

**PLANNING FUNCTION REVIEW GROUP**

7th February, 2008

**PRESENT** – Councillor Robson (in the Chair); Councillors Armstrong, Dunstone, Lewis, Long, Nicholson and Ruck.

**APOLOGIES** – Councillors Baldwin, Burton and Hartley.

**Officers** – Steve Petch, Joan Rees and Karen Graves.

Councillor Robson welcomed Joan Rees to the meeting and gave a brief outline of the reasons for the review.

Steve highlighted Officers concerns regarding the Performance on BVPI 109 and advised the Group that one of the remedies was the work that Joan Rees, Interim Manager was undertaking prior to consultants, Trevor Roberts, providing an on-line procedure manual. A paper was circulated which gave detailed findings of the work undertaken so far by Joan and the following points were discussed/considered :-

- Joan highlighted the need to speed up the planning process as highlighted by the declining performance on BVPI 109 indicators, which measure the time taken from receipt to issue of a decision notice in relation to the three categories of applications received, namely major, minor and other applications. Members were advised that it was difficult to meet targets for major applications as they could be extremely complicated and often were accompanied by a large amount of Environmental Assessment information.
- Following a question by a Member regarding the impact which the speed of decision could have on the quality of the outcome, Joan advised that Darlington's performance levels were very high in relation to quality as measured by the relevant BVPI's and that this performance could be maintained whilst improving speed provided that the case officer team was appropriately resourced. Other councils had used Planning Delivery Grant to employ additional staff and Darlington had done this in the past. It was also stated that Planners wanted quality development but needed to stick to targets. There was a suggestion that, for major applications, the use of Planning Performance Agreements could be utilised by agreement with developers even though the government had decided not to formally introduce these with the planned changes in April 2008.
- With regard to performance review Members were advised that if the Local Planning Authority determined more applications under delegated powers there might be no need for the newly-formed Planning Applications Sub-Committee. It was stressed that Darlington was not a bad performer in terms of speed, although other authorities had got faster in determining applications and Darlington was now in the lower quartile.
- Members expressed concern about the amount of applications received and Joan advised that ideally one more Case Officer was required as the current staff could not cope with any peaks such as that experienced in 2007.

- Members were advised of processing times for all three categories of applications with emphasis on major applications being below the government target of 60 per cent and on the 'other' category of applications which, whilst above government target, were still in the bottom quartile. These performances also had an effect on the amount of Planning Delivery Grant to the Local Authority.
- Information was supplied regarding the Council's performance over the previous five years which showed that the overall trend in terms of performance was one of significant improvement since 2003 however performance rates were better in the years where fewer applications were received.
- More time was spent with applicants to ensure that applications are acceptable and this is reflected in low refusal rates. Refusals against Officer recommendation were more likely to be appealed against which, in turn, affected appeals figures to a small extent.
- Joan suggested that Planners needed to be stricter and advise 'we will refuse this unless you improve the application'. Too many developers tended to submit sub-standard applications and use the Council Planners experience to modify them to an acceptable standard.
- A suggestion was made that a sliding scale of charges should be introduced for substantive pre-application discussions. Also, if Officers felt that an application was a non-starter, the applicant would be advised at an early stage in order to save time and money for both applicants and Officers. However, if developers were insistent on progressing they are well aware that Officer recommendations are subject to Committee approval and there is an appeal process to follow if refused at Committee.
- Referring to site visits it was stressed that there was no great need for these as good photographs, plans and maps could be supplied through current technology. Case Officers visit the sites and it was suggested that where the officer feels that a site visit by Committee would be essential to their deliberations, a visit could be arranged in advance of the application going to Committee.
- BVPI 204 relating to the Authority's Appeals record was satisfactory and did not raise any concerns.
- The Authority has never met Government targets on delegation levels however this is one area where a significant impact on the speed of decision making could be made.
- BVPI 111 relates to the satisfaction levels of the planning service and Darlington had an excellent overall score of 87 per cent
- With regard to BVPI 205, the Planning Checklist, Darlington towards the upper threshold of the bottom quartile and a small number of measures could be taken to improve this dramatically. The omissions were all in relation to e-planning. It was suggested that electronic consultation could be improved by ensuring applications (including plans) and decision notices were made available on line as this would both free up Officer time and

speed up the process.

- Members were advised that a dedicated team of Officers dealt with planning applications, with 4 out of the 6 being trained in house. Due to recent changes in the team, an experienced Case Officer was required to handle major applications. Members were advised that Darlington was a small authority and there was a need to retain experienced staff and ensure that salaries are competitive.

**IT WAS AGREED** – That a further meeting be held during March in order to give greater consideration to the Planning Function..

## PLANNING FUNCTION REVIEW GROUP

27th February, 2008

**PRESENT** – Councillor Robson (in the Chair); Councillors Armstrong, Dunstone, Hartley, Jenkinson, Lewis, Long and Ruck.

**APOLOGIES** – Councillors Baldwin, Burton and Nicholson.

**Officers** – Steve Petch, Joan Rees and Karen Graves.

Steve gave Members an update and advised that the Implementation Plan was now available. It was suggested that the detailed findings as outlined on a paper circulated at the previous meeting would be further considered and if Members were happy with both the findings and the Implementation Plan they be endorsed to Cabinet and go through the relevant process.

