for the service to track or review cases, e.g. for Freedom of Information purposes, and often results in duplication of work where information and decisions are made outside of Uniform only to be input into the system at a later stage. Case officers need to have a better understanding of the system and the range of its capabilities to fully exploit the software and use this to improve efficiency. To help, the planning service could provide training and support as well as produce a “Development Management Manual” for staff, setting out clear instructions and protocols for the use of Uniform at every stage in the DM process. Given the current turnover in staff and use of agency staff, a manual would also be a helpful resource for improving the consistency of service delivery, decision-making and the processes of application determination.
- 5.2.18 The heavy over-reliance on Extensions of Time outlined above, especially for householder applications, also points to the need for greater rigour in the development management process. It became clear during the review that some minor and other applications were being negotiated during the course of the application time period, exacerbating the requirement of the use of EOTs. This is not best practice and can allow applicants to forgo the proper use of pre-application fees. The Council could address this by introducing a no amendment policy for all householder and minor applications, reducing the time spent on negotiation by the case officer and encouraging higher quality submissions in the first instance. A more robust approach to negotiating on planning applications can only be credibly implemented if the council operates an effective pre-application service. As noted above, a pre-app service is available but appears to be underutilised and could play a greater role in more householder and minor applications.
- 5.2.19 Not all of these changes will happen immediately, but they are all part of the wider modernisation and improvement of the service helping to ensure that all case officers within development management better understand their role and responsibility in creating an enabling service, handling cases in line Council priorities.

Enforcement

- 5.2.20 The number of enforcement cases received and forecast to be received by the Council is increasing and will easily exceed those of previous years at over 620 cases. The Enforcement Team are currently closing a similar number of cases to that of previous years and are forecast to close 438 cases by end of the year. There is therefore a big mismatch between the number of cases received and the number of cases being closed, an emerging issue that is likely to generate a growing backlog of outstanding cases with associated administration and potentially complaints. The Enforcement Team currently has 250 outstanding cases which isn't as bad as in previous years, but the number is rising quite sharply and getting to the kind of level seen during the peak of COVID 19 – around 300.
- 5.2.21 The strains of a growing caseload are starting to become more visible, and several elected members and community representatives pointed to enforcement cases that took too long to address. The Peer Team also found that the focus and priorities for the enforcement function is not widely understood with the suggestion that the issues enforced by the current service are targeted “by the book” – i.e. reflecting priorities in the planning service rather than the concerns of the local community. There are high-profile enforcement issues in Thurrock and the perception that there is a lack of action suggests that enforcement is a wider problem for the Council and needs action beyond that of the planning service alone.
- 5.2.22 The Council need to consider where enforcement lies in its priorities and invest in the current enforcement service appropriately. The planning service currently has an Enforcement Team of less than two FTE officers for the whole of Thurrock. This is modest in size and similar sized authorities would typically have an enforcement team of three or four FTE posts including one Principal officer/Team Leader. The team should also be supported by adequate and dedicated legal support, particularly for those cases where immediate action is required. Further, there is currently no system in place for utilising the Proceeds of Crime Act within the service, which could potentially provide additional income for the Council and help support the additional members of staff needed to ensure a robust and effective team is operating.

Planning Committee

- 5.2.23 As part of the review, the Peer Team took the opportunity to view the Council's Planning Committee, watching a sample of recent committee meetings online. The Council's streaming of the Planning Committee is very good, with good audio and targeted video of all speakers. The majority of cases are conducted in a business-like manner, with a professional approach from both members and officers. Planning officers produce good quality reports and present these in a concise and effective manner to meetings as well as providing good advice to members during discussions.
- 5.2.24 However, too many Planning Committee meetings reflect the problems of the wider Council in terms of there being an absence of an agreed corporate strategy and priorities or an up-to-date local plan on which to base decisions. Members need to have clarity on the Council's priorities and a local understanding of what the ambition for growth means in Thurrock. This has led to conflicts between officers and members on a number of cases as well as an ad-hoc pattern of decision making by Committee. Although members have not overturned officer recommendations on very many occasions during the last five years, it has become a growing trend. For example, 2021 and 2022 (the last two years for which we have complete data) seem to be particularly difficult with nine decisions at Committee overturning the recommendations of planning officers. Importantly,

of the last eight overturns seen at the Committee, seven have overturned a recommendation for refusal to grant an approval. Five of these seven cases have been on applications for development in the Green Belt and include schemes of a significant scale. A further example was also seen at the Planning Committee meeting in September 2023, with Committee members voting to approve an application for a car inspection and preparation plant in the Green Belt at Aveyley. An even split of votes meant that the decision to approve the scheme against officer advice was made on the casting vote of the Chair.

