

SCRUTINY COMMITTEE		Agenda Item:
Meeting Date	21 October 2021	
Report Title	Planning Support – Erroneous Planning Decisions	
Cabinet Member	Cllr Truelove – Leader (Portfolio Holder Shared Services) Cllr Baldock – Portfolio Holder Planning	
SMT Lead	Stephen McGinnes Director Shared Services Larissa Reed – Chief Executive	
Recommendations	1. That scrutiny note the contents of the report including the audit report, timeline and action plan	

1 Purpose of Report and Executive Summary

- 1.1 This report follows the report considered by Scrutiny Committee on September 23, 2021. The report sets out details of the Audit Investigation and the timeline of events.

2 Background

- 2.1 On 19 August 2021 the councils published six planning notices by mistake. The six, which had all the outward signs of genuine decision notices, were part of system testing and never intended for publication.
- 2.2 The councils had not, in fact, decided these six applications. Some of the language used was transparently not that expected of genuine notices.
- 2.3 The councils removed all six notices on the same day as they came to attention. However, following later legal advice, the councils came to understand that because the notices met those outward signs of authenticity they would stand as lawful decisions. Therefore, the councils would need to republish the decision notices and keep them on display while they began the legal filings necessary to get the notices quashed. The re-publication has attracted significant media coverage.
- 2.4 The council undertook an investigation, led by the Head of Audit to ensure that lessons are learned and the process improved going forward. The report can be found at Appendix 1.
- 2.5 The report determined that the reasons for the issue date back to 2018. On 4 September 2018, MK ICT in error duplicated the system configuration responsible

for the interface between the Planning System (Uniform), the Document Management System and Public Access.

- 2.6 With MK ICT unaware of the duplication there was a crucial step missing from their procedure notes when copying details from the Live planning system into the Test system. This resulted in the Test system being handed over by MK ICT to MK Planning Support being configured in a way that left it vulnerable to unintentional publication.
- 2.7 There have been at least four periods of testing since 2018 and each one had the risk of erroneous decisions being printed; however the issue only occurs when the print function is used, and this is the only case where this happened.
- 2.8 A diagram of what should happen and what did happen as part of the testing is shown at appendix 2 (the green line is the correct process; the red line is what happened in reality).
- 2.9 With the testing taking place in an environment where MK Planning Support believed the likelihood risk of publication was zero, the inappropriate content was entered on the fully grounded belief that no-one else would ever see. The comments did not seek to express any view on the applications.
- 2.10 Further to the Audit investigation, an action plan has been agreed with both councils. (Appendix 4) This is now being implemented.

3 Appendices

- Appendix 1 - Audit Report
- Appendix 2 - Diagram of process
- Appendix 3 - Timeline of incident
- Appendix 4 - Action plan following investigation

4 Background Papers

Report to Scrutiny Committee 23 September 2021