

Inspection report

August 2004

Planning Services

London Borough of Brent

Contents

Summary	3
Scoring the service	4
Recommendations	6
Report	7
Context	7
The locality	7
The council	7
The Planning service	8
How good is the service?	9
Are the service aims clear and challenging?	9
Does the service meet these aims?	10
How does the performance compare?	16
Summary	19
What are the prospects for improvement to the service?	20
Ownership of problems and willingness to change?	20
Sustained focus on what matters?	22
Capacity and systems to deliver performance and improvement?	23
Integration of continuous improvement into day-to-day management	25
Summary	25
Appendices	27
Documents reviewed	27
Reality checks undertaken	27
List of people interviewed	27

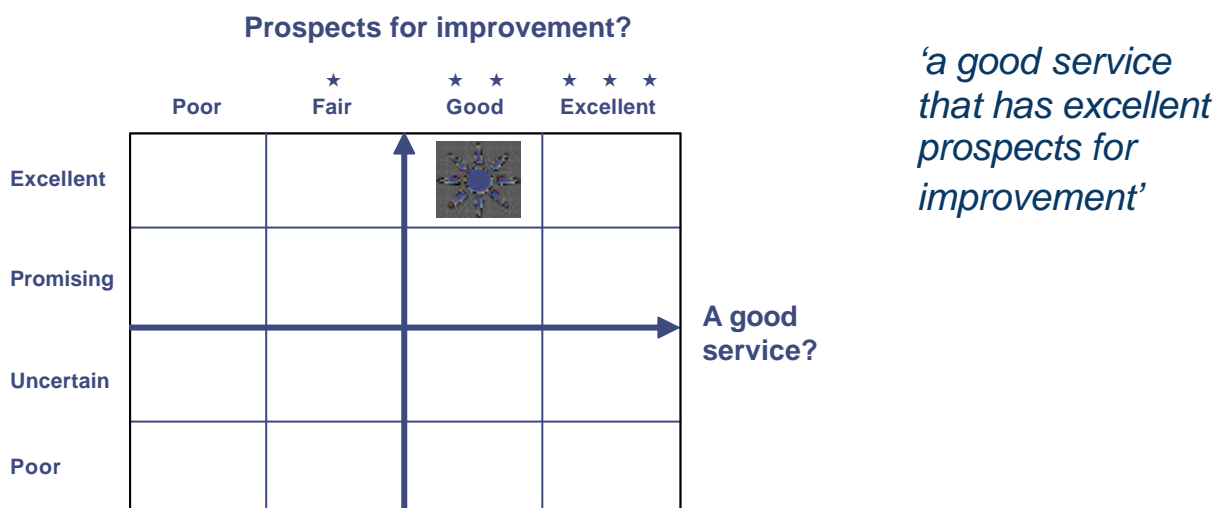
Summary

- 1 The London borough of Brent has a population of 263,464 people. Fifty five per cent of the population comprises people from black and ethnic minorities (BME). This is the second highest proportion in all of the London boroughs. The borough is ranked 58th on the index of deprivation and there are acute concentrations of deprivation across the borough for example 14.9 per cent of the borough's population live in the 10 per cent most deprived wards in the country and the 24.2 per cent of unemployed people are classed as long term unemployed compared to 15.4 per cent in London.
- 2 Brent has a labour controlled administration with a leader and cabinet model. The council achieved an overall comprehensive performance assessment (CPA) rating of 'fair' in 2003. The council spent £376 million on services and the Housing Revenue Account was £100 million in 2003/04. The council has achieved a number of external awards including 'beacon' status for 'neighbourhood renewal', 'removing barriers to work' and for 'improving urban green spaces' and the planning service has achieved Chartermark renewal on three occasions, Land Charges service has ISO 9001 and the whole of the Environmental Services directorate has ISO 14001 and Investors in People (IIP).
- 3 The council has yet to finalise its Public Service Agreement (PSA) but a draft focuses on addressing crime levels, low educational attainment and achievement of the decent homes standard (DHS).

Scoring the service

- 4 We have assessed the council as providing a 'good', two-star service that has 'excellent' prospects for improvement. Our judgements are based on the evidence obtained during the inspection and are outlined below.

Scoring chart¹: London Borough of Brent - Planning Services



- 5 The service is 'good' for the following reasons:
- ◆ the service can be easily accessed;
 - ◆ section 106 agreements have been used to support the council's regeneration agenda;
 - ◆ all government performance targets have been met for 2003/04;
 - ◆ the service is delivering on a series of challenging objectives;
 - ◆ partners and stakeholders speak highly of how the service works on major projects; and
 - ◆ reality checks have revealed a responsive planning service.
- 6 However, there are several areas which warrant further review:
- ◆ satisfaction of applicants in 2003 was lower than that of users in general in 2001;
 - ◆ refusal rates during 2002/03 were the joint highest in London;
 - ◆ enforcement files are not always complete;
 - ◆ the planning service needs to monitor outcomes against the priorities of the community strategy; and
 - ◆ the quality of conservation area guidance is inconsistent.
- 7 We have judged that the service has 'excellent' prospects for improvements because:

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

- ◆ a good track record of improvement has been established against key BVPIs and the service has been externally accredited with qualitative indicators such as Chartermark and investors in people. Brent is no longer a 'standards authority';
- ◆ comprehensive service plans are in place to contribute to the delivery of Brent council's corporate priorities, and staff are aware of the contributions they must make in order for it to be a success;
- ◆ performance management processes are embedded in the service, and performance information is timely, accurate and extensive. A culture of continuous improvement has been established within the service;
- ◆ there are good levels of ownership of the challenges facing the service and there is evidence that councillors and officers are willing to take difficult decisions in order to deliver improved service delivery;
- ◆ effective partnerships are in place across the council and with relevant agencies;
- ◆ there is evidence of working with stakeholders to improve service delivery;
- ◆ the service is able to bring in extra capacity to fill skills gaps where appropriate, and is proactive about ensuring staff receive training and development where necessary;
- ◆ relationships between councillors and officers are positive. A planning code of conduct is in place and members of the planning committee receive regular training; and
- ◆ councillors have increased the base budget significantly over the last two years and the service has been awarded substantial planning delivery grant.

8 However:

- ◆ there is scope to improve the 'golden thread' in the service operational plan linking identified issues and anticipated outcomes;
- ◆ recruitment and retention remains a challenge; and
- ◆ relationships with some stakeholders (for example through the residents and agents forums) could be further developed.

Recommendations

- 9 To rise to the challenge of continuous improvement, councils need inspection reports that offer practical pointers for improvement. In this context, the inspection team makes the following recommendations:
- ◆ Develop a clear plan to identify how the planning development grant (PDG) will be spent and the desired outcomes this will deliver.
 - ◆ Review the operation of the enforcement service to ensure that decisions authorising action are fully documented and monitor the impact of the enforcement policies on the diverse communities.
 - ◆ Develop monitoring systems which identify the outcomes achieved by the service in line with community strategy priorities.
 - ◆ Review the form of the service operational plan (SOP) to ensure that actions relate directly to potential solutions and a series of outcomes measures for each aim.
 - ◆ Consider the merits of developing specific policies for each town centre.
 - ◆ Consider the merits of introducing a local civic design award scheme.
 - ◆ Identify the work streams and local partnerships necessary to deliver the new planning framework in line with the Planning and Compulsory Purchase Act 2004.
 - ◆ Develop a clear programme of action to understand the reasons for, and to address declining user satisfaction.
 - ◆ Update and standardise supplementary planning guidance.
 - ◆ Publish internal guidance to clarify procedures for ensuring that section 106 agreements can be delivered effectively.
- 10 We would like to thank the staff of the Planning service, particularly Hansa Taylor, who made us welcome and who met our requests efficiently and courteously.