- 5.2.25 This pattern of decision making is extremely unusual and is exacerbated through the lack of a common and up to date local plan for officers and members to base their decisions on. This is leading to misunderstandings about decision making on major applications, with misunderstandings between the professional role of officers and the representative role of members to secure the best outcomes for Thurrock's community. It may also be a key reason why decisions to overturn officer recommendations have been happening recently. In effect, the Planning Committee is formulating a policy approach on a case-by-case basis in the absence of an up-to-date local plan that more clearly articulates the desired vision for Thurrock and sets out where development could and could not be accommodated. As a public meeting that is broadcast and widely reported, these issues are also undermining public confidence in the planning service. For example, a Community Forum chair described the planning committee as unpredictable and a "*loose cannon*", local reporting in the media reflects this.
- 5.2.26 As the planning service looks to improve its operation and use officer resources more efficiently, it should also consider the way in which it supports the Planning Committee – recognising the amount of officer time involved in servicing the committee, producing reports, and attending meetings, etc. In the first instance, Member training needs strengthening. Elected members themselves described the level of training they received as "woeful" when joining planning committee, and some of the debates at committee reflect a lack of understanding on issues like material planning matters, planning balance and national planning policy. Thurrock have started to address this with training on a newly adopted code of conduct, provided by the LGA, as well as one session of planning committee training delivered by PAS. However, this needs to be built on and a full member training programme is required for committee members and local ward members, who also have a role to play in committee meetings. It can draw on advice and training from bodies like PAS but should also be used as an opportunity to enable training by specialist officers from the Environment Agency, National Highways and other statutory consultees whose advice is central to committee decisions.
- 5.2.27 Alongside this, the management of committee meetings need to be improved in practical ways. A specialist legal officer should be present at every meeting alongside the presence of the Chief Planning Officer (once appointed) or head of the development management service. The authority is at risk in the decisions the Planning Committee makes without these officers being present in person. These officers need to build a close relationship with the Chair of the Committee and allow more opportunity for committee members to seek informal advice about development schemes ahead of committee meetings. Officers also need to provide the Chair with a written briefing on the role and purpose of the committee, so that this can be read out at the start of a meeting for the benefit of attendees, members, and speakers.
- 5.2.28 Planning committee reports and presentations can be improved with an authoritative executive summary at the start of every report and officers better prepared to field questions on case histories, etc., having had foresight of likely questions from their committee members. Individual

case officers should also be encouraged to present their own cases to committee, helping to reduce the burden on Principals but also allowing the opportunity for officers to gain experience and for members to build relationships with a range of planning officers. Where needed case officers can be supported with training on presentational skills or “dry runs” of a presentation and should see this as an opportunity to develop their own professional skills.

- 5.2.29 Finally, and importantly, the constitution of the committee also needs refreshing and updating. Whilst the Peer Team noted the proactive work of the Monitoring Officer on the wider review and modernisation of the Council’s constitution, the Peer Team do not feel it is being followed as closely as it should by the Planning Committee and the constitution needs to be strengthened in some areas. In particular, there appears to be some confusion in the application of voting by the Planning Committee against Officer advice, where the vote on an application is being confused with a vote to defer the item as per the Constitution. This has caused the appearance of some applications receiving two, or in one case three, votes at Committee for the same application, which is not appropriate. There are also instances where more than one speaker for or against an application is allowed to speak, which not in line with the current Constitution. Our observations of Committee meetings also suggest that members need support in developing appropriate planning reasons if they are going to go against an officer recommendation.
- 5.2.30 An updated constitution can address these issues and should provide the basis for member training programmes in the future. Advice on planning committee protocols and examples of good practice are available through PAS (see links at end of this report).

