

DMMO EFFICIENCY PROPOSALS - PROCESS REVIEW 2018/9

Proposal not being recommended for taking forward

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Stage	ID	Proposal	Current approach	Risks (Financial/ Legal/ HR/ Political/ Reputational/ 3rd party/ Other)		Potential efficiency		Interdependents	Required actions	Timescale for implementation	Others doing?	Comments	
				Actual risks	Perceived risks	Time	Financial						
Investigation & Report	IR1	No initial consultation on documentary evidence only applications	Initial consultation when file is picked up.	R - Recommendation could change due to evidence submitted.	P,R - Not being fair to those affected (primarily landowners)	3 days labour per case, but a month in overall timescale . This may be cancelled out later in the process, but it is felt that overall this will provide an efficiency	Minimal postage costs saved where e-mail contacts are not known.	Cannot be done with IR3 or IR10.	Amend internal process.	Negligible	BANES	In light of IR10 being proposed this would not be an appropriate proposal. The actual and perceived risks are also other good reasons for not progressing this	
	IR2	Only look at evidence submitted	Verification of evidence submitted at Somerset Records Office. Primary list of documents are researched and when necessary some on the secondary list. What is researched is generally in excess of what is submitted.	L&R - Evidence could be meaningless and misinterpreted if not researched further to judge its context	3 - Applicants could be selective with what evidence they submit to secure the right recommendation.	3 days per case on average, but this could be readily lost due to later		IR3, IR4	Amend internal process.	Negligible	None	With poorer applications this is a reckless approach that could be construed as abandonment of our statutory duty. With better applications it is prudent to validate the evidence	
	IR3	Only research evidence submitted	Verification of evidence submitted at Somerset Records Office. Primary list of documents are researched and when necessary some on the secondary list. What is researched is generally in excess of what is submitted.	L,R - The wrong recommendation could be reached if other primary sources are not researched	3 - Applicants could be selective with what evidence they submit to secure the right recommendation.	2 days per case on average, but this could be readily lost due to later			IR2, IR4	Amend internal process.	Negligible	None	With poorer applications this is a reckless approach that could be construed as abandonment of our statutory duty.
	IR4	Review both primary & secondary lists of documents.	Primary list currently contains 10 sources of documentary evidence. Secondary list contains 13.	L,P,R,O - Unsound decisions may be made by officers and Councillors if the list of documents is shortened too much. Less evidence can make reports harder to write and more challengeable	3 - Disadvantaged parties would be more likely required to undertake their own research to substantiate their opposition to any decision.	Half a day per case. Efficiencies could soon be lost through greater levels of challenge.			IR2, IR3	Undertake review. Make it clear in initial consultation the research that SCC will undertake, but others are welcome to do more. Review application pack	1 week	BANES, Cornwall, N Somerset, S Glos., Northumb erland have similar lists.	
	IR5	Use of volunteer resource to assist with the digitising of records to avoid repeat trips to Somerset Heritage Centre	Only some records are digitised. No volunteer assistance	HR - Officer resource is required to digitise the records. P,R - Accusation of partiality where the volunteers represent a particular interest group (users or	HR - Administration of volunteer work for specific case work would be intensive and would likely be more efficient for officers to undertake the work.	Neutral in the short-medium term, but should provide long-term saving of half a day per case			Further liaison required with Somerset Heritage Centre - AS	1 week to identify tasks and promote opportunity. Dependent upon level of interest and scale of tasks		N. Somerset have used a university student to help in holidays	To digitise all the records that we look at would be unrealistic (even if primary and secondary lists are reviewed). So a trip to the records office would still be necessary.
	IR6	Only interview users by phone unless absolutely necessary to do in person	Interview of users in person/ phone.	O - Discrepancies in statements will be harder to resolve over the phone, particularly if referring to features on the ground or on a map.	O - Interviewing by phone could prove difficult for those that are hard of hearing.	A day per user evidence case on average.	Approx £100-200 mileage costs per user evidence case.			Amend internal process.	Negligible	BANES, Cornwall, & S Glos	Will need to be reviewed on a case-by-case basis as to the benefits of this efficiency. Ultimately a limited impact on the overall determination rate due to the small number of user evidence cases
	IR7	Don't interview users		F,R - Potential exposure to costs at public inquiry, due to witnesses contradicting their statements under cross examination	R - Accusations from disadvantaged parties of not validating the evidence sufficiently.	2 days per user evidence case on average.	Approx £100-200 mileage costs per user evidence case.			Amend internal process.	Negligible	Devon & Wiltshire	Some validation or clarification is usually necessary to be able to come to a sound recommendation.