The following points were discussed/considered :-

- The Chair advised that the logical path would be to retain and employ more staff, update the E-process currently used by the Council and delegate decisions for smaller applications. Joan agreed that if these points were implemented Darlington would be come a top performer.
- Members then gave consideration to the remaining issues on the pre-circulated discussion paper. A Member stated that reference was made in the Medium Term Financial Plan (MTFP) to a reduction in Planning Officers but was advised that there were no implications for the Development Control Team.
- Regarding information technology and e-planning Members were advised that in order to get planning applications available on the web there would be a need for a small investment. December 2005 was the Government cut-off date to achieve this but Darlington Borough Council, as well as many other Local Authorities, missed the deadline – often as a result of competing corporate needs. There were different levels of Planning Delivery Grant according to how many Pendleton Points had been obtained by the deadline in 2005. Darlington could have recouped its investment several times over if it had been able to achieve all 21 Pendleton Points. When asked why this was not addressed in subsequent years Joan advised that a justified case for the expenditure needed to be made. There was now a flexible process for capital bids (in-year bids could now be made). Major amounts were not needed, (£100,000 or less) in order to achieve the remaining Pendleton points. It was suggested that savings could be made on staffing if more electronic processes were undertaken.
- Joan advised that £28,000 had recently been paid for a large-scale scanner for another local authority planning department. This might be the only additional hardware required. The purchase of EDMS software was also a requirement. A visit to Stockton was suggested as they also use the Uniform system for processing applications and it would be time efficient for IT staff to support the same configuration of software at both

locations in view of the Strategic Partnership.

- Back scanning of recent closed files also needed to be made available on-line which would relieve staff pressure/resources. CD's that held information needed to be re-formatted and personal information deleted prior to being available for public use. In terms of 'in-house' access to previous files Uni-form was not currently used to its full capacity and Case Officers were not trained in its use..
- The Uniform software is upgraded more regularly to take account of Government legislation and changes in methods of working. More Local Authority's have Uni-form than any other planning software but it is difficult to get the software house to tailor it to individual Authority needs and there were cost implications for more flexible or specific requirements.
- Members were advised that all Local Authorities worked differently and it was difficult to find two the same, the system is complex with an overall framework but choice within it. Darlington's system also linked into Environmental Health and Building Control and it was suggested that, if more departments could be persuaded, the web access requirements could be more affordable.
- It was recommended that one member of staff be nominated within the department with responsibility for co-ordinating the customization of software and further implementation of e-planning.
- Performance Plus needs to be made more available to officers and they need to have responsibility for their own targets and performance improvements. It was suggested that 'earliest determination dates (EDD)' be introduced in order to empower staff to take ownership of performance on BVPI 109. Managers could monitor EDDs given by the Case Officer which could be extended if agreed by Case Officer/Manager. This would mean that the Case Officer can potentially get the application through the system more quickly and has a sense of achievement as the application is off the desk much quicker. It is not an extra target, rather a refined target based on Case Officers own judgement.

## **Implementation Plan**

- In terms of the recommendation to increase the number of case officers by 0.5 to 1FTE (recommendation S1), there was a need to identify what was available in the departmental budget and through planning delivery grant. Members asked if income could be generated from charges. Joan advised that some additional charging was possible and that, if S1 doesn't happen, the fall back to S2 (call-off contract) has a more flexible budget requirement.
- Joan advised that a call-off contract would be useful for short-term alleviation of overflow of work and is a stand-by contract, if not required you do not pass work to the contractor.
- Members were advised that there were not enough experienced planners, many graduates leave for better paid jobs and there had been a reduction in training places for planning graduates ten years ago and now LA's were feeling the effects. This was a possible long

term issue.

- Some LPA's work on a three week Committee Cycle (as opposed to Darlington's four week cycle) but it was felt that this would generate extra work for admin staff and Members and would need to ensure costs are offset. This would only help a quarter of the applications that go to Committee. Better improvement would be achieved by delegation as applicant's would not be waiting for Committee. The current scheme was open to manipulation as only one objector was needed to trigger a Committee hearing. One solution would be to rely on Ward Members or Planning Committee Members to call-in applications but this would need to be managed well with clear rules in regard to what constitutes grounds for call-in.
- The Government sets the cost of planning application fees. All income is fed into the overall departmental budget and not ring-fenced for development control.
- With regard to recommendation IT4 Members were advised that 'closed' files on microfiche go back so far that there was no real need for the information to be placed on the internet.
- Darlington has a low refusal rate as Officers spend a lot of time with applicants to ensure that applications will have a chance of approval. It was suggested that Officers in future advise applicants to withdraw the item or the application will be refused. If applications are withdrawn they can be re-submitted at no extra cost.
- Pre-application work should identify issues at an early stage so that any issues are ironed out prior to Committee stage as Committee can only make a decision on what is actually before it. If the applicant is advised at pre-application that that their proposals will be refused if not amended or improved they are likely to do the work prior to submission whereas after submission the Case Officer is under pressure to resolve the issues. If changes are made after formal consultation on the application a reconsultation may be needed which will mean the application missing the target decision date.
- Members were advised that very little financial resources were needed to implement the Improvement Plan as 95 per cent of the plan was management action.
- With regard to P23, review of the Delegation Scheme, Members were advised that the completion date of July 2008 had been set due to the six months trial period of the newly-formed Planning Applications Sub-Committee. Also Trevor Roberts Associates were very good at evaluating working arrangements for Planning Committee and delegation issues.
- In relation to P11/P12, Section 106 agreements, it was recognised that a service level agreement (or similar) was needed with the legal team as there were staffing resource implications due to staff also working to Teesdale Council.

**IT WAS AGREED** – (a) That the Review Group endorse the Implementation Plan and recommend to Cabinet that the plan be adopted.

(b) That the Review Group be suspended until Roy Merrett (newly appointed Development Manager) is in post and Trevor Roberts Associates arrive to conduct their investigation into the Planning Function.

(c) That a further meeting be held, possibly in late Spring, in order to give greater consideration to the Planning Function..