

Report to the Cabinet

Report reference: C-013-2017/18
Date of meeting: 7 September 2017



Portfolio: Planning and Governance
Subject: Staffing Structural Adjustments Within Development Management
Responsible Officer: Nigel Richardson (01992 564110).
Democratic Services: Gary Woodhall (01992 564470).

Recommendations/Decisions Required:

- (1) That a Continuing Services Budget growth bid in the sum of £25,820 be made for the establishment of a new post of Compliance Officer commencing 1 April 2018, as detailed in Appendix A;
- (2) That a Continuing Services Budget supplementary estimate in the sum of £109,760 be recommended to the Council for approval to convert the existing temporary posts of Technical Officer (Validations), Technical Officer (Systems) and two Assistant Planning Officers to permanent posts, effective from 1 October 2017, as detailed in Appendix A; and
- (3) That, subject to recommendation (2) above, £40,720 of District Development Funding be re-allocated for the temporary Local Land Charges Officer, Grade 5 on a fixed term basis for 18 months and the Clerical Officer, Grade 2 scanning post on a fixed term basis for 12 months.

Executive Summary:

Development Management fee income has increased by over 50% generating an additional £300,000 per year from 2014/15. Further additional income of £100,000 per annum has been created by the provision of Planning Pre-Application advice. In addition although the levels of planning applications in the last ten years have increased by 33%, the establishment structure of Development Management has not increased accordingly. Whilst the planning officers and support staff within Development Management have absorbed greater workloads through process changes and greater use of technology, temporary contracts have been granted to handle the sustained demand for planning applications, advice etc. However, it is clear that the demand is not of a temporary nature.

Investment in training and experience gained by the current temporary staff would be a loss to this Council. The staff occupying the temporary posts are looking for permanent positions and have acquired skill sets to be marketable. Losing the resource or having to devote senior staff time again to train a new, temporary recruit is not a sustainable use of resources.

There is a priority need to ensure that Planning Services is both resilient and robust enough to sustain the current increased levels of Planning Applications including Planning Pre-Applications as a secure base to address the future. It is proposed that the adjustments to the staffing establishment are required as detailed in Appendix A to support the effective management of planning applications to meet statutory processing of planning applications timescales.

The heavy workloads and performance per officer compares favourably with other Essex authorities as can be seen by the 2014/15 benchmarking information in Appendix B.

In addition, in January 2017 management of Local Land Charges moved from Legal Services to Development Management. In addition to addressing the time taken to process searches, one of the key drivers for this change has been the Land Registry's plans to create a single Local Land Charges (LLC) register.

The team will be supported to adopt and implement further electronic records improvements by the Electronic Information Team in Development Management. The Council is statutorily required to deliver digital spatially based LLC records to the Land Registry. The timescale is not certain but the task is significant. If the Council is unable to comply there is a risk of potential financial penalties and loss of reputation.

Reasons for Proposed Decision:

To secure a stable, adequately trained and resourced structure to deliver the development management and local land charges services in a professional and timely manner; bearing in mind the sustained high demands.

Other Options for Action:

(i) Do nothing – This would mean the loss of the temporary posts in which the Council has invested. The workloads would not be deliverable within the required timescales risking loss of reputation, increased customer complaints, additional demands placed on the ICT support staff and potential external intervention.

(ii) Without the temporary resource in LLC the need to convert records and processes to electronic working while seeking to improve the turn round time for searches would not be achievable.

(iii) Fee increases which were planned for July but are more likely later this year, require that the increased income is applied to the delivery of the planning service. Simply increasing fees without appropriately applying the resource generated by those fee increases is not an option.

Report:

1. Portfolio Holders and other Members have expressed concern that there is insufficient resource in planning enforcement to make proactive checks on the implementation of planning conditions. Officers recognise that a dedicated resource in the form of a Planning Conditions and Compliance Officer would enable early intervention if conditions were not being met which would assist both those implementing permissions and those impacted by the works.

2. Early compliance and conditions monitoring will eventually save the Enforcement Team time and costs compared to possible multiple enforcement measures and site visits that may need to take place on receipt of complaints/information. It is proposed that the Compliance Officer will engage in early intervention measures to ensure planning condition compliance. The cost for one full time Compliance Officer Grade 4/5 will be £25,820 per annum.

3. A key priority in processing planning applications is to make sure there is an efficient and timely business process for registering and validating planning applications. Following a detailed process mapping exercise, Members agreed (Cabinet 1/12/16 minute 105 refers) to resource a streamlined procedure which is showing an improvement - days. The new process also helps to allow planning officers more time to provide the fee-earning Planning Pre-Application service in addition to their caseload of Planning Applications.

4. The creation of the temporary fixed term Technical Officer (Planning Validation) as part of prototyping the process has been an essential part of that service improvement, demonstrating the need for the role. Conversion to a permanent role will improve both the stability of the Applications/Validation team as well as add a degree of business resilience for processes regarding planning applications. The cost for a permanent Technical Officer Planning Validation will be £29,060 per year.

