

Planning Process Review - Update

SUMMARY

- 1.1 The purpose of this report is to allow the Board to receive an update on how the Development Control team is progressing with process reviews and on-going service improvements in the face of changing legislation and restructure pressures. The Board were presented with a paper in July last year and this seeks to provide an update on the individual areas outlined under the relevant areas in part 4 – supporting information.

RECOMMENDATION

- 2.1 To note and discuss the merits of recent ideas and improvements and to make appropriate comments or recommendations.

REASONS FOR RECOMMENDATION

- 3.1 To ensure that Planning, Housing and Leisure Board are kept informed of the position regarding on-going process reviews.

SUPPORTING INFORMATION

4.1 Managing applications

Since the last report the number of professional Planning Officers in the Development Control team has reduced to 5 FTE. In 2008 this was 12 FTE.

Currently the Planning Officer team comprises the DC Team Leader, Sara Booty, who handles management responsibilities with major application casework. Sara works 4 days a week. The senior officers are Julia Meehan and Sara John and they combine major application casework with other responsibilities. Julia works full-time and Sara John works 3 days a week. Since the last report Laura Neale has moved into the post of 'Major Projects Officer' for a temporary period up until November 2015. This post has been established to provide a single point of contact for strategically important commercial applications. It is predominantly funded by the Regeneration Division and

is under the Head of Planning – Paul Clarke to ensure that the post sits outside the wider day-to-day remit of the Development Control Team. Arran Knight has been promoted to provide temporary cover for Laura as a senior officer and Jenny Nightingale, who currently works 3 days a week, should be taking on the full time hours of Hannah Carrington who has recently left the Council. A recruitment exercise is currently in place to secure 2 additional posts to cover Arran's temporary secondment and the part time hours vacated by Jenny. The team is engaged in a range of complex projects and their individual caseloads are all high.

- 4.2 The current caseload average is 55 'on-hand' applications per officer. The county-wide picture is somewhat different and in 2012/13 the 'on-hand' average was 27 cases.

The Planning Assistants also handle casework items to assist the Planning Officers. These applications include prior notifications and certificates of lawfulness that carry a workload burden but often don't require the professional judgement required for assessing planning applications. This has been introduced to assist with high caseloads and to create a flexible team working ethos. The Planning Assistants Team Leader handles applications for works to protected trees and works to trees in conservation areas in addition to other managerial duties. In 2013 that individual dealt with 160 applications and his current 'on-hand' caseload is 35 applications. The applications for tree work historically had input from a specialist team of Arborists but those internal consultation arrangements no longer exist. The current post holder is, therefore, required to be conversant with up-to-date practises and guidance. This is another example of flexible working and responding to the changing circumstances of the service.

- 4.3 Since the last report the Planning Assistants now accept and register incoming applications in a more streamlined fashion. Previously applications were handled in specific individual stages, by different officers, in terms of registering applications, validating applications (to gauge if they are fit-for-purpose) and carrying out publicity exercises. The Planning Assistants now complete a series of tasks so that there is a single point of contact before the application is passed over to the case officer. This has involved in-house training to ensure that the Planning Assistants handle the various tasks consistently and within agreed timeframes.

4.4 **Managing 'major' applications**

Members should be aware that the 'Planning Guarantee' which was introduced by the Government in October last year, now allows planning applications to be submitted directly to the Secretary of State if the Local Planning Authority has a record of failing to decide applications for major developments on time. The thresholds for designation for such 'special measures' are currently where a Local Planning Authority determines 30% or fewer major applications on time, or has more than 20% of major decisions overturned at appeal, both indicators measured over the previous two years.

Designations will be made annually. Three Local Planning Authorities, Blaby, Worthing and Halton, having failed to reach the required 30% performance figure, will be placed in 'special measures'.

- 4.5 Our performance on major applications over the previous two year period, excluding the July-September 2013 quarter, was 44.4%, in excess of the 30% threshold for designation set by the Government. Members and Officers need to be aware however, that the Government have indicated that it is their intention to raise these thresholds over time. Recent announcements suggest that this could be raised to a 40% threshold.

However, officers continue to use 'Planning Performance Agreements' and formal extension of time arrangements to manage major applications and these are methods of taking applications outside of the remit of the performance monitoring regime. This has had a positive impact on performance and in the last October – December quarter the performance on major applications was 67%, which is a very pleasing figure.

4.6 **Customer contact**

A duty system is still provided for customers in the Customer service Centre. Currently this is in the form of 4 individual 3 hour sessions that are hosted in the customer service area and booked using our electronic appointment system. The service no longer provides a drop-in facility for customers. A rota system is still managed by the team to cover the appointments and one person covers each 3 hour session. The Planning Officers, Planning Assistants and Technicians share the responsibility. We constantly evaluate how the system is managed using feedback from colleagues and customers.

A balance has to be struck between the demands of this system as a free service and its impact on the delivery of fee generating applications, which are monitored by performance targets and are the main focus of the team.

- 4.7 The appointment system is coupled with a 'team phone'. This is quite an intensive responsibility and we have devised a system for use on the corporate telephony facility to guide customers to other self-service opportunities.

Since the last report the introduction of the corporate telephony options-based service has had an impact on the number of calls directed to the team phone which remains live throughout the working week and is another free service. The corporate telephony system has not been well received by the majority of customers.