5.3 Community Engagement

- 5.3.1 Thurrock is fortunate in having a comprehensive network of community forums across the district, independent community groups which bring together residents, councillors and local voluntary groups as well as some businesses. Delegates from individual forums collaborate through the Thurrock Association of Forums (TAF) and provide a strong network for Council services like planning to engage with local communities across a wide geographic area. The Council have also established a Youth Council, with young people and a Youth Cabinet which is actively involved in a range of Council activities. These are a credit to the young people involved.
- 5.3.2 Some parts of the planning service have fostered good relationships with these networks, and the Peer Team heard positive commendations from members of the Youth Cabinet and community forums for some of the engagement work carried out as part of the Local Plan process. The young people who met the Peer Team were impressive - articulate and knowledgeable about planning; they feel meaningfully engaged and not part of a “tick box consultation exercise”. Although planning officers attending TAF meetings are “given a hard time” by forum members, there is respect for the expertise that planning officers bring and for the time dedicated by individuals taking part in such meetings. Overall, residents including young people and community forums have a real interest in planning and in particular the Local Plan. They want to engage in individual planning decisions in their area and recognise the role that an up-to-date local plan could play, helping to ensure that the Council has more control over the location of development and deliver vital infrastructure. Like other key partners, they want to see a new plan agreed and take a full role in the process of creating it.
- 5.3.3 Meetings with representatives from community forums also suggest that the local community accept the need for growth and understand the potential in Thurrock. For example, the forum for the Corringham, Fobbing and Homesteads area (which includes London Gateway) has a positive relationship with DP World who attend Forum meetings and provide advice on local planning matters, so the forum feel they are being engaged. But local people “want to know the limits of

development” and to see some of the benefits from growth reaching local communities in terms of new infrastructure. As one forum chair said, “We should be a hugely successful borough, but there is nothing here” and there is a real frustration at the inability of the Council and its planning service to plan ahead in a way that manages new development and captures some of the benefits it can bring for local people in terms of road improvements, public transport investment, facilities for young people, health services and the regeneration of Grays town centre.

- 5.3.4 Much of this frustration is directed at the planning obligations system and a lack of transparency in the way that Section 106 contributions are used in Thurrock. Many of the forum representatives who met the peer team could point to a planning application in their neighbourhood that has generated Section 106 contributions, but do not know where or how this money has been used by the Council. Local people want to see developer contributions benefitting the communities impacted by the development and find the current process for using such monies impenetrable, with a perception that proposals for investing it are unlikely to happen or are based on outdated needs. They also feel that viability is used as an excuse by developers to avoid Section 106 contributions or provide affordable housing. This has created suspicion amongst community forum members about the Council and the planning service in particular, with some representatives suggesting that developer contributions are being used to plug gaps in Council budgets and others seeing a lack of results as a direct consequence of Council ineffectiveness.
- 5.3.5 The fact that the Local Plan review, which was first announced in 2015, has taken so long is also feeding into this narrative of Council ineffectiveness. There is a feeling that “We have been here before” when it comes to discussing the Local Plan and that planning has “been allowed to drift” in Thurrock. There are also concerns about the likely scale of housing development and further growth of the logistics sector, leading to a loss of Green Belt, more congestion, and a general negative impact on local quality of life. As such, there is a real need for the planning service to regain the confidence of community forums as it works on the Local Plan.
- 5.3.6 In terms of day-to-day contact with the planning service and the development management process, this also comes under some criticism amongst community forum delegates. Several complained to the Peer Team about the technical difficulties they face in accessing and commenting on planning application, with a unique user profile required on a system that does not seem integrated with wider Council IT systems. There is a suspicion that the planning service is trying to make it difficult for local people to comment on or understand the DM process. Alongside this, representatives feel that public consultation and neighbour notification for planning applications is not working well, with an inconsistent approach that means some people do not hear about schemes in their area. Planning case officers are also seen as difficult to contact and fail to provide advice or feedback to community forums. A number of community representatives raised concerns that publishing the names and addresses of objectors to applications led to local tensions or acted to discourage objections through fear of reprisal.
- 5.3.7 These types of complaint are far from unique to Thurrock. The technical difficulties mentioned by community forum representatives refers to the Planning Portal, which most local authorities rely on for managing consultation comments. This can be difficult to access if people do not have a good level of IT skills. Similarly, community groups in many parts of the country also complain at a lack of contact with planning officers or do not understand the local policy on neighbour notifications. In Thurrock, however the wider problems of the planning service and Council as a whole mean that such issues become more important to address. Overall, the complaints heard by the Peer Team suggest that the relationship between the planning service and local community has broken down resulting in a lack of trust and confidence. On top of this, recent decisions by the Planning Committee, the tendency for members to overturn the recommendations of officers and the quality of debate when considering applications has led some local people to believe that “it is open season for developers” in Thurrock. That planning permission is being given to too many

unsustainable developments – car reliant, lacking infrastructure and services, with gated communities underoccupied and not integrated into the wider community. Some felt that there was too much focus on housing numbers and not enough on the size, type and quality of housing development, with not enough emphasis on affordable housing and housing for older people to downsize to release family homes to young families.