Stephen Wilkinson

Siobhan Coldwell

Inspectors

Dates of inspection: 7 – 11 June 2004

Email:

s-wilkinson@audit-commission.gov.uk

s-coldwell@audit-commission.gov.uk

For more information please contact

Audit Commission

London Region

1st Floor

Millbank Tower

Millbank

London

SW1P 4QP

www.audit-commission.gov.uk

Telephone: 020 7233 6400

Fax: 020 7 233 6490

Report

Context

- 11 This report has been prepared by the Audit Commission (the Commission) following an inspection under Section 10 of the Local Government Act 1999, and issued in accordance with its duty under Section 13 of the 1999 Act.

The locality

- 12 The London borough of Brent has a population of 263,464 people. Fifty five per cent of the population comprises people from black and ethnic minorities (BME). This is the second highest proportion in all of the London boroughs. The borough is ranked 58th on the index of deprivation and there are acute concentrations of deprivation across the borough e.g. 14.9 per cent of the borough's population live in the 10 per cent most deprived wards in the country and 24.2 per cent of unemployed people are classed as long term unemployed, compared to 15.4 per cent in London.
- 13 The borough has several main shopping centres which include Willesden, Kilburn and Wembley. The centre of Wembley is dominated by the re-development of the national stadium. This re-development is being used to regenerate the centre of the borough and the development proposals include 33,000 square metres and 63,000 square metres of retail and office space respectively. Planning permission has recently been granted for 4,000 new homes of which, 1,800 are 'affordable'. There are a series of estate regeneration programmes including the South Kilburn New Deal for Communities (NDC) area, Stonebridge Park and Chalkhill.
- 14 The London Plan (2003) identifies Wembley and Park Royal as part of the west London 'opportunity area'. Willesden junction is defined as an 'area for intensification' to take an additional 3,600 new jobs and 500 new homes by 2016.

The council

- 15 Brent has a labour controlled administration with a leader and cabinet model. The council achieved an overall comprehensive performance assessment (CPA) rating of 'fair' in 2003. The council spent £376 million on services and the Housing Revenue Account was £100 million in 2003/04. The council has achieved 'beacon' status for 'neighbourhood renewal', 'removing barriers to work' and for 'improving urban green spaces' and the planning service has achieved Chartermark renewal on three occasions. The Land Charges service has ISO 9001. The whole of the Environmental Services directorate has ISO 14001 and Investors in People (IIP).
- 16 The council's priorities are identified in its corporate strategy, 'Building a Better Borough 2003-06,' and focus on a vision to achieve a high quality of life, excellent services, being a progressive council with pride in supporting a diverse population. This vision has several themes which identify closely with planning. These include the 'promotion of the quality of life and the green agenda', 'regeneration and priority neighbourhoods' and 'tackling crime and disorder'.
- 17 The community strategy the 'Plan for Brent 2003-08', identifies the following priorities:
- ◆ health and social care;
 - ◆ local housing;
 - ◆ environment and transport;
 - ◆ regeneration and employment;

- ◆ community safety and crime prevention; and
- ◆ education and lifelong learning.

- 18 The council has yet to finalise its Public Service Agreement (PSA) but a draft focuses on addressing crime levels, low educational attainment and achievement of the decent homes standard (DHS).

The planning service

- 19 The service under review is the planning service. This includes planning policy, urban design and landscape, development control, enforcement and local land charges.
- 20 The budget for the service for 2003/04 is £3.1 million. In 2004/05, a planning delivery grant (PDG) of £750,000 was awarded and will be spent on recruitment and retention, supporting regeneration, updating supplementary planning guidance, new software and new posts to support the call centre. The service has an establishment of 66 staff. Of this total there are 12 agency planners.
- 21 The service adopted a new Unitary Development Plan (UDP) in January 2004. During 2003/04, the service received 3,069 applications for planning permission, issued 2,861 decisions, served 100 enforcement notices and won 67 per cent of its appeals.

How good is the service?

Are the service aims clear and challenging?

- 22 Inspectors look to see how a council has agreed the key aims for the service being inspected, how clear these aims are to the people that receive the service and whether these reflect the corporate aims of the organisation as a whole.
- 23 Aims need to be challenging, address local needs and support national objectives. This requires the council to consider and demonstrate how a service contributes to its wider corporate aims and community plans.
- 24 The aims of the service are set out in service operational plan (SOP) (2004-05) and can be summarised as:
- ◆ the provision of excellent planning services;
 - ◆ the creation of a high quality, attractive and sustainable environment;
 - ◆ the protection and enhancement of the conditions in which people live and work;
 - ◆ secure regeneration; and
 - ◆ respond to the diversity of community needs.
- 25 These objectives identify closely with the community strategy. For example, the strategy identifies with 'Environment and Transport, Regeneration and Employment and Community Safety'. We consider that these service aims are clear. We held a focus group with frontline staff who understood these and identified with them as forming a backcloth to their work. This is further evidenced from several appraisal forms which we reviewed.
- 26 We consider that the aims are challenging. This is inherent in the nature of each aim which addresses 'excellence' or cross cutting issues linked closely to corporate priorities. However, the SOP does not include a series of outcome measures which can be used to identify the level of progress made in the achievement of each of these. Specific outcome measures identified for each aim would provide clarity.
- 27 The UDP although adopted this year, will be 'held' in line with Government guidance as the new planning framework included in the Planning and Compulsory Purchase Act 2004 is introduced. The adopted plan identifies explicitly with the council's former corporate strategy and the key objectives are based around the achievement of the corporate priorities. We found that the corporate plan and the draft UDP were used to guide negotiations on the form of developer contributions required under section 106 on the Wembley national stadium.
- 28 The UDP provides a policy framework to support the delivery of several of these service aims. For example there are policies to ensure development proposals achieve 'designing out crime', there is a full chapter which provides a policy framework for the priority estates and there are clear policies which address the achievement of additional school places when new residential development is proposed. There are 'inset' plans for both Park Royal and Wembley which accord with the London plan.
- 29 A range of supplementary planning guidance (SPG) has been produced to support officers and applicants in their interpretation of adopted policies. These cover the substantive areas of sustainable construction practices and affordable housing. This guidance enables officers to deliver the service aims identified in the SOP.

- 30 The service produces a series of annual monitoring reports on how well the plan's objectives are being delivered through development control decisions e.g. a series of town centre health checks. These reports are difficult to follow and could be developed around the current themes of the corporate strategy. At present, the service is collating information on how well its new guidance on sustainability is influencing schemes.
- 31 Developer contributions under section 106 of the Town and Country Planning Act 1990 are reviewed by the council's capital board to ensure alignment with the corporate priorities.

Does the service meet these aims?

- 32 Having considered the aims that the council has set for the service, inspectors make an assessment of how well the council is meeting these aims. This includes an assessment of performance against specific service standards and targets, and the council's approach to measuring whether it is actually delivering what it set out to do. This section has been structured around each of the service aims.