The appointment system is distinct from our fee based pre-application service. This is aimed at major development proposals and providing written responses and / or meetings to flexibly meet the needs of the individual developers. As part of our Development Management ethos we attempt to provide co-ordinated and

comprehensive advice using all consultees and partners.

4.8 Advertising applications

A statutory component of the application process remains the need to advertise certain applications in the local press (we use the Derby Telegraph as it is the only newspaper with city-wide coverage). For example, major applications, waste applications and works to listed buildings are subject to press advertisements. As part of an on-going assessment of this responsibility a new format to the standard advertisement template has been running for some time to minimise the word content and to combine proposals under a single advertisement where there are multiple advertisements.

Savings are in the region of £50 for a single advertisement and this saving is greater for multiple advertisements. It is anticipated that noticeable savings will be made this year.

4.9 Committee reports

The regulatory nature of the service means that certain applications are reported for decision to the Planning Control Committee. The terms of reference for the committee are outlined in the constitution and approximately 10% of all applications are reported. The content and precision of committee reports is crucial as reports are scrutinised by a range of interested parties. A revision to the format of the committee report was agreed prior to the last report to this Board and the revision to the format was agreed to minimise duplication within the report and to maximise the time of the individual report writing officers. The new format was introduced at the meeting on 25 July last year and it has been well received by a number of parties.

An oral update on the potential revision of constitutional arrangements for Planning Control Committee will be provided at the meeting.

4.10 Decision notices

The dispatch of decision notices has historically been through the post. With on-going IT improvements and the predominance of e-mail for applicants / agents approximately 90% of all notices are now dispatched electronically. This provides an improved service to customers who receive the notices on the day the decisions are made and savings on paper and postage.

The electronic delivery of information has been part of the format of the application process for some time and in 2010 we introduced the electronic dispatch of consultations to the relevant consultees. This has increased the speed of the service in that respect and reduced the need to print and post supporting application

documents.

4.11 Planning enforcement

Planning enforcement deals with the unauthorised development of land and buildings, the breach of advertisement control and all other breaches under the Planning and associated Acts. It underpins the statutory function of Development Control and has to be applied proportionately. The essence of an effective enforcement service is to resolve disputes, where applicable, by negotiation and to reserve the formal courses of action to the most demanding cases, where expedient to do so.

The service has been reduced by 50% since 2011, to a single officer, as part of our on-going restructure and this has placed an obvious burden on the remaining officer. In December 2012 a report was presented to Planning Control Committee to agree a system of work prioritisation but resource issues dictate that even this is proving difficult to deliver. The Planning Control Committee is also presented with updates on enforcement issues and the scope and progress of enforcement proceedings.

- 4.12 Currently our single Enforcement officer handles around 120+ live cases and this far exceeds the county-wide average per officer.

A separate report to this Board on the issue of unauthorised To-Let / Let-By advertisements highlights how the Enforcement officer can be inundated with single project work and there needs to be a greater corporate emphasis on planning enforcement issues.

4.13 Efficiency and Value

In 2011 a cost recovery exercise was carried out nationally in an attempt to determine the overall cost of delivering planning services. This was handled by the Planning Advisory Service and CIPFA and was designed to provide the evidence base for planning application fees to be levied locally and reflect the true cost of service delivery. The exercise was an intensive programme of recording hours associated with all parts of the planning application process and factoring all the associated on-costs borne by the Council. Officers from across the Council were involved in the process and the then Head of Development Control was instrumental in arranging a sub-regional group of officers from various other authorities to look at the exercise in some detail.

- 4.14 The output of the exercise indicated that our service was the cheapest to run in its comparator group of authorities (included 18 others). In terms of costs per hour we were 17.75% cheaper than the average and, in real terms, the highest cost per hour in the comparator group was £17 greater than our service. The exercise also indicated that we had a greater proportion of recoverable costs than the group average (11% more). The exercise was a robust assessment to inform the government's cost recovery programme which has not been introduced and fees for

planning applications continue to be levied centrally.

OTHER OPTIONS CONSIDERED

5.1 None.

This report has been approved by the following officers:

Legal officer Financial officer Human Resources officer Estates/Property officer Service Director(s) Other(s)	Paul Clarke, Head of Planning
For more information contact: Background papers: List of appendices:	Ian Woodhead 01332 642095 email ian.woodhead@derby.gov.uk None Appendix 1 - Implications

IMPLICATIONS

Financial and Value for Money

- 1.1 None arising directly from this report.

Legal

- 2.1 Section 21 (3) of the Local Government Act 2000 requires that the power of an overview and scrutiny committee to review or scrutinise a decision made but not implemented includes power to recommend that the decision be reconsidered by the person who made it.

Personnel

- 3.1 None arising directly from this report.

Equalities Impact

- 4.1 Effective scrutiny benefits all Derby people.

Health and Safety

- 5.1 None arising directly from this report.

Environmental Sustainability

- 6.1 None arising directly from this report.

Property and Asset Management

- 7.1 None arising directly from this report.

Risk Management

- 8.1 None arising directly from this report.

Corporate objectives and priorities for change

- 9.1 The information set out in this report supports the corporate priorities to ensure the people in Derby will enjoy good quality services that meet local needs and being

safe and feeling safe.