- 5.3.8 The planning service isn't the only Council service that came under criticism from community forums though, and the Council as a whole needs to be more pro-active in using the community forum network and TAF to communicate the changes that are taking place. This should be part of a wider communications effort to "take back control of the narrative" and explain the new vision for Thurrock, the benefits of growth and the role of planning in shaping this as well as the aim to secure more balanced communities in the future. The planning service itself needs to get some of the basics right, building a better relationship with local community forums by being pro-active in sharing information about local applications and feeding back on decisions through a community forum or the wider TAF. It is essential that the trust and confidence of local people is regained by the Council and planning service, and a successful and inclusive Local Plan process will play a critical role in this.

5.4 Partnership Engagement

- 5.4.1 This section considers the relationship between the planning service and external partners - private sector organisations but also neighbouring areas in Essex and London as well as and the range of other public sector agencies that are critical to the planning process such as statutory consultees like Natural England, the Environment Agency and National Highways.
- 5.4.2 Individual planning officers have fostered respect and some good relationships with external partners, and the Peer Team heard complementary comments about day-to-day relationships with case officers in Thurrock. For example, one large private sector interest in Thurrock spoke very positively about the efforts of planners to keep a service going during the Covid lockdown, at a time when the Council was not well set up to move to a system of home working. At the time, many planners had no mobile phones or laptops immediately available and worked extremely hard in sometimes quite difficult domestic situations to ensure that individual planning applications were not delayed or comprised.
- 5.4.3 Similarly, partners in National Highways, Anglian Water and the Environment Agency all spoke positively about their planning contacts in Thurrock, with the planning service providing plenty of notice on relevant applications, facilitating meetings with other departments in the Council and taking a pro-active role when they consulted these agencies on applications. If anything, partner agencies want to see more opportunities for collaboration with the Thurrock planning service. Several suggested that they could do more to support planning officers through training sessions (for both officers and local members), co-locating staff in the planning service for a day during the month or attending team meetings on a more regular basis.
- 5.4.4 The use of PPAs to bring forward larger planning applications in a collaborative way has already been noted – it is an innovative strategy that has great potential in Thurrock and the service is successful in terms of the number of PPAs it has been able to negotiate with developers. Pro-active project management of applications through PPAs can really help to speed work, forge partnerships between developers and the planning service and ease pressures on a busy planning team. However, developers questioned the ability of the service to successfully manage PPAs for some of the large or strategically significant schemes that come forward in Thurrock. This is not a criticism of individual planners, but a reflection of the wider structure and approach of the planning service which is seen by some to be outdated and not fit for the purpose it now needs to play, especially in terms of major project development. Private sector partners feel that leadership and management in the planning service has been "hollowed out" over recent years and urgent steps need to be

taken to restore control and direction. Both public and private sector partners are also concerned about the over-reliance of the planning service on external consultants, rather than developing more expertise in house for the Council. There are questions over whether consultants are best placed to represent the full interests of the Council without greater input from the planning service.

