

Report Title	Independent Review of the Planning Function
Meeting	Council
Meeting Date	18 th December 2025
Report Author	Dean Langton
Directorate	Chief Executive
Lead Executive Member(s)	Cllr David Whipp Leader of the Council
Wards Affected	All
Public. Part Exempt, or Fully Exempt	Public
Appendices (if any)	App A – Anthony Collins Solicitors - Independent Review of the Planning Function.

1. Executive Summary

- 1.1 This report presents the outcome of an independent review of the Council's Planning function.
- 1.2 Various recommendations have been made following the review and Council is requested to accept those recommendations and to ask Officers to implement them, with any decisions necessary on the matters raised being subject to the Council's normal governance processes.

2. Recommendations

For the reasons set out in this report, Council is recommended to:

- 2.1 accept the recommendations made in the independent review of the Planning function as set out in the report at Appendix A; and
- 2.2 request Officers to implement the recommendations, with any decisions necessary on the matters raised being subject to the Council's normal governance processes.

3. Information: the Rationale & Evidence for the Recommendations

Background

- 3.1 At the meeting of Council in July 2024, Councillors received an Interim Auditor's Annual Report from the Council's External Auditor, Grant Thornton, relating to the 2021/22 and 2022/23 financial years. The report focussed on the Council's arrangements for securing economy, efficiency and effectiveness in its use of resources for those years.
- 3.2 The National Audit Office Code of Audit Practice requires that where auditors identify significant weaknesses as part of their arrangements to secure value for money, they should make recommendations setting out the actions to be taken by the Council. Grant Thornton defines these as Key Recommendations. A number of Key Recommendations were raised in the Interim Annual Audit Report including the following:-

'Key Recommendation 2 (Governance) – The Council should commission a focussed independent legal report on the consistency, costs and efficiency of its planning process and the potential future impacts of continuing with the current arrangements'.

- 3.3 The Council accepted this Key Recommendation and resolved to commission a report as required.

Independent Legal Report

- 3.4 Anthony Collins Solicitors, a nationally respected law firm, was commissioned to undertake the legal review of the Council's Planning function. As part of the work, they undertook a desk top review of key documents and conducted various interviews with Members and Officers about how the planning system works at the Council.
- 3.5 The report on the outcome of the review is provided at **Appendix A**.
- 3.6 The report describes the Council's Planning function and the role that is played by those involved in it. Information is provided on the performance of the various Committees involved in the planning process. As a result of this analysis, a number of opportunities to improve are identified which lead to a range of recommendations.
- 3.7 Council is requested to accept all the recommendations made in the report. In doing so, it is recommended that Officers be asked to take action to implement the recommendations, with any decisions necessary on the matters raised being subject to the Council's normal governance processes.

4. Link to Council Plan Priorities: (Providing High Quality Services and Facilities, Proud and Connected Communities and Places, Good Growth and Housing and Healthy Communities)

- 4.1 The Planning function is well performing and any review focussed on improvements to how it operates should lead to better performance.

5. Implications

Financial Implications

- 5.1 There are no financial implications arising directly from the recommendations in this report.
- 5.2 Implementing the recommendations may well have financial implications for the Council. These will be assessed as part of the implementation process and any requirement for additional resources will be highlighted as required.

Legal and Governance Implications

- 5.3 There are no Legal and Governance Implications arising directly from the recommendations in this report.
- 5.4 Implementing the recommendations may well have legal implications for the Council. Again, these will be assessed as part of the implementation process and any requirement for additional resources will be highlighted as required.

Climate and Biodiversity Implications

- 5.5 There are no climate and biodiversity implications arising directly from the recommendations in this report.

Human Resources Implications

- 5.6 There are no staffing implications arising directly from the recommendations in this report.

Equality and Diversity Implications

- 5.7 There are no equality and diversity implications arising from the recommendations made in this report.

6. Consultation

- 6.1 The report has been produced independently by Anthony Collins Solicitors.

7. Alternative Options Considered

- 7.1 The independent review of the Planning function was a recommendation from the External Auditor, Grant Thornton and so the report provided at Appendix A has been produced in discharge of that recommendation.

8. Statutory Officer Sign off (please put an x in the relevant box below)

Section 151 Officer	✓
Monitoring Officer	✓

9. Background Documents

Interim Auditors Report on Pendle Borough Council 2021/22 and 2022/23 (Published in May 2024) – considered by Council in July 2024

Contact Officers

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