Excellent planning services

- 33 We found that performance against key government targets is good. However, performance information provided to us indicates internal processes could be improved. Furthermore, performance against the key national user satisfaction indicator is falling.
- 34 The Government sets targets for dealing with planning applications. Sixty per cent of major applications should be dealt with within 13 weeks, 65 per cent of minor applications within eight weeks and 80 per cent of 'other' applications within eight weeks. Until 2002/03, performance against the major applications was poor, although it was good against the other two key indicators (25 per cent, 60 per cent and 80 per cent respectively). This performance has improved steadily so that 72 per cent of major applications, 75 per cent of minor and 88 per cent of 'other' applications were processed within government targets in 2003/04.
- 35 During 2003/04, consultants appointed by the Office of the Deputy Prime Minister (ODPM) identified that the council has made significant progress in improving performance to meet the statutory targets. The service is no longer a 'standards authority'. This demonstrates the commitment of the service to achieve continuous improvement.
- 36 Although the samples were different in composition (the earlier survey included consultees as well as applicants) comparative survey information from the 2001 and 2003 MORI surveys (BVPI 111) indicate that overall user satisfaction has declined substantially from 65.2 per cent to 49 per cent. MORI's report identifies that low user satisfaction can be common place in boroughs which rank high on the index of deprivation. Officers felt that the relatively low figure reflected the high proportion of applicants who apply directly themselves rather than retaining a professional agent. In their opinion, the low satisfaction stems from the large number of cases which are refused because of the difficulties applicants have in achieving successfully negotiated schemes. However, it remains that satisfaction is low and this is an area that the council needs to address. The refusal rate of 33 per cent was the joint highest figure of all London boroughs (ODPM 2003). This again is an area that the council needs to address.
- 37 The service is not complacent about measuring and addressing issues about user satisfaction with the service. In addition to the tri annual MORI survey, the service carries out an annual survey of user satisfaction. This survey is carried out for all users of the service. Survey results for the last three years indicate that satisfaction has increased from 31 per cent in 2001, 55 per cent in 2002 and 56

per cent in 2003. Given the apparent contrast in these satisfaction surveys, the service has commissioned MORI to conduct a series of focus groups with a sample of the original respondents to explore in detail the reasons for dissatisfaction. In tandem, the service is seeking to address the high refusal rates by continued monitoring of cases. Refusal rates have for the last two quarter dropped from 37 to 28 per cent, however, still remains high. Despite these figures, the council has enjoyed considerable success on appeal with only 13 per cent of refusals being appealed (the second lowest in London) and 33 per cent of appeals being allowed. This is in line with the national average (ODPM 2002/03).

- 38 Our focus group with users indicates a general level of satisfaction with the speediness of acknowledgement of applications. However, there were concerns in how the service had responded to residents groups. Points raised by residents concerned a failure to respond to residents' concerns on the design and layout of specific schemes, and concerns over the level of infrastructure required to support the scale of development included in the re-development of the national stadium.
- 39 The service uses external accreditation to help it define excellence. It has achieved this through the Chartermark award, ISO9001 for land charges and ISO14001 (awarded to the whole of the Environmental Services group). Performance against the Chartermark standards is regularly monitored by the service management team and quarterly performance reports exhibited in the 'one stop shop' in the main council offices and on the website. This data indicates that for the first quarter of 2004, there have been delays in the following areas:
- ◆ only 61 per cent of applications were acknowledged within three days;
 - ◆ only 26 per cent of application were allocated to officers within five working days; and
 - ◆ only 51 per cent of enforcement sites had been visited within five days of receipt of the report.
- 40 Performance against some of the remaining standards was mixed. For example:
- ◆ the target of 95 per cent of calls answered within five rings was met;
 - ◆ eighty six per cent of letters replied to within ten days, compared to the target of 90 per cent;
 - ◆ ninety four per cent of objectors were notified of decisions within five working days compared to the target of 100 per cent; and
 - ◆ one hundred per cent of all land charge searches were replied to within ten working days in line with the target.
- 41 In line with corporate targets during the whole of 2003/04, 87 per cent of all calls to the service were answered within 15 seconds. This high level of performance was reflected in how our calls to the offices, made as a series of 'reality checks,' were answered. Our focus group with users considered that it was sometimes difficult to access officers.
- 42 The planning service closely monitors all complaints. The Local Government Ombudsman has found no findings of maladministration against the service during the last three years. During the last two years, only three stage three complaints have been held or partially upheld.

Creation of a high quality, secure and sustainable environment

- 43 The service is achieving this objective in part. However, the service could do more to define outcomes that would demonstrate what it has achieved.

- 44 The council recently completed the de-designation of ten conservation areas. This followed a detailed survey by the borough with representatives of a neighbouring borough, the Twentieth Century Society and English Heritage. The survey identified that in ten of the areas, there had been a lot of unsympathetic development allowed under permitted development. The decision to de-designate was made in tandem with committee agreement to strengthen the enforcement and conservation teams to ensure that planning powers were used effectively to 'preserve and enhance' the environment of the remaining 22 areas. Furthermore, additional areas within conservation areas would be declared as Article 4 areas. This designation allows the removal of permitted development rights to enable the authority more control.
- 45 The borough only has 65 entries on the statutory list of buildings. Of these, there are only eight entries on its buildings at risk register. The service is currently negotiating on each of these and expects that each of these will have been moved from the register by the end of 2005.
- 46 The council has produced design guides for conservation areas. The quality of some of these needs reviewing. For example, the Mount Stewart guide does not contain any specific preferred designs for extensions in contrast to the Barn Hill guide which is of a high quality, supported by a wealth of detail on what constitutes good design and photographs and drawings of the estates most desirable features. There is a programme to revise these over the next few years.
- 47 The council's commitment to achieving high quality design is reflected in its approach to the redevelopment of the national stadium. The council appointed in partnership with the site owners, firms of leading architects to develop the master plan and the stadium design. The master plan develops a spatial framework around the proposed site which ties a series of new boulevards into the existing Wembley High Road. This approach enables the economic regeneration of the wider area. The stadium design is for a 'landmark' building which can be seen from many parts of north London. The visual impact of this design, enhanced by the master plan for the area, improves the whole image of the immediate locality.
- 48 Whilst the council has set a series of challenging targets to define 'excellence' in terms of how it responds to customer development, it is less clear how it measures delivery against this objective in terms of the built environment. Supplementary planning guidance has been issued on 'design'. This sets out broad parameters on what constitutes good design e.g. 'successful streets', the 'creation of place', preferred layouts and amenity spaces. This provides a useful background to the design policies and adopted UDP. However, monitoring information has not been collated yet. The service does not manage an urban design award scheme.
- 49 The service has regular liaison with the police to ensure that proposed development schemes do not encourage crime. Every three weeks the local crime reduction officer in the Metropolitan Police meets planning officers to advise on how schemes should be re-designed to reduce the opportunities for crime. We were told of several cases where design had been amended to ensure the development of a secure environment and quoted a recent case which was refused on the grounds that it did not comply with the council's secured by design policies. This reason was upheld on appeal.
- 50 The service has recently published specific guidance on 'sustainable design'. This advises on how materials and design can support the development of sustainable buildings. This is supported by a series of national case studies from across the country on what has worked. This is a high quality document. The council has also produced a 'sustainable construction checklist which allows applicants to make a self assessment of how far their proposed development

contributes to sustainability. This is also available 'on-line'. Whilst these measures represent good practice, the service needs to be clearer on the outcomes from them.

- 51 The council has a small dedicated planning enforcement team. During 2002/03, the team served 100 enforcement notices and during the last three years has successfully prosecuted 100 offenders and carried out 30 direct actions removing small buildings, structures and advertisements. This is an impressive record of achievement in controlling unauthorised development which does not accord with policy.

