

NORTH LINCOLNSHIRE COUNCIL

**REGENERATION & DEVOLUTION
CABINET MEMBER**

DEVELOPMENT MANAGEMENT SERVICE

1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.1 To approve a development plan for the Development Management service aimed at improving the quality of services provided to customers and the overall performance of the service.

2. BACKGROUND INFORMATION

- 2.1 The Development Management service is responsible for discharging the council's responsibilities as a local planning authority (LPA). As such it is a key front line function, providing services to customers including residents and businesses. The service annually deals with approximately 1,500 planning and associated applications, generating income of £1.3m (2014/15) and securing development contributions of circa £665,000.
- 2.2 Recent feedback from customers has highlighted a need to improve the quality of the service in line with the council priority of achieving excellence in customer service. Recent changes in legislation affecting the service and subsequent national guidance connected with these changes also require development of this key area.
- 2.3 Other aspects of performance also require improvement. In particular, too many planning applications exceed the standard targets for determination. These are eight weeks for routine applications, rising to thirteen weeks for larger and more complex developments and sixteen weeks for those requiring Environmental Impact Assessments. Many factors can influence this, including the availability of adequate staff resources. The plan seeks to realise improvements in these areas.
- 2.4 In response to these issues, the Director of Places requested that service managers prepare an action plan aimed at improving the quality of services provided to customers and the overall performance of the service. In developing this plan, consideration was given to the feedback received from customers, best practice evidenced in other LPA's and the views expressed by employees involved in delivering the service on the changes required going forward.

- 2.5 The development plan highlights the key areas that offer opportunities for improving the service, while reflecting currently available resources. The Cabinet Member will note the progress achieved already in taking forward some of the improvement actions required.
- 2.6 An effective Development Management service is crucial to the delivery of housing, employment and community facilities as well as safeguarding the historic and natural environment. The service also manages our involvement in projects that are determined through the Nationally Significant Infrastructure Projects regime which will have a significant bearing on the future development and well-being of the area.
- 2.7 The performance of LPA's is rigorously monitored by government. They particularly focus on performance in determining major planning applications and success rates at major appeals. If performance is regarded as poor, they can exercise powers to designate a LPA as a 'poor performer'. This would result in applicants having the ability to make their applications direct to the Planning Inspectorate. Such a designation would impact adversely on the reputation of the authority.

3. OPTIONS FOR CONSIDERATION

- 3.1 The recommendation is for the Cabinet Member to approve the development plan for the Development Management service attached as an appendix to this report, aimed at improving the quality of services provided to customers and the overall performance of the service.
- 3.2 The options available to the Cabinet Member are to either not approve the plan or to suggest changes to the attached draft.

4. ANALYSIS OF OPTIONS

- 4.1 Excellence in Customer Service is a council priority. As such, it is essential that we respond positively to customer feedback and look to improve services where this proves necessary. Officers believe this to be the case in respect of the Development Management service. They recognise the need to improve the focus on customers and significantly improve the approach within the service to customer care.
- 4.2 It is likely that the coming months will see the introduction of a raft of new planning requirements affecting the service. Consequently the service needs to be fit and prepared to implement the changes. For instance we know that greater requirements on major developers with regard to Sustainable Urban Drainage have recently been enacted as well as requirements to further justify pre commencement planning conditions.

- 4.3 Officers will regularly monitor the delivery and effectiveness of the plan and make changes as necessary. For example we intend to experiment with area based teams of officers to see if that works better for Parish and Town Councils in building better relationships with designated case officers.
- 4.4 Retaining the status quo is not considered a viable option. It would undermine our determination to improve services for the benefit of our customers. It would further fail to prepare the service to respond to the rapidly changing planning environment or realise the opportunities that electronic delivery offers in increasing service capacity, effectiveness and efficiency.
- 4.5 Adopting the recommendation will send a positive message to customers of our intent to improve the delivery of the Development Management service for their benefit.

