

## Planning Control Service Improvement Plan

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Cabinet Member: Councillor David Hall

Division and Local Member: All

### 1. Summary

- 1.1. The Planning Control, Enforcement and Compliance Service deals with Minerals, Waste and planning applications for the County Council's own developments (such as schools or new/amended highway developments). It also provides an enforcement function for planning, gypsies/travellers, site monitoring, and professional services relating to ecology and acoustics. Being a County Planning Authority is a statutory duty the Council has to deliver.
- 1.2. The quality of the service, and its resourcing, has steadily declined over the last 6 or so years. This has led to it struggling to meet customer expectations, with a subsequent rise in complaints, appeals and an upheld Ombudsman complaint.
- 1.3. Following an internal restructure in 2017 the service was transferred to Community Infrastructure Commissioning. It was clear that work needs to be done to make the service fit for purpose and an Improvement Plan is the chosen vehicle to deliver the evolution of the service.

### 2. Issues for consideration / Recommendations

- 2.1. **The views of the Policies and Place Scrutiny Committee are invited on the Service Improvement Plan so that Officers can take them into account as part of the process of review and implementation of improvements.**

**The Committee is also asked for feedback on the draft Action Plan and the timings therein.**

### 3. Background

- 3.1. The quality of the service dealing with planning applications, and its resourcing, has deteriorated steadily over the past 6 years. Experienced staff have left and it has not been possible to replace them with similarly experienced staff. Since the team moved to Community Infrastructure Commissioning in July 2017 three contract planners have been appointed to help relieve some of the pressure, and a recruitment process run to fill vacant

posts. However, this process, in autumn 2017, did not produce many experienced candidates and the service was unable to fill one Senior Planning position. Other staff recruited did not have much/any county planning experience, thus requiring more management time for training.

**3.2.** Cases (these include planning applications, discharge of conditions and pre-application advice requests, which are charged for) are not being dealt with sufficiently quickly, leading to frustration and complaints. There have also been a number of appeals, including one for non-determination (i.e. because a case was taking too long to deal with). A recent Ombudsman complaint was upheld and the Council had to pay £600 as a result.

**3.3.** There is a backlog of applications and at the time of writing:

- 51 Minerals applications
- 36 Waste applications
- 56 County Council applications

To work through this backlog a firm of specialist consultants has been appointed; whilst this will help deliver decisions on many of these applications this it does not offer a sustainable or cost efficient approach to dealing with the issue.

**3.4.** The main performance indicator is a measurement of speed of determining minerals and waste planning applications. The Government requires that 60% of these applications are determined within 13 weeks (or longer if an applicant agrees to an extension of time).

The most recent assessment of applications determined showed that the median time period for dealing with applications was 18.7 weeks.

**3.5.** Since the 2010/11 financial year resources have reduced in the service. The gradual reduction in planners has not come as a result of a reduction in workload; the service is mainly reactive and income from planning applications is very difficult, if not impossible, to predict.

**3.6.** With shrinking resources has come a decline in the ability of the service to monitor sites effectively, to spend a lot of time in pre-application discussions, and has resulted in less communication with people involved in the planning process, be they applicants and agents or local residents. It reflects badly on the County Council when a frontline statutory service fails to communicate effectively with its customers.

**3.7.** Resourcing difficulties, the inability to attract suitably experienced/qualified staff, and ongoing high workloads in the team has led to a lot of pressure on officers. This is not sustainable if the Council wishes to provide a service that meets the needs of residents, businesses, visitors and the environment of Somerset.

**3.8.** It is worth remembering that Planning Control is an important facilitator of economic growth and for essential infrastructure in Somerset. The minerals industry provides resources for development across the south of the country. New roads, schools and other County Council developments usually require

planning permission and make their contribution to society's needs. If the planning service does not function effectively developments may be delayed, or may not provide the maximum benefits possible.

### **3.9. The Service Improvement Plan**

The overall aim of this work is to return to an open, transparent and communicative service that provides a positive planning experience, regardless of the outcome.

#### **3.10. The Plan looks at:**

- Where we are now – understand the scale of the issue and the context within which we work
- The problem we are trying to solve – identify what will “better” look like, what we are trying to achieve
- How are we working - review the current ways of working in particular our processes, assess if we have the right resources in place to deliver, look at income generation
- What do our customers think – being open with stakeholders and getting their view to inform our Plan
- What do our staff think – get staff to give their views and to help deliver the Plan

The Plan also sets out how we will deliver improvements, when, and how we will monitor progress.

#### **3.11. In terms of delivery, it is considered prudent to phase changes in over the coming 18 months so that business as usual can continue whilst the improvement works take effect.**

## **4. Consultations undertaken**

### **4.1. It is important that the Service considers the views of a range of stakeholders and it is proposed that over the coming months the following groups are engaged through a variety of routes (meeting, survey, etc):**

- Staff
- Members (focusing initially on Regulation Committee members)
- The Minerals Industry (both directly and through industry groups such as the Mendip Quarry Producers)
- The Waste Industry
- Applicants (both internal and external)
- Agents (both internal and external)

### **4.2. The Plan will demonstrate how the comments and suggestions captured from the engagement exercise have informed the resulting improvements to the service.**

## **5. Implications**

### **5.1. Financial Implications**

It is clear that we need to be aware of the financial implications when proposing any changes to the service. Any changes must therefore be done within the available financial envelope and be cognisant of the value any spend brings. The balance between fiscal prudence and providing a quality service is an important and realistic consideration.

- 5.2.** The plan includes a review of all income generating areas. Areas such as ecology, acoustics and the pre-application advice protocol will be reviewed along with looking at existing income targets.

**5.3. Legal Implications**

The Council has a statutory duty as a minerals and waste planning authority. The Council also determines its own developments (known as Regulation 3 developments). The council must consider various other legal obligations when considering changes to service provision. Enforcement is a discretionary activity however local authorities are expected to exercise these functions when required.

- 5.4.** The Plan will include a review of the current delivery model and asks the question whether it is the best way to deliver the service. Other delivery model options – such as collaboration with another minerals/waste authority – will be assessed and any realistic options put forward for consideration.

**5.5. The Best Value Duty**

The Best Value duty requires Councils to take steps, with the object of continuously improving the way services are delivered, to consider overall value, including economic, environmental and social value when reviewing service provision.

Engagement with stakeholders will be carried out at an early stage in the development of proposals for any changes that will bring about improvements to the service.

**5.6. HR Implications**

There may be changes to the structure and nature of various roles within the service as a result of this Plan. However, at this stage it is not possible to assess the extent of any changes. There will be a process of engagement and consultation if required before any HR-related changes are implemented.

**6. Background papers**

- 6.1.** Appendix A - The Service Improvement Plan: project plan.