Protect People's lives and working conditions

- 52 The council has been successful in receiving developer contributions under section 106 of the Planning Act. Currently the service holds £8.2 million in its accounts and the development of the Wembley site will contribute a further £17 million.
- 53 The identification of what the service may seek through section 106 agreements on specific sites is informed through a programme of development briefs. These build on the site specific proposals included in the appendices of the UDP. For example, the draft brief for Gavin House requires section 106 agreements to provide 30 to 50 per cent affordable housing, contributions to open space, non car access improvements, car pooling and contributions to the support the re-development of Neasden station.
- 54 The councils adopted policies on affordable housing require that between 30 to 50 per cent of all housing in residential schemes is 'affordable'. Furthermore, the policy requires that the design and layout should ensure that the 'affordable' elements are not apparent. This seeks to ensure the delivery of sustainable communities. The Quintain development adjoining the site of the national stadium includes 1,800 units of social rented accommodation and intermediate accommodation. Our work identified that the service has established a good track record in successfully negotiating affordable housing schemes.
- 55 The planning service holds a fortnightly major sites meeting. At this meeting, planning officers present potentially difficult and complex cases to a group of officers drawn from key services such as housing and highways. These meetings are used to resolve issues which officers may be having and also to identify the form of developer contributions which can be negotiated through section 106 agreements. At the end of these meetings a letter will be sent to the developer advising him of the council's views. Our focus group with a small number of development managers from housing associations, identified that these meetings have been used effectively to provide guidance for them on the acceptability of submitted schemes. They considered that the council's approach to section 106 was clear and robust and that the adopted policy framework had allowed them to accurately assess the true costs of developing sites well in advance.
- 56 The service uses the development team approach in the negotiation of particular planning applications. This involves small corporate teams being put together to ensure that developers receive a consistent and clear negotiated position from the council. Other stakeholders who have been involved with the service considered that planning policies provided a robust policy framework to support the negotiation of planning obligations. They considered that officers and councillors had been consistent in what they had asked for and their approach was described as 'pragmatic'. This has facilitated trust and supported negotiations.
- 57 The council is focused on delivering sustainable developments through negotiations on planning schemes. For example 'green' travel plans are

negotiated on major schemes such as the redeveloped Guinness site in Park Royal. The development of the national stadium has fully addressed public transport infrastructure to ensure that the majority of visitors to the site arrive by public transport. The planning service has worked in partnership with the local Primary Care Trust (PCT) on three Local Improvement Finance Trust (LIFT) bids to enable the provision of a new tier of local health facilities.

- 58 In addition, a primary health care facility, negotiated through section 106, will be provided on the Quintain site adjoining the national stadium. There is a programme of town centre enhancement schemes in Wembley and other centres which seek to enhance the public realm. For example, there has been a recent public art programme involving a local artist creating caricature displays. However, there is not a comprehensive set of policies to support each town centre.
- 59 As part of the redevelopment of the national stadium, a developer contribution of £1.5 million has been secured, focused on local construction employment and training projects. The aim of these is to ensure that local people from across the borough and in particular residents' on two deprived estates, close to the national stadium benefit directly from the development of the site.
- 60 The Wembley scheme also includes a contribution to neighbourhood policing of £150,000, to commence within the first three years of the scheme being completed.

Proactively securing regeneration

- 61 The planning service has been instrumental in supporting the council's regeneration activities. Section 106 agreements have been used to lever in finance from both other public and private sources e.g. the council is working with the London Development Agency (LDA) to secure additional funding to provide new pedestrian access routes to link the new stadium with the established pedestrian network.
- 62 The UDP identifies the major regeneration sites which include the housing 'priority' estates, the redevelopment of Park Royal and the national stadium. A set of policies are shaping the regeneration of these areas.
- 63 The council's regeneration programme is managed from the chief executive's office. We identified a close working and constructive relationship between the regeneration team and the planning service.
- 64 Stakeholders involved in regeneration schemes with the council from both the public and private sectors identify the council as a good partner. One considered that initially the council had set ideas on how the Wembley redevelopment should proceed which it had been unwilling to yield on. However this approach had changed during the last two years. Partners recognised the commitment from officers to working with local people in developing approaches to schemes. The service was described as proactive in the degree of support it gave to neighbourhood groups.
- 65 The negotiation of several major planning schemes reflects the Governments drive towards an 'urban renaissance (ODPM 2001). On these sites the council is negotiating for densities 44 per cent higher than the adopted policy allows. The service now employs a small team of urban designers. We recognised a clear understanding of what this government agenda means for the authority although given the time-lag between planning and implementation there are few completed schemes which the service could bring to our attention to demonstrate how high densities had been mitigated by good design.

- 66 On the re-development of the national stadium the council has secured significant improvement to the public transport facilities. These include up-grades to local bus routes (£1.75 million), increasing capacity to Wembley Central Station (£100,000), and Wembley Park station (£1.65 million). These agreements have been developed in partnership with Transport for London and Chiltern Rail. These investments will support the delivery of sustainable development.

Responsive to the diverse needs of its community

- 67 The service can be easily accessed by users.
- 68 The council increasingly uses its web site to enable users to access the service. The site has links to the planning portal which enables access to the range of Government standards and advice. Users can submit applications and pay the statutory fee on line, track their applications and make objections. The software also allows users to be automatically notified by e-mail of current and new applications within any specified radius of their homes or other locations of interest.
- 69 The website allows easy access for the diverse users of the planning service. The council uses a language card scheme, to help staff identify which languages users wish to communicate in. A database is kept of all staff who speak community languages. These staff can be called upon to provide support to users who have difficulties communicating in English.
- 70 Users who make visits to the council's main offices in Brent House, Wembley can have applications explained to them by reception staff. The service also runs 'surgeries' on Wednesdays from 5.00-7.00pm, when they can see a professional officer to obtain advice on draft schemes and advice on how current applications may affect their property. These surgeries are well attended and managers use customer feedback to refine the services offered.
- 71 Reality checks were made to the main reception of the service in the 'one stop shop'. We identified a full range of the supplementary planning guidance. We made general enquiries as to the possibility of planning permission. We found staff friendly and polite and advice was explained clearly.
- 72 Our inspection included several phone calls to the planning offices to gauge the speed of access and the quality of advice given. In general our phone calls to the main reception were answered quickly and we were transferred quickly to a planning officer. Planning advice was clear and accurate although several officers did not mention that a separate permission may be required under the building regulations.
- 73 The council holds a planning committee every three/four weeks. We attended one meeting and identified several features of notable practice including clearly displayed leaflets explaining committee procedures, objectors and applicants being allowed to speak, and the Chair issuing clear instructions on the 'ground rules' for managing the committee. Our user panel expressed concerns over how objectors are dealt with by the committee. We identified with some of these concerns with several councillors drifting into and out of the meeting and a poor quality of debate.
- 74 The council has developed a responsive planning enforcement service which has a high rate of success in serving notices and taking direct action. Government guidance to planning authorities advises that in most cases the service of notices and direct action are matters of last resort and that planning services should seek negotiated solutions before taking action. Our inspection of several enforcement files indicates that in several cases, only one warning letter was sent advising the owner that works had been carried out without the benefit of permission before

action was taken. In two of the files we examined, reports had not been filed. The service needs to strengthen its enforcement processes to ensure an accountable approach.

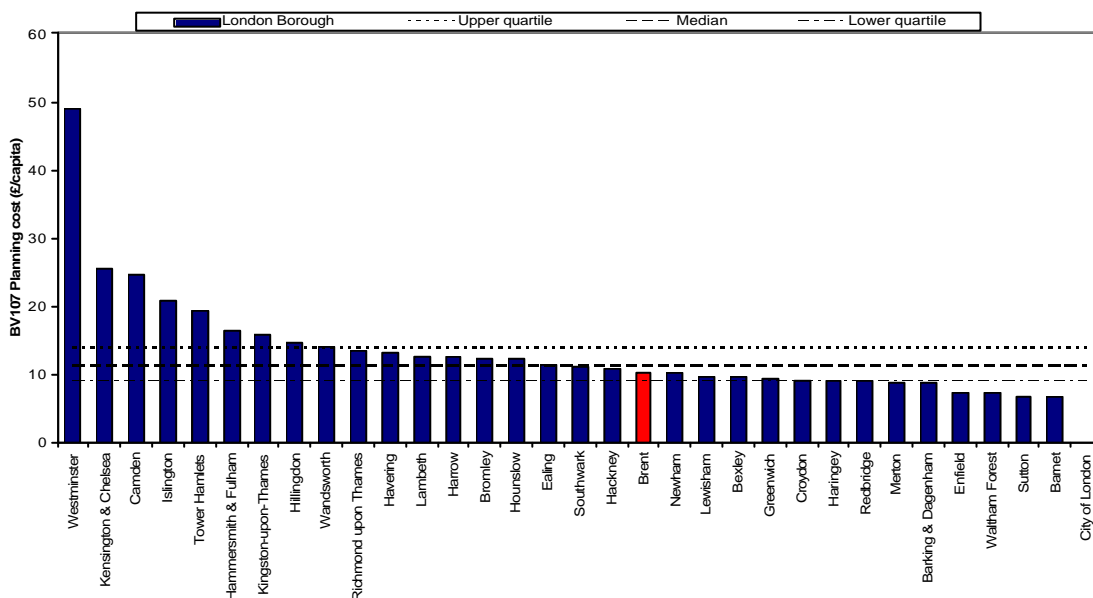
75 Although the borough has one of the most ethnically diverse populations in London the UDP follows a standard format. The plan does not reflect the wealth of diversity and the opportunities which this represents. The introduction of the new planning system under the Planning and Compulsory Purchase Act 2004, with the mandatory PPS1 requiring a statement of public consultation, enables the council to produce a plan which reflects a real sense of place.