5. RESOURCE IMPLICATIONS (FINANCIAL, STAFFING, PROPERTY, IT)

- 5.1 The Development Management service can presently demonstrate that it achieves good value for money based upon independently audited criteria. The development plan aims to improve this further, while making the service more effective and responsive to its customers.
- 5.2 The costs of introducing a new back office IT system have now been fully assessed and the preferred system ARCUS is to be installed. The new system will provide increased efficiency and allow new ways of working for staff which will benefit our customers.

6. OUTCOMES OF INTEGRATED IMPACT ASSESSMENT (IF APPLICABLE)

- 6.1 Not applicable

7. OUTCOMES OF CONSULTATION AND CONFLICTS OF INTERESTS DECLARED

- 7.1 The development plan was prepared in response to feedback we have received from service customers, highlighting a need to improve the quality and overall performance of the service.
- 7.2 Officers will continue to consult with customers and service staff in taking forward the various actions contained in the plan and to consider any further changes that might prove necessary.
- 7.3 The Chairman of the Planning Committee has received a copy of the draft development plan. He supports the need to see the service improve for the benefit of customers.
- 7.4 There are no known conflicts of interest to highlight.

8. RECOMMENDATIONS

- 8.1 That the Cabinet Member approves the development plan for the Development Management service attached as an appendix to this report, aimed at improving the quality of services provided to customers and the overall performance of the service

DIRECTOR OF PLACES

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Date: May 2015

Background Papers used in the preparation of this report: None

Development Management

Responsible Officer: Phil Wallis

DEVELOPMENT PLAN 2014/16

Range of Activities

- ◆ Provide a comprehensive Development Management Service delivering the Development Plan policies and projects
- ◆ Providing pre application advice and Operational Development Team service
- ◆ Screening and scoping under EIA regulations
- ◆ Processing, assessing and determining planning applications and other relating applications (17 types) from submission to determination through the Council's scheme of delegation and where applicable, to Planning Committee
- ◆ Servicing and managing the Planning Committee
- ◆ Carrying out validation checks and statutory and all other relevant consultations
- ◆ Liaising with developers, statutory consultees, local residents, Parish/Town Councils, and District Councillors
- ◆ Advising prospective developers, Members, and the public, on planning matters
- ◆ Defending the Council's planning decisions on appeal
- ◆ Monitoring compliance with conditions
- ◆ Negotiating and ensuring that the required contributions are received from Section 106 Agreements
- ◆ Managing Nationally Significant Infrastructure Projects regime
- ◆ Investigating alleged breaches of planning control
- ◆ Taking enforcement action against breaches of planning legislation, taking court action if appropriate
- ◆ Providing advice on proposed development relating to Listed Buildings and Conservation Areas
- ◆ Reviewing Conservation Area Appraisals and Management Plans (17)
- ◆ Project management of Conservation Area enhancement schemes
- ◆ Providing a specialist Archaeology service
- ◆ Undertaking Conservation Area appraisals
- ◆ Managing and maintaining the Council HER
- ◆ Negotiating Planning Performance Agreements
- ◆ Investigating and responding to complaints Stage 1 and 2
- ◆ Member and Agents Group Training

Customers for the service

- ◆ Public
- ◆ Businesses
- ◆ Statutory Consultees
- ◆ Internal colleagues
- ◆ Members
- ◆ Agents