	IR8	Shortened investigation where there is conclusive evidence eg: referenced as public in the Inclosure Award.	Primary list of documents is researched for every case	R - evidence of subsequent change in status will be overlooked leading to flawed decisions. Longer delay for other applications where any such applications are batched.	P,R,3 - Investigation could be criticised as not thorough enough.	Potentially two days for every affected application. However, depending upon where the bar is set, it may only affect 12-15 applications			Amend internal process. The next such application could be batched with all others with conclusive evidence.	Negligible	None	Need to be clear as to what documents are sufficient to negate the need for any primary list research.	
	IR9	Reduce summary analysis	Detailed summary of how the case officer has arrived at their recommendation.	P,R - Any decisions taken will be less informed	R,3 - The less reasoned and comprehensive a recommendation is, the greater the potential any decision based upon it will attract opposition.	Half a day per case.	Officer time.		Amend internal process.	Negligible		Valuable to have a written record of the reasoning behind any recommendation.	
	IR10	Eliminate draft report consultation stage	Draft report is prepared and consulted upon.	P,R,3 - Interested parties will have one less opportunity to make comment	P,R,3 - Disadvantaged parties will request extensions of time to find evidence to support their case. Deferral of committee items. Landowners will find it harder to respond in full as they may not appreciate the full case against them until they see the County Council's analysis	3 days per case on average, but a month in overall timescale.	Minimal postage costs saved where e-mail contacts are not known.	Cannot be done with IR1 Will have greater impact if taken with D1.	Amend internal process.	Negligible	Cornwall, Devon, Dorset, N Somerset, S Glos, Wiltshire	The efficiency won't be delivered every time as late evidence may be submitted that requires consideration and a deferral of the decision.	
Decision-making	D1	Full delegated powers, in consultation with County Solicitor	Following consultation with the Chair, 'contentious or controversial' applications go to Regulation Committee for a decision. Other applications are determined under delegated powers in consultation with the County Solicitor.	P,R - reduced transparency of decision-making process	R- Disadvantaged parties will make suggestions of officer bias and unprofessional decision-making	1.5 days per case on average.	Officer and solicitor time.	D3	Amend constitution and code of practice.	6 months minimum	BANES & Wiltshire	Increased criticism of officers from disadvantaged parties.	
	D2	Minimise site visits for Committee decisions		N/A	3 - Disadvantaged parties may feel that Councillors have not considered a case in full if they have not been to site	Half a day per committee item.	Approx. £100-300 saving in mileage expenses per item.		D1	Agreement from Regulation Committee	1 month	Dorset, Devon, N Somerset & S Glos	Site visits are of most use in relation to some user evidence cases.
	D3	Redefine criteria for going to Committee to 'the evidence is borderline in terms of whether or not it meets the relevant legal tests'.		P,R - The Committee may have less RoW items.	3 - Change to the criteria may be viewed by some with suspicion. P,R - Fewer items may result in Councillors requiring more regular	0.5 day per case on average due to possibly less items going to Committee.				D1	Amend constitution, code of practice and internal process.	6 months minimum	
Post determination	PD1	Adopt a neutral stance for opposed orders where we cannot contribute further to the process with regard to the evidence	Orders resulting from officer recommendation, which are subsequently opposed are supported at any subsequent process, generally a public inquiry. This usually means having an advocate.	F- exposed to costs if the objector is represented R - the expectation is that the Order Making Authority will support its own order.	R,3 - The success rate for opposed orders may fall due to a reliance on the applicant to provide any support and cross-examination that may be required.	Approx. 2 weeks per opposed order	Approx £2k saving as no advocacy required (usually outsourced).		Amend internal process.	Negligible	Norfolk	Given many orders are opposed this would represent a good efficiency and help minimise delays between the order making and any public inquiry. However, it is not without risk and if the objector is legally represented then SCC may become exposed to a costs application. Only aware of one authority that takes this approach. This would have to be looked at on a case-by-case	
	PD2	Minimal additional work for refusal appeals	Further work in addition to the case report is undertaken to counter any additional representation that has been put forward as part of the appeal.		R,3 - The success rate for appeals against refusal may fall due to not addressing any counter-arguments of new evidence submitted by the appellant	Approx. half a week per appeal.		IR9 not progressing reduces the risk associated with this proposal	Amend internal process.	Negligible	Cornwall, Devon, S Glos., Wiltshire & Northumb erland	This would have to be looked at on a case-by-case basis to ensure that any blatant inaccuracies are responded to.	
	PD3	Minimal additional work for statement of case for opposed orders	Further work in addition to the case report is done as part of the statement of case, particularly where the objection introduces new evidence or interpretation that it is felt requires a response.	F, R - If we do not amend our case in the face of new evidence or arguments it could be deemed unreasonable in which case we would be exposed to costs	R - By not addressing any additional points in the statement of case it may affect the success rate at public inquiries. However, witness statements provide a further opportunity to do this	Approx. a week per opposed order.		IR9 not progressing reduces the risk associated with this proposal	Amend internal process.	Negligible	Wiltshire & Northumb erland	This would have to be looked at on a case-by-case basis to ensure that any blatant inaccuracies are responded to.	