How does the performance compare?

76 In order to judge the quality of a service, it is important to compare the performance of that service against other suppliers across a range of sectors. The aim is not exact comparison, but an exploration of how similar services (or elements of services) perform in order to identify significant differences, the reasons for them, and the extent to which improvements are required.

77 Where possible, we have compared the council with other councils in its Audit Commission family group (councils with similar general characteristics). We have also compared the council with the best and worst performing 25 per cent of London boroughs for that indicator.

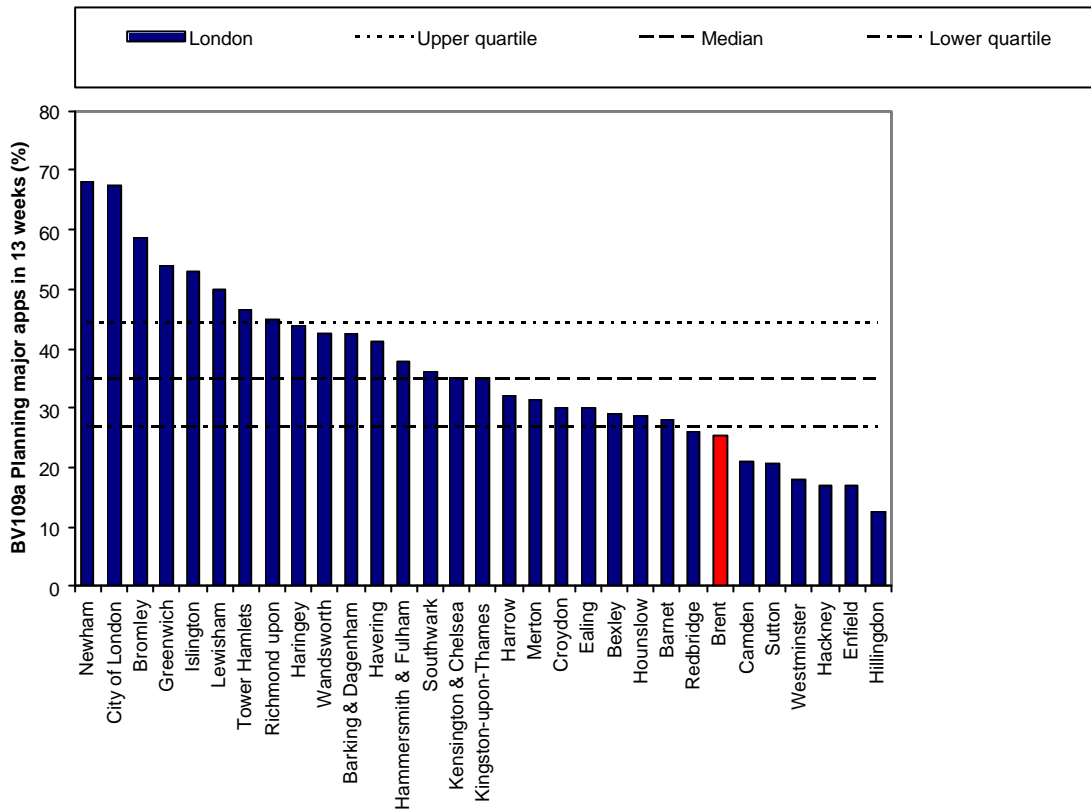
78 Exhibit 1 below indicates that in 2002/03 Brent's planning service costs are just inside the third quartile at £10.33. Exhibits 2-4 below show that performance is good in most areas (except major applications) in the context of this cost structure.



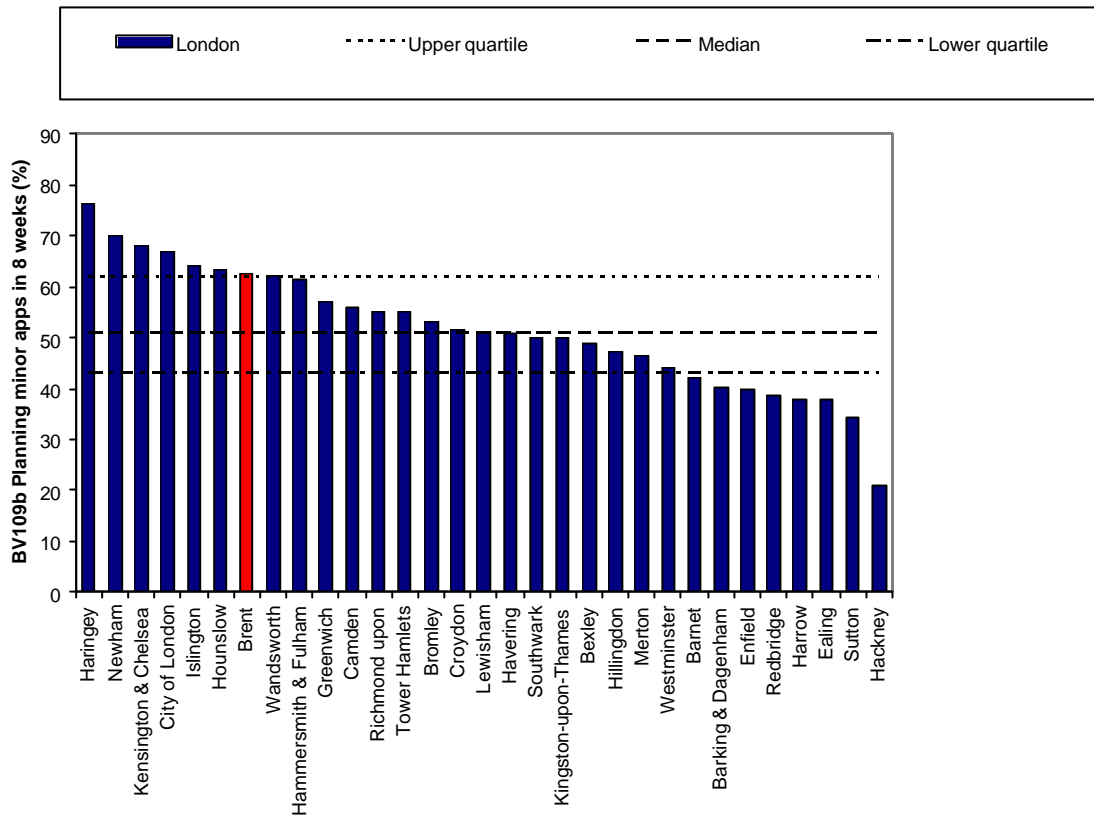
79 The Government has set targets for a range of planning applications: these require 60 per cent of major applications being determined within 13 weeks; 65 per cent of minor applications and 80 per cent of other applications being determined within eight weeks.