Development Management

Responsible Officer: Phil Wallis

DEVELOPMENT PLAN 2014/16

Outcomes sought for customers

- ◆ To provide comprehensive and efficient land use planning service that delivers the Council's Development Plan aspirations
- ◆ Delivering homes jobs, community facilities and infrastructure in the public interest
- ◆ Safeguarding the Historic Environment
- ◆ To conserve and enhance the distinctive character of the built environment, including its historical context
- ◆ To preserve and enhance the character and diversity of the natural environment
- ◆ To determine planning applications quickly and efficiently, in accordance with the policies in the Development Plan
- ◆ To ensure that development management decisions are consistent and of a high quality
- ◆ To improve the quality of service to all involved in the Development Management process
- ◆ To increase the public access to the planning system through the use of IT
- ◆ To promote the vitality, viability and sustainability of our Market Towns
- ◆ To create an environment which stimulates sustainable business development and growth in local employment opportunities
- ◆ To conserve and enhance the distinctive character of the built environment in North Lincolnshire
- ◆ To adopt the principle of "putting our customers first" by at all times achieving the highest standards of customer care
- ◆ To aim to deal with applications within eight weeks of submission, rising to thirteen weeks for more complex cases

Levels of service provision

- ◆ 1136 planning applications determined (13/14) 943 determined (14/15)
- ◆ Approx 681 enforcement cases investigated a year
- ◆ Approx 102 compliance cases
- ◆ Nationally Significant Infrastructure Projects
- ◆ Planning appeals (2014/15) 27 submitted, 27 decisions 8 allowed, 19 dismissed.

Finance

- ◆ Annual Expenditure (2013/14)
£857k, (2014/15) £799
- ◆ Annual Fee Income (2013/14) £974k,
£1.3m (14/15)

Resources

- ◆ Planning Officers Perm Approx 7.8 fte
- ◆ Planning Officers Temp Approx 1.4 fte
- ◆ Enforcement Team 3.0 fte
- ◆ Management and admin team of approx 11.5 fte
- ◆ Planning Wizard Northgate System- soon to be replaced with ARCUS system

Development Management

Responsible Officer: Phil Wallis

DEVELOPMENT PLAN 2014/16

SWOT Analysis

Strengths

- ◆ Up to date Development Plan
- ◆ Recent satisfactory audit of systems
- ◆ 100% satisfaction Building Control
- ◆ Good relationship with Agents
- ◆ Easy locational access to service for customers
- ◆ Free pre application advice (except wind turbines)
- ◆ Strong political involvement
- ◆ Joint working BC/DM
- ◆ Good VFM
- ◆ NSIP experience
- ◆ No ombudsman findings of maladministration
- ◆ Few cost claims at appeal
- ◆ No successful Judicial Review of decisions
- ◆ Recent review of structures

Weaknesses

- ◆ Poor outdated IT
- ◆ Scheme of delegation too permissive
- ◆ Difficulty attracting new staff
- ◆ Reliance on part time staff
- ◆ Limited Mineral planning expertise
- ◆ Limited Design specialism
- ◆ Limited Enforcement capacity
- ◆ Lack of Training
- ◆ Inconsistent approach to Customer Care
- ◆ Low Morale
- ◆ Dependencies on consultees – Highways, EHO, Legal
- ◆ Too many planning conditions imposed covering powers available elsewhere
- ◆ Too many decisions deferred for site visits
- ◆ Achieving NI 157 A, B, C
- ◆ Capacity to deal with Major projects
- ◆ Poor reception facilities
- ◆ The quality of planning related information for customers on the council website, including the performance standards that the service aims to achieve
- ◆ Deficiencies in accommodation, including the space occupied by the team and the supporting accommodation, including the planning reception and customer consultation space
- ◆ Capacity issues, particularly in dealing with vacancies, planned and unforeseen absence and peaks in workload
- ◆ Performance against target in relation to the time taken to process applications
- ◆ Weaknesses in line management arrangements - lack of team meetings, one to ones, workload allocation arrangements etc, all of which have been highlighted over the past 12 months
- ◆ Inadequacies of working arrangements with other council services

Development Management

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DEVELOPMENT PLAN 2014/16

Opportunities

- ◆ Planning Performance agreements
- ◆ NSIP expertise and PPAs
- ◆ Charging for pre application advice
- ◆ Subject to capacity providing service to other authorities, eg specialism or Archaeology
- ◆ New recruits – new ideas
- ◆ Implementation of East/West teams working closely with Building Control
- ◆ Further Member training
- ◆ Outcomes from PAS “Open for Business” research