- 5.4.5 Thurrock has unique opportunities, which may be lost without a change in the current culture. As one developer said, the “overall culture of the planning service is that of a rural authority, but the challenges for strategic development [in Thurrock] require the mindset of a London Borough.” Local developers and potential investors in the future need to see capacity and capability issues in the planning service resolved to restore confidence and enable better dialogue with the Council. Developer partners like the Thames Estuary Growth Board as well as statutory consultees are keen to play their part in addressing this situation.
- 5.4.6 There are opportunities for the Council to draw in external support from private partners like the Growth Board to invest in a delivery team for the planning service. This would be a team of dedicated development management officers deployed to work on key projects that are of strategic significance, such as the Freeport. Working with and alongside the rest of the planning service, this team could take some of the strain from colleagues working on other case work as well as develop specialist skills and experience in some of the more unique projects in Thurrock – i.e. the Freeport, NSIPs, etc. Public sector bodies also speak positively about their role in supporting such an approach, for example by co-locating specialist staff from agencies like National Highways to work alongside the team, collaborate and create a greater sense of shared purpose to address the needs of individual schemes as well as work on long term strategy through the local plan. Adopting such an approach can foster relationships between the planning department and strategic partners, which would be beneficial for all concerned.
- 5.4.7 Looking beyond Thurrock, there appears to be limited collaboration by officers in the planning service with neighbouring areas. Thurrock is part of the Association of South Essex Local Authorities as well as an immediate neighbour to the London Borough of Havering, in a strategically important location for the whole of Greater London. Although the planning service is now working with neighbouring areas on some major projects such as the Lower Thames Crossing, pro-active collaboration and work on common strategic planning issues is much less evident across the service. Indeed, the Peer Team were told by several interviewees that the service (and the wider council) has traditionally taken an inward-looking approach to its work. For planning, this is a limiting factor and will compromise long term success – especially for the Local Plan where the council have to demonstrate that they are working proactively and positively with their neighbours and other statutory partners in identifying and resolving strategic issues. For the needs of their work, and for personal development, planning officers need to be given more opportunities to work with colleagues across their immediate borders.
- 5.4.8 A starting point would be Strategic Services where the Strategic Planning Manager currently has responsibility for strategic policy work. This is a critical role and, along with officers in the Local Plan team, needs to be empowered to work with neighbouring areas as they develop the Local Plan and to have this properly documented as part of a Duty to Cooperate. Similarly, on the Development Services side of planning, individual case officers should be encouraged to take part in regional or sub-regional meetings of development management officers and develop their professional networks. It is important that Thurrock is seen to be considering its strategic opportunities and their links across the region.
- 5.4.9 Recognition of all these issues and the problems faced by the Council in its relationships with partners are shared by the Managing Director Commissioner and political leaders. Communications and engagement with strategic partners need to be enhanced across the whole of the Council and the points above exemplify some real opportunities for the planning service. There is both the

political will and managerial commitment for Thurrock Council to play a full role in the future of the sub-region and wider region, and the Peer Team suggest that the planning service should be at the forefront of this.

5.5 Achieving Outcomes

- 5.5.1 In a very real way, planning is delivering development in Thurrock and doing so at scale with some major projects creating change that is visible “on the ground”. Statistics have been impressive, with 10,000 jobs created in Thurrock between 2016-20 and forecasts for a further 20,000 over the next 20 years. Thurrock is also a key part of the country’s largest or most ambitious planning projects – the Lower Thames Crossing, Norwich to Tilbury transmission line and Thames Freeport. The London Gateway port and logistics park is a prime example. As part of the Freeport, it is one of the fastest growing ports in the world, construction is underway on a fourth berth and two further berths are included in plans for the future. With a capacity of 2.4 million TEU (twenty-foot equivalent unit container) the port is now a major point in the global shipping network and the logistics park that lies alongside it is the second largest in Britain. Innovative planning has played a key role in delivering this with Thurrock developing the country’s largest Local Development Order (LDO) across the logistics park, creating a flexible, low risk planning framework for developers and occupiers.
- 5.5.2 Assessing the wider economic benefits of planning is always difficult but work by the Council suggest that its planning service provided a total value of around £26.7 million to Thurrock over 2022/23. This takes into account the impact of planning decisions in terms of the GVA created through new jobs, the spend of residents occupying new homes, contributions from developers, the creation of 330 net new jobs and over 640 new homes as well as the generation of additional Council Tax, Business Rates and planning fees this creates.
- 5.5.3 However, the Council has no comprehensive and up to date Annual Monitoring Report (AMR), which would be the starting point for assessing progress in delivering local policies. Some documents are listed on the Council’s website to help measure performance, but these are often dated, for example referring to employment data in a document from 2016, or difficult to assess. Looking across some of these measures, it is clear that the planning service is currently under-performing across several fronts – for example, the service delivered only 49% of Thurrock’s total housing need in the most recent Housing Delivery Test (2021), including just 280 affordable homes; Thurrock has less than one year’s Housing Land Supply and has not yet spent more than £11.0 million of Section 106 contributions due to a lack of deliverable projects. These are all key planning measures which the planning service should be addressing as a priority.
- 5.5.4 Local members and community forums are not confident that such issues are receiving the attention they deserve, with little evidence of plans to address poor delivery on affordable housing, the wider housing needs of the area and the types of community infrastructure important to local people. For example, local members pointed to the urgent need for affordable homes in Thurrock and are frustrated with the lack of influence that they have on this. The shortfall of large, allocated housing sites means the Council is often dealing with many small applications for new homes, most of which fall below the threshold for an affordable homes contribution. Community Forums are concerned about congestion and the lack of investment in roads and public transport as well as a failure to see the benefits of Section 106 contributions. Overall, there is a perception that local residents are not seeing the benefits of growth in Thurrock.
- 5.5.5 As noted earlier, these concerns from local members and community groups are matched in the private sector by those of developers and potential investors in Thurrock, albeit for different reasons. One local developer noted that the former Thames Gateway Development Corporation (2003-2012) had a delivery team of six full time officers to manage large scale projects and ensure a pro-active planning service for development. In contrast, Thurrock’s planning service currently has