80 Performance figures for the three indicators included in BVPI 109 are set out below. These represent a mixed picture of performance for 2002/03. Exhibit 2 indicates that for major applications (BVPI 109a) the council achieved 25 per cent within 13 weeks. Major applications account for 1.7 per cent of all decisions made (ODPM 2003). This was in the lower quartile for London boroughs. However, following the designation of the service as a 'standards' authority, there has been

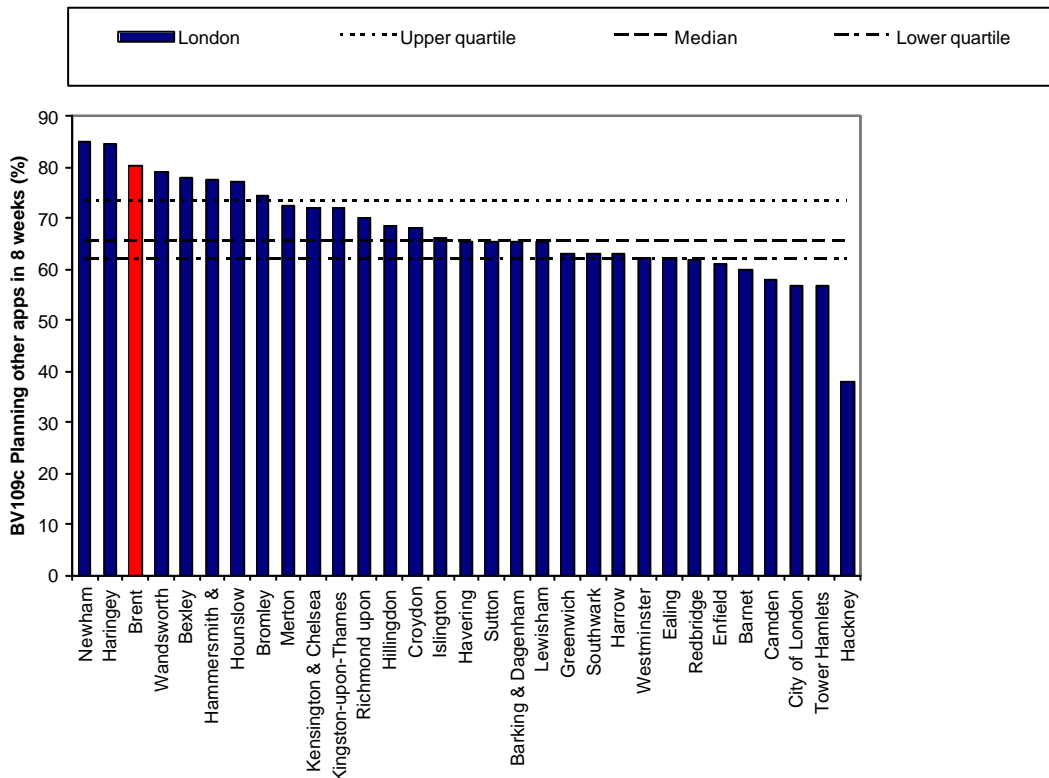
a marked improvement in performance and audited figures for 2003/04 indicate that performance has risen to 72 per cent. This meets the Government target.



81 Comparable performance for BVPI 109b in exhibit 3, indicates that for ‘minor’ applications, 60 per cent were processed within eight weeks, placing the authority in the upper quartile. Minor applications account for 19 per cent of all decisions made by the council during this period (ODPM 2002/03). Audited figures for 2003/04 indicate that 75 per cent were determined within the statutory time frame. This meets the Government target.



82 Comparable performance for BVPI 109c outlined in exhibit 4, indicates that for 'other' applications 80 per cent were processed within eight weeks, placing the authority in the upper quartiles. 'Other' applications account for 79 per cent of all decisions made by the council (ODPM 2002-03). Audited figures for 2003/04 indicate that 88 per cent were determined within the statutory time frame. This meets the Government target.



- 83 The council has high rates of delegation compared to many other authorities at 95 per cent. This is in line with the Government's target of 90 per cent for 2002/03. However, the amount of development on brown field sites was only 89 per cent (BVPI 106). This resulted from the development of several extant permissions on allotment lands.
- 84 The council uses comparison to learn and develop in several ways. There is learning on what works in how the service can develop processes. This is through the Association of London Government planning working groups and the Planning Officers Society. Visits have been made to both Camden and Wandsworth, which are both considered to be notable practice authorities in the use of ICT.
- 85 Comparable knowledge in substantive planning issues has been achieved through a series of visits to architecturally notable schemes such as the BedZed site in Sutton, an example of building sustainable communities and the service participates in the Civic Trust awards (Willesden City Academy received a commendation in 2004).

Summary

- 86 This is a 'good' planning service which has integrated the operational work programmes within the strategic context of the corporate plan and the work of local stakeholders and partners. The service has established a series of challenging and cross cutting service objectives which it is addressing. There is a strong focus on partnership working and close integrated working with the regeneration team. Performance exceeded the statutory performance targets for 2003/04, and costs are in the third quartile for London boroughs (2002/03).
- 87 The service has developed the web to facilitate the submission, objection and payment of fees. Reality checks indicate a service which is helpful and responsive to users. Although objectives are challenging, these need to be informed by 'challenging' outcome based targets. A stronger emphasis on the monitoring of outcomes delivered by the service is needed. Other challenges facing the service, include declining user satisfaction and high refusal rates.

What are the prospects for improvement to the service?

- 88 Inspectors judge the service's prospects for improvement based on its proven capacity to improve using the four building blocks for effective improvement identified in the Audit Commission publication 'Changing Gear':
- ◆ ownership of problems and willingness to change;
 - ◆ sustained focus on what matters;
 - ◆ capacity and systems to delivery performance and improvement; and
 - ◆ integration of continuous improvement into day to day management.
- 89 We are not looking for a fundamental review of services; the emphasis is on the council's proven capacity to improve.

Ownership of problems and willingness to change?

- 90 Under this heading the inspectors look for evidence of councillor, managerial and financial commitment to continuous improvement, at a willingness to take and stick to tough decisions and the extent to which the service welcomes internal and external challenges. We also look at reporting systems and at whether the council is open about its performance.
- 91 We found that there are good levels of understanding about the challenges facing the planning service and there is a commitment to delivering service improvements.
- 92 The service carries out an annual European Foundation for Quality Management (EFQM) assessment of its strengths and weaknesses and uses this to inform it's SOP. This assessment covers a wide range of issues including staffing issues, process and procedure, working with partnerships and customer satisfaction. The outcomes of this process are addressed through the service operational plan. In turn, this plan is a comprehensive document used to drive improvement in the service. Its action plan covers delivery across all areas, and should outline what action will be taken in response to identified problems.
- 93 We found that the 'golden thread' between identifying actions and solutions was not always clear. For example, the need to improve front end service delivery and investigate the high refusal rate are identified in the SOP for 2004/05. However, the action plan is not clear about how this will be done. We know from our investigations during this inspection, that action is underway to address these two issues. However, the absence of the 'golden thread' means accountabilities and responsibilities are not always clear.
- 94 Our staff focus groups indicated that the SOP was a key driver for delivering service priorities and that staff understood the role they should play in ensuring its success.
- 95 We found good levels of understanding about the fundamental role the planning service must play in respect of the overall achievement of the council's priorities particularly around regenerating the borough. Councillors are very supportive of the planning service. They respect the pressure the service has been under to improve, and are supportive of the efforts made by their staff to achieve this.
- 96 The service has been supported financially. It has received significant funds from the ODPM over the last two years (over £1million since 2003/04) which has been used to address service weaknesses. The council has also built growth in to the base budgets of the service in order to ensure that future improvements in service delivery is not jeopardised if grant money is not forthcoming in future

years. This indicates a good level of commitment from councillors and senior officers.