Threats

- ◆ Designated Authority
- ◆ Lack of Enforcement capacity
- ◆ Risk of costs being awarded against the authority – 2 cases pending (Mill Lane and Kirton)
- ◆ Capacity of other teams and ability to prioritise planning work
- ◆ Major workload connected to NSIPs
- ◆ Wind turbines
- ◆ Reputation, eg delays on Council projects, works proceeding in advance of necessary planning permissions
- ◆ Staff overload/staff retention/part timers

Development Task Action Plan					
	IMPROVEMENT	ACTION	WHEN	WHO	COMMENT/UPDATE PERFORMANCE STANDARDS
1.	Improved NI Performance	Recruit staff to vacancies and provide additional capacity Prioritise and clear the backlog of planning applications	March 2015 July 2015	MW/PW	New staff recruited AS, JR to restore capacity to 7.8 FTI officers also have made use of Planning Performance Agreement to retain 1 part time officer JH
2.	Improved IT	Review performance of various systems Produce a project plan for implementation of the new planning software Ensure any new systems are compatible with systems used by other areas of the council to speed workflows e.g. environmental health, highways	July 2015 June 2015 March 2015	LP	ARCUS system to be installed and operational from 01/08/2015
3.	Improved accommodation	Reconfigure space available for officers including meeting rooms and assimilate Heritage team into Civic Offices	April 2015	MW/PW	Office move/reorganisation undertaken
4.	Increased delegation	Review scheme of delegation	June/July 2015	PW/New Planning committee Chairman/Democratic Services	Agreement required with new Planning Committee Chairman prior to presentation to Cabinet Team. Will also require revision to constitution.
5.	Reduce number of Planning Conditions	Liaise with all consultees and review standard conditions	July 2015	DW/MB	Recent legislation April 2015 has also required greater justification of pre commencement conditions.
6.	Improve NI performance and income generator	Increased use of Planning Performance Agreements on major projects and NSIPs. Also requesting Extension of Time Agreements	2015 Ongoing	PW/DW/MB	Several new PPAs have been negotiated and applicants for all major applications over target have been asked to agree extensions of time which assists in delivering schemes and reporting performance statistics.

7.	Improve front end service for customers	1. Clearly promote online submission on your website and keep a comprehensive online planning register	July 2015	PW	New IT system to be introduced August 2015
		2. Provide clear guidance on requirements for submitting online and provide links to key Planning Portal services where appropriate	July 2015	PW	..
		3. Communicate a preference for online submission in all planning correspondence	July 2015	PW	Communications to be updated for arrival of new IT system
		4. Participate in a communications campaign and provide information to allow the sorting of applicants/agents into specific categories to be contacted about submitting online	July 2015	PW/MW	On arrival of new IT system also working with Accredited Agents
		5. Introduce electronic communications to applicants and agents for all planning correspondence throughout the determination process	July 2015	PW	On arrival of new IT system
		6. Proactively engage consultees in e-consultation to increase the online use of the electronic case file and documentation, and compliance with established application and e-consultation standards to realise a full end-to-end e-planning process	July 2015	PW	On receipt of new IT system
		7. Introduce greater e-working practices throughout the planning department from administration to planning officers	July 2015	PW	Requires new IT system
		8. Monitor the impact of all activities on the growth of applications to identify those that are most successful	July 2015	PW	Requires new IT system
		9. Aim to achieve a target of at least 70 per cent of applications online	July 2015	PW	On receipt of new IT system
8.	Implement a customer care charter	1. Develop a customer care/service charter	January 2015	PW	Completed
		2. Engage with all staff	March 2015	PW	Embed principle of customer care
		3. Provide customer care training to staff focused around the new charter	July 2015		On going at Team meetings Customer care
		4. Engage with small group of small service users	July 2015	PW	
		5. Implement Customer Charter	August 2015	PW	
9.	Develop a development programme for Planning Officers	1. Ensure each officer is given an employee appraisal - key criteria for appraisal to be set out	March 2015	PW/DW/MB	All staff have had recent EDRs
		2. Develop a training and development action plan from appraisals	April 2015		