two major projects managers and employs two agency workers. Although individual officers have worked hard to try and make up for the deficiencies in this area, it has created “single points of failure”— as individuals leave the service (and some have recently) the weaknesses of the system are revealed and the service is unable to meet the needs of developers. This has encouraged bodies like the Thames Estuary Growth Board to offer to work with the Council to look at the development of a dedicated delivery team (see Section 5.4).

- 5.5.6 The Peer Team found that the potential for developer contributions (or planning obligations) through Section 106 agreements are also being compromised, with the contributions already received under-utilised and lack of a proper investment programme. The Council currently negotiate Section 106 contributions on a case-by-case basis using an “Infrastructure Requirements List” (IRL) to decide which infrastructure projects need funding. However, local members and community forum representatives question the value of the IRL and its relevance, and that it is failing to reflect the needs of local communities. Officers in the Council confirm that the IRL is not up to date and lacks deliverable projects as council staff in other departments like highways, education and regeneration lack the capacity and support they need to prepare and develop new proposals.
- 5.5.7 Governance and decision making around Section 106 spending is also unclear and difficult to understand. There appears to be no strategic approach with little in the way of clear governance arrangements and processes for developing and overseeing the delivery of new infrastructure projects. A fuller review of developer contributions undertaken by PAS in 2021 sets out several recommendations for addressing these issues, but this has not been taken forward by the planning service. The Peer Team believe that the review is still relevant, and its recommendations should be addressed by the Council. Developer contributions need to be pro-actively managed to align with local priorities and a dedicated decision-making board set up to account for investment. This type of work can be funded through the use of a small fee and many local authorities charge a 5% administration/monitoring fee on planning contributions in order to fund a dedicated post or team to oversee this function and ensure it is efficiently managed. Looking ahead, this would also help the service to prepare for changes being introduced by the Government through the Levelling Up and Regeneration Act, with proposals for a unified Infrastructure Levy expected in the near future.
- 5.5.8 All of these delivery issues will be much easier for the planning service to address when Thurrock has an adopted up to date local plan, a major priority – not just for the planning service but for the Council as a whole. As noted throughout this report, there is a great deal of support for a new Local Plan and all the individuals and organisations who met the Peer Team want to see the Local Plan process succeed. Elected members, private sector partners, public sector partners and local community forums all understand the role that a new Local Plan will play in helping to deliver homes, jobs and (importantly) the new infrastructure that Thurrock needs, and to do so in a way that will benefit local communities in ways that are not currently possible.
- 5.5.9 The planning service need to harness this enthusiasm and the common interests of different sectors and groups across Thurrock through an authoritative local plan process that commands respect and can deliver a plan as quickly as efficiently as possible. There are challenges though, previous delays and unfinished pieces of work have undermined confidence in the abilities of the Council to progress the plan, especially amongst community forums, and hard decisions will need to be made in terms of the Green Belt boundary, urban intensification and location of new infrastructure. The Peer Team also heard concerns about the rigour of the Local Plan Programme from many interviewees, the current structure of the local plan team and previous piecemeal changes to staffing which have not provided long term solutions. Professionals inside and outside

the Council point to pieces of work and resources that have been wasted in the past and a general inertia for several years. To date, the Local Plan lacks a comprehensive Project Initiation Document, and the peer team did not identify a clear project plan.