97 Headline decisions have been made about how the PDG will be spent in 2004/05. These include:

- ◆ staffing;
- ◆ revising supplementary guidance; and
- ◆ enforcement activity.

Detailed plans on how this money will be spent have yet to be developed.

98 There is evidence that councillors and officers are willing to take (and stick to) difficult decisions. Examples of this include de-designating a number of conservation areas in the borough and granting planning permission on developments where housing densities are significantly higher than those suggested in the council's UDP.

99 The decision to de-designate the conservation areas was made on the basis that in the past, the service had not been resourced in a way which could have provided adequate protection in line with Government advice. In tandem with the decision, the council has agreed to increase the establishment of both the conservation and enforcement teams to ensure a pro-active approach.

100 The council has signed an enforcement concordat and developed an enforcement policy which identifies a framework for prioritising enforcement activity. Since agreeing to active enforcement, the council has undertaken significant activity in this area. The policy was reviewed and refined in light of experience of the first 12 months. The decision to prioritise enforcement has been underpinned by the allocation of a team of six planning officers (although some of these posts are currently vacant).

101 One of the challenges facing the planning service in Brent is recruitment and retention. Brent has struggled to attract planners, particularly into managerial posts. Analysis was undertaken to identify the issues underlying this and a strategy to address the problem has been drawn up in response. This includes offering enhanced packages to attract staff to work in Brent. It is too early to say how effective this has been, although early indications suggest it will solve some of their issues. We were also made aware of other activity the service is undertaking to address recruitment and retention.

102 The service works hard to achieve external accreditation to support service excellence. It holds Investors in People, ISO14001 (environmental sustainability), and a Chartermark. All these processes involve subjecting the service to external scrutiny. Preparation for these accreditation processes ensures regular internal review and has resulted in good levels of self-awareness amongst officers.

103 Our review of documents and activity levels has identified that the council has one of the highest refusal rates in London. This is acknowledged by officers. However, officers believe that this is not as a result of prioritising achieving BVPI 109 targets to complete applications within nationally agreed timescales. However, it remains that refusal rates are high. There is recognition in the 2004/05 SOP, that this issue needs to be addressed and our discussions with officers demonstrate a commitment to doing this (and some progress at achieving reductions has already been achieved), although it is not clear from the action plans we have reviewed how this will be done.

104 The council has yet to assess in detail what action needs to be taken in order to achieve the new requirements of the Planning and Compulsory Purchase Order Act 2004. A high level project plan has been developed but this requires more

work. Potential partners need to be identified and involved in this process at an early stage.

Sustained focus on what matters?

- 105 Inspectors look at the clarity and consistency of priorities in service strategies and related service plans and at how the service balances national goals and what matters most to local people. We also look at the extent to which resources and actions are targeted to priorities, defined in published strategies.
- 106 As noted above, the service development plan and the service operational plan outline the priorities for the service. There are clear links between this document and the council's community strategy and corporate plan. We also found clear evidence that activity is being focused at improving performance in key areas. The council has generally achieved coherence between local, regional and national priorities and there are rigorous processes in place to ensure synergies between them. The service has worked hard to forge relationships with partners, particularly at a regional level to ensure that Brent's local priorities do not conflict with the London plan in particular.
- 107 The Wembley project is a good example of how effectively the planning service has worked in partnership with others to deliver projects in Brent. When it became clear there would be competition between Wembley and other cities for the national stadium, the council established a partnership with other stakeholders including English Partnerships to ensure that the new stadium was built in the borough. The planning service has also engaged effectively with Transport for London and Network Rail in order to address some of the transport issues linked to the development of the Wembley site to ensure a new stadium would be sustainable
- 108 The planning service has also worked with the Park Royal Partnership, the Highways Agency and London Transport to ensure that transport infrastructure in the new business park (the Guinness site) is developed.
- 109 The success of this partnership working has borne fruit in other areas, as now potential issues on large scale developments are addressed in a productive and timely manner with Government Office for London (GOL), the London Development Agency (LDA) and the Greater London Assembly (GLA).
- 110 The planning service has developed effective relationships with officers in other parts of the council. With limited resources within the service itself it has had to work closely with other departments e.g. regeneration and housing. The networks that have developed are proactively managed and there is good communication across the council which has enabled the planning service to support implementation of the council's regeneration and housing policies.
- 111 The council's housing department has established a forum for the housing associations in the borough, and within this a planning sub-group meets on a regular basis. The group meets quarterly in order to discuss policy changes, the UDP, future challenges and new supplementary guidance. It is also used to manage expectations between planners and housing associations e.g. quality of plans, housing densities, section 106. The planning service is proactive about sharing intelligence about developments in the borough. We found that this group has enabled productive relationships which benefit both the council and the housing associations working in Brent.
- 112 Officers and councillors have good working relationships, characterised by good levels of trust. A planning code of conduct has been agreed between members of the council's planning committee and officers, which outlines the duties and responsibilities of both members and officers. The operation of this code is

reviewed annually by the monitoring officer and reported to the standards committee. The most recent review raised some areas for improvement, although none of these were issues of real concern.

- 113 The planning service was designated as a 'planning standards authority' in 2002/03 because of concern about poor performance by the ODPM, particularly in deciding major planning applications within the target 13 weeks. Since that time, performance has improved significantly (see paragraphs 78-82), in spite of large increases in applications (up 30 per cent since 2001/02). The report produced for the ODPM at the end of 2003/04 indicates that performance has improved enough for the service not to be a standards authority in 2004/05.
- 114 Improved performance has been achieved by:
- ◆ increasing the number of planning officers;
 - ◆ increasing administrative support from 6 to 7 FTE;
 - ◆ effective use of the major applications application meetings to support the pre-application advice;
 - ◆ using consultants to support the Wembley applications;
 - ◆ updating supplementary guidance to provide improved information to the public and to support better decision making by officers and councillors;
 - ◆ reviewing delegation arrangements; and
 - ◆ improving use of IT to support both applicants and officers.
- 115 In addressing poor performance, one of the issues identified was the poor quality of plans being submitted for planning approval. Officers have addressed this by:
- ◆ ensuring appropriate planning guidance is available; and
 - ◆ encouraging pre-application meetings with applicants and agents.
- 116 As noted above, the service has achieved a demonstrable improvement in performance particularly against BVPI 109a. However, at the same time, user satisfaction has fallen and refusal rates have risen. The challenge for the service will be to reverse this decline without impacting on the improvements achieved on meeting national targets. We have identified that refusal rates for the last two quarters have already fallen from 37 to 28 per cent. The service now needs to build on its successes and effectively manage the challenges it faces.
- 117 The service is also striving to use customer feedback to improve service delivery. A resident's forum has been established, although the meetings have not been as frequent as officers might like. All those attending the evening surgery are invited to complete a customer feedback form, and the service documents the improvements it has implemented in response to this feedback. This is a good example of users views being used to shape service delivery.

Capacity and systems to deliver performance and improvement?

- 118 This section looks at the performance management systems of the council and the service to determine the capacity to deliver improved performance, including its approach to increasing capacity through effective partnership working.
- 119 The service has an effective performance management system. As noted above, staff are clear what their priorities and targets are through the SOP and through their employee performance and development scheme. The service has effective systems in place to provide timely and accurate management information. This allows managers to take action quickly to address any emerging issues.

Summary performance information is shared with key stakeholders and is available quarterly on the department's website and is displayed in the 'one stop shop'.