10.	Move planning calls to the Call Centre	Move initial point of contact for planning calls to the contact centre and review the procedures for the duty officer	December 2014	LP/PW	Completed
11.	Create online portal for enforcement complaints	<ol style="list-style-type: none"> 1. Review the registering and monitoring of planning enforcement complaints 2. Look to implement an online registration of complaints 3. Move calls to the contact centre 	July 2015		Completed –but will be reviewed with new IT system
12.	Implement east and west teams within the planning officer teams	Organise case officers into teams to cover specific areas – East Team –AL,AS,LP West Team-SJ,JR,ES,TC	May 2015	PW/DW/MB	Completed May 2015 and will be reviewed for effectiveness
13.	Development of management and performance information	<p>Create a management dash board for planning applications that is live and interactive</p> <p>Case management</p> <p>RAG system for applications</p> <p>Ensure that discussions on planning performance are held at all team meetings and explore ways to achieve improvements</p> <p>Head of Development Management and other service managers to regularly review the progress of all applications and intervene as necessary to ensure that any problems with progress are speedily resolved for the benefit of customers</p> <p>Put in place arrangements to provide regular updates for customers on the progress of their applications at frequencies to be determined and ensure potential delays are communicated to customers at the earliest opportunity</p>	<p>July 2015</p> <p>Oct 2015</p> <p>Oct 2015</p>	PW	New IT system will enable live applications monitoring from August 2015
14.	Implement a customer charter for Development Management and Enforcement	Publish and promote a customer charter for the service	July/August 2015	PW	Ongoing – also linked to work suggested by Planning Advisory Service

15.	Review of the SMR service and Resources		February 2015	PW	Ongoing
16.	Improve Customer Care	Development of a customer friendly applicant pack, including information on what needs planning permission, our pre-application advice service, how to apply, how an application is processed, the difference between delegated decisions and those taken by committee, who is consulted and how, performance standards etc	August 2015	PW/AS	Ongoing
17.	Improve Customer Care	Review of all relevant job descriptions to ensure that customer care is an explicit requirement of all posts	Ongoing	PW	Ongoing
18.	Improve Customer Care	Ensure the EDR process includes regular customer care training for all staff	Ongoing	PW	Ongoing all case officer staff have had recent EDRs that emphasised customer care responsibilities.
19.	Implement Validation Check List	Review local validation checklist and adopt to make clear the quality and range of information that must be submitted with applications on a proportionat basis		PW/MB	Initial draft prepared –will require consultation process with agents and formal adoption.
20.	Review Statement of Community Involvement	Provide documentation to encourage applicants for major and sensitive development to engage with local communities pre application and reflect local considerations in their final submissions. Planning Committee reports to comment on what has been undertaken and outcomes	Report to Planning Committee July 2015	PW/IC	Planning Committee reports on major applications from may 2015 now include commentary on SCI

Performance Criteria			
MEASUREMENT FACTOR	PERFORMANCE INDICATOR	Est. Actual	Target
Planning Application Determination	Minor % of applications determined within an 8-week period		65%
	Other % of applications determined within an 8-week period		80%
	Major % of applications determined within a 13 week period		60%
Customer Satisfaction	% of customers satisfied with the service they received		90%
	% of calls answered within 4 rings		100%
	% of enforcement enquires acknowledged within 3 working days		80%
	% of enforcement enquires responded to within 20 working days		80%
	% of pre-application requests acknowledged within 2 working days of receipt and responded to in full within 10 working days		90%
	% of Valid applications registered and acknowledged within 3 working days of receipt		100%
	% of applications available for viewing on the planning website within 5 working days		100%