- 5.5.10 To address this, the Peer Team suggest that a full assessment of the Local Plan process is undertaken after the December meeting of the Full Council. This should look at the deliverability of key milestones in the future, creating a credible project plan for the work involved in delivering a Local Plan by the target date of Spring 2025. It could also consider the appropriateness of the work proposed and evidence base, looking to strip out unnecessary work and focus on resourcing the essential elements of the plan as well as and the capacity of the team to reach these. PAS would be able to provide further support on this work and the aim would be to restore confidence in the Local Plan for all parties as well as strengthen governance arrangements so that the responsibility is more widely shared across the Council.
- 5.5.11 Finally, the Peer Team also identified some risks in the way that administrative and financial controls are managed by the planning service and wider Council, and the impact that this can have on delivery. Understandably given the financial issues facing the Council, strict spending controls have been introduced meaning all purchase orders are scrutinised through a corporate Expenditure Control Process and a Business Case must be completed for any expenditure over £500. At the other extreme, though, the Peer Team found that some financial arrangements can be very loosely managed and there has been a failure by the organization to chase down payments, submit invoices or raise purchase orders. At one point, this situation led to critical work on a new Local Development Order being delayed as consultancy fees were not paid due to an out-of-date purchase order. Similarly, the Peer Team heard that invoices had not been dispatched for payment on PPAs and that work on the Local Plan was delayed because the agreed budget was not finalized quickly.
- 5.5.12 There appears to be a lack of join up in the management and decision-making processes, both within planning and between planning and other Council services. This can mean that critical tasks do not take place in line with the planning service's priorities and individuals in other teams or services do not appreciate their important role in this process. To address this, the Council needs to change its approach from a financial accounting model to a more active financial management culture that actively ensures decisions are implemented, debts are monitored, and fees chased. It would mean a more seamless system between teams in the planning service as well as between planning and Corporate Finance, including the debtors team which each part playing a more proactive role.

6.0 Implementation, next steps and further support

- 6.1 It is recognised that Thurrock Council and the planning service will want to consider and reflect on these findings.
- 6.2 To support openness and transparency, we recommend that the Council shares this report with officers and that they publish it for information for wider stakeholders. There is also an expectation that the Council responds to the findings and recommendations in the report with an action plan, publishing this alongside the report itself.
- 6.3 Where possible, PAS and the LGA will support councils with the implementation of the recommendations as part of the Council's action plan. A range of support from the [LGA](#) and [PAS](#) is available on their websites. Some specific areas of support that the authority might wish to look at includes:
- [Local Plan Project Management support](#)
 - [Planning Committee Protocols](#)
 - [Improving governance of developer contributions](#)
 - [Pre-application and Planning Performance Agreements](#)
 - [Biodiversity Net Gain Readiness Checklist for Local Authorities](#)
- 6.4 Thurrock Council are also invited to discuss ongoing PAS support with Garreth Bruff, Principal Consultant, garreth.bruff@local.gov.uk and any corporate support with Gary Hughes, Programme Manager (local Government Support) with the LGA gary.hughes@local.gov.uk
- 6.5 As part of the LGA's peer review peer impact assessment and evaluation, PAS and the LGA will contact the Council in 6-12 months' time to see how the recommendations are being implemented and the beneficial impact experienced.
- 6.6 The author of this report is Garreth Bruff (garreth.bruff@local.gov.uk), on behalf of the peer review team.
- 6.7 This report was finalised in agreement with the Council on 13/12/2023.

We are grateful for the support of everyone that contributed to this review.



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Annex One

This table was developed by PAS to compare headline measures of Development Management performance in Thurrock with neighbouring areas in Essex as well as Plymouth (as a benchmark).

DM performance - Essex councils July 2021 - June 2023									
Council	No. of Majors	% in time	% EOT	No. of Minors	% in time	% EOT	No. of Others	% in time	% EOT
Basildon	52	85	73	387	65	43	1482	81	27
Braintree	125	91	82	695	86	53	1932	92	41
Castle Point	11	45	64	203	67	22	939	82	4
Chelmsford	46	87	63	777	81	24	2596	92	10
Colchester	79	100	71	640	96	48	2212	96	30
Epping Forest	53	79	70	795	73	45	2367	86	30
Harlow	27	89	81	158	94	48	520	97	24
Maldon	71	82	48	530	78	37	951	94	21
Rochford	40	95	87	311	76	56	1132	85	22
Southend	35	100	83	728	99	48	1873	99	31
Tendring	88	86	70	591	69	58	1430	84	27
Thurrock	67	97	75	371	99	64	1416	100	39
Uttlesford	81	79	85	883	81	52	2065	87	31
TEST									
Plymouth	76	96	71	468	92	37	1529	93	22
Thurrock's position	6th	3rd best	6th	9th	2nd best	1st	9th	highest	2nd

Source: DLUHC [Planning Application Statistics](#) and data provided by Thurrock Council