- 120 Managers have sufficient information to manage caseloads appropriately, and performance against key BVPIs suggests that the process works. Our file review raised some concerns however, about the efficiency/effectiveness of the validation process and the impact this has on time available for area teams to deliver against tight targets. We acknowledge that this issue has been identified through the SOP (see paragraph 39 above).
- 121 Staff surveys are carried out annually across environmental services. Staff satisfaction across the planning service is generally high, and compares well both to external and internal comparators. Managers try to respond to the issues raised by these surveys e.g. the drive to improve recruitment and retention is an example of this.
- 122 Consultants have been used to increase service capacity and inform the work of the service on major schemes. Due to difficulties with recruitment, the service employs about ten agency staff which may reduce in time, in line with an anticipated fall in applications received. There is an understanding about what levels are appropriate given the financial situation of the service (i.e. grant v establishment).
- 123 Agency staff tend to stay with the council for reasonable periods of time, building their knowledge of the borough and its planning policies. The service has decided that it will offer training opportunities to staff on temporary contracts as an incentive to stay. Our focus group with staff identified that this had worked for several staff.
- 124 The council has employed two staff through the Positive Action Training Highway (PATH) initiative, and there is a commitment to develop this further.
- 125 Extensive training is available to staff and there is an annual training plan for the service. The employee performance and development plan is used to identify development needs on an annual basis and training is provided to meet these needs. Good support is available for staff in terms of continuing professional development.
- 126 There is a comprehensive programme of training for members of the planning committees. New members must have training before joining the committee and a regular programme of training is provided annually, both for members of the committee and their alternates. This ensures that members are kept up to date on changes to planning guidance and to policy and legislation.
- 127 We found that the service is financially sound. Budgets are effectively managed, financial control is good and financial management information is readily available. Section 106 monies are held in a separate bank account, and each scheme is clearly identified and separately coded. Management information is readily available and the accounts are audited annually. Capital expenditure is managed through the Capital Board, providing a mechanism for ensuring compliance with corporate priorities.
- 128 Failure to implement s106 schemes in a timely manner could expose the council to reputational risks with developers in the borough. The council has recently commissioned a review of their s106 accounts in order to assess its effectiveness. The review found that whilst the council still held money going back to 1998, some of these permissions could have only commenced on site last year and the relevant trigger points when money is required may not come

for several more. This is an area that the council needs to review on a regular basis.

- 129 Good intelligence systems are in place to gather information on developments across the borough and cross council meetings are used to share information, develop cross-cutting approaches and maximise development opportunities. The use of Accolade (the planning IT system) to analyse patterns of planning decisions was recently praised in an Arup benchmarking report.
- 130 The service is well placed to meet the requirements of BVPI 157. Web access to services is good, and the website has received awards. IT systems used internally (principally Accolade) are comprehensive and reliable.

Integration of continuous improvement into day-to-day management

- 131 Achievement of continuous improvement will only come about through the involvement of staff on a day-to-day basis. This final section looks at the focus on improvement in day-to-day operations and the extent to which this is an integral part of performance management processes.
- 132 We have found a service that is committed to continuous service improvement, and is actively striving to achieve excellence. The use of external accreditation e.g. Investors in People and Chartermark, both of which require the demonstration of performance improvement is an indication of this.
- 133 There is clear leadership from senior management on the need to deliver improved performance and councillors are supportive of this.
- 134 Targets are used to monitor performance on a regular basis, and processes are in place to ensure remedial action can be taken. The council has set itself (and achieved) stretch targets to improve performance. The planning service has developed a culture of performance improvement and is aware of the need to refine and develop processes to achieve this. Managers are open to suggestions about how improvements can be achieved and staff are rewarded for the contributions they make.
- 135 The service has established a learning culture and the feedback we had from stakeholders during the inspection is testament to this. Ongoing staff and councillor training are further indications of this.

Summary

- 136 This service has 'excellent' prospects for improvement. Managers have established an effective performance based culture which is supported by clear strategies and action plans. The service is self aware and has a good understanding of its strengths and weaknesses. It works well with its partners both internally and externally and has the trust and support of councillors. It is financially secure and has the capacity and systems in place to achieve improved service delivery. The service has established a good track record in delivering performance improvements.
- 137 There are areas where improvements could be achieved, and the council has plans in place to rectify these. Areas for improvement include refining service

plans to link actions to identified priorities, ensure it is responding the ongoing challenge of recruitment and retention.

Appendices

The purpose of a best value inspection is to make two judgements. The first is how good is the service being inspected? The second is what are the prospects for improvement? We carried out a range of activities to enable us to reach our judgements.

Documents reviewed

Before going on site and during our visit, we reviewed various documents that the council provided for us. These included:

- ◆ Unitary Development Plan
- ◆ Brent's Corporate Plan
- ◆ Community Strategy
- ◆ Vision documents for the Wembley regeneration
- ◆ Service Development Plan
- ◆ Service Operation Plan 2003/04 and 2004/05
- ◆ Supplementary Planning guidance
- ◆ HR strategies
- ◆ Planning committee papers and minutes
- ◆ Performance information bulletins

Reality checks undertaken

When we went on site we carried out a number of different checks, building on the work described above, in order to get a full picture of how good the service is. These on-site reality checks were designed to gather evidence about what it is like to use the service and to see how well it works. We also followed up on issues relating to the management of the review and the improvements flowing from it. Our reality checks included:

- ◆ Visiting the one stop shop to ask for planning information about a property in Brent
- ◆ Asking planning officers for information about building a two storey extension.

List of people interviewed

We met a range of people involved with the service:

Sandra Carson	Director – One stop shop
Cllr Mary Cribbin	Chair of the Planning Committee
Lucy Daniells	Quality and Systems Manager
Andy Donald	Assistant Director – Policy and Regeneration (Chief Executive's Department)
Andy Hardy	Director of Building Control
Ken Hullock	Policy Manager

Cllr Lesley Jones	Cabinet Member – Environment
Cllr S Kansagra	Conservative Party Spokesperson for Environment
Duncan McLeod	Director of Finance
Terry Osbourne	Borough Solicitor
Marcus Perry	Manager Property Services
Maggie Rafalowicz	Assistant Director of Housing (Strategy and Regeneration)
Michael Read	Assistant Director of Environment (Policy and Regulation)
Tim Rolt	Enforcement manager
Richard Saunders	Director of Environment
Keith Tallentire	Head of Policy and Projects (Environment Directorate)
Chris Walker	Director of Planning
Cathy Wellstead	Assistant Director - Corporate Policy (Chief Executive's Department)
Judith Young	Head of Information and Performance, Environment Directorate
Stephen Weeks	Head of Area Planning
Focus Groups	Staff from the planning service
	Team managers from the planning service
	Residents and Agents
	Housing Association representatives

Improving public services

The Government has placed a duty upon local councils to deliver services to clear standards – of cost and quality – by the most economic, efficient and effective means available.² Best value is a challenging framework that is designed to improve local services. Councils are required to assess their own performance and put in place measures to ensure continuous improvement in all of their services.

Councils must show that they have applied the 4Cs of best value:

- ◆ **challenging** why and how a service is being provided;
- ◆ **comparing** their performance with others' (including organisations in the private and voluntary sectors);
- ◆ embracing fair **competition** as a means of securing efficient and effective services; and
- ◆ **consulting** local **taxpayers**, customers and the wider business community.

The Government has decided that each council should be scrutinised by an independent inspectorate. The Audit Commission performs this role.

The purpose of the inspection, and of this report, is to:

- ◆ enable the public to see whether best value is being delivered;
- ◆ enable the council to see how well it is doing;
- ◆ enable the Government to see how well its policies are working in practice;
- ◆ identify failing services where remedial action may be necessary; and
- ◆ identify and disseminate best practice.

² This report has been prepared by the Audit Commission ('the Commission') following an inspection under Section 10 of the Local Government Act 1999, and issued in accordance with its duty under Section 13 of the 1999 Act.