5. Development Management have been aware for some time that qualified planning officers are in great demand with the attendant recruitment difficulties that brings. To address this, two Trainee Planning Officer posts with fixed term DDF funding to 31st August 2018 were created to allow us to 'grow our own' while meeting increased demands.

6. The idea, as well as the individuals, have proved to be invaluable in dealing with the more frequent and smaller type planning applications, as well as certificate of lawful developments, amendments etc. Having invested in the training – both in terms of finance and time – it would be a retrograde step to lose this expertise and resource. If the fixed term ends the workload will pass to the planning officers on the establishment post or be met by more expensive agency options. This would undoubtedly affect performance. It is therefore recommended that these two posts are converted to permanent on the same grade 4/5 as Assistant Planning Officers at a total cost of £51,640 per annum.

7. A temporary fixed term Technical Officer - Application Systems Grade 5 was appointed in April 2016 for two years to manage the software systems Northgate M3, Information@work and iPlan at directorate level, as well as assist in electronic records development. This has proved very successful – also in supporting corporate initiatives involving changes to electronic systems. Currently the incumbent has a well-developed knowledge of specialist areas of planning and electronic records within Development Management and of wider corporate systems.

8. This post will be essential in supporting transformation initiatives being directly responsible for directorate level management of Northgate M3, Information@work, the Planning/Building Control area of the EFDC website as well as supporting mobile and flexible working for Development Management. The post is key to ensuring the robust and resilient integration of electronic working within Planning, Building Control and Local Land Charges. There is simply not enough resource within the ICT section to handle this work and deliver on their priorities. The cost for a permanent Technical Officer Applications Systems will be £29,060 per year.

9. In order to compare our overall performance with other Essex authorities the local planning officer group provides information from each Council on application numbers, staffing etc. This exercise was last conducted in 2016 and the full survey response is set out at Appendix B. It is worth drawing out that this Council dealt with the highest number of applications (2914) with a Development management, Enforcement and support team of 23.2 FTEs. This equates to 126 applications per staff member, the second highest performance in the County. Applied to 2016/17 EFDC figures are a total of 3630 applications dealt with by a team of 26.5 (including the temporary posts) which equates to 137 applications per member of staff.

10. The Government has decided that the Land Registry should become centrally responsible for the Local Land Charges Register from all Local Authorities. A key requirement is that they will need the information to be provided in electronic format and they have advised that they require our records to be spatially and GIS accurate. There is the possibility of financial penalties and loss of reputation if the Council is unable to deliver digital spatially based LLC records to the Land Registry. There is significant work required to achieve this.

11. The first step in this process has been to move staff resources of 1.5 FTE from Local Land charges into Development Management. The post name change to Technical Officer Electronic

Records was more than cosmetic – it is part of integrating the service to ensure cover is available and recognise the need for flexibility within the role to be able to carry out both Planning and Building Control LLC searches. This will also assist in the quality improvement of Development Control electronic records, a key area that forms part of the proposed improvements to Local Land Charges digital records.

12. With the Local Land Charges team effectively reduced to 2.5 FTE officers, the primary objective of the LLC Team will be to facilitate measures that focus on their core role to deliver LLC searches within the required five days (currently days).

13. There is an identified need to convert Local Land Charges paper records into accurate electronic records. In order to carry this out business processes will need to be mapped and modified. Development Management needs to improve its quality control processes to improve the accuracy of planning records/history to meet the standards required by the customer for a LLC search.

14. However there is a gap in support provision within Local Land Charges as the Grade 5 LLC Officer works 18 hours per week with an established work pattern of working full time in alternate weeks. It is proposed that a temporary fixed term LLC officer grade 5 is appointed to cover the other half of the permanent post for 18 months at a cost of £21,800.

15. The project-specific, fixed term scanning team within Development Management is funded until 31 March 2019, save for one post within the team which is only funded until 31st March 2018. It is not clear why this anomaly has arisen but to finish the project on time it is necessary to extend the grade 2 Clerical Officer post by one year at a cost of £18,920, to bring the contract in line with the rest of the team.

16. The funding for both the permanent posts and the fixed terms posts are detailed below.

	NEW PERMANENT POST	GRADE	HOURS	FTE	TEAM	ANNUAL COSTS
1	COMPLIANCE OFFICER	4/5	36	1.00	ENFORCEMENT	25,820
	TEMPORARY POSTS CONVERTED TO PERMANENT					
2	TECHNICAL OFFICER	5	36	1.00	DC VALIDATION OFFICER	29,060
3	TECHNICAL OFFICER	5	36	1.00	APPLICATION SYSTEMS SUPPORT	29,060
4	ASSISTANT PLANNING OFFICER	4/5	36	2.00	DEVELOPMENT CONTROL 1 x NORTH & 1 x SOUTH	51,640
TOTAL FOR DEVELOPMENT MANAGEMENT - PERMANENT POST FUNDING(CSB)						£135,580

	FIXED TERM POSTS	GRADE	HOURS	FTE	TEAM	ANNUAL COSTS
5	CLERICAL OFFICER (1 YEAR EXTENSION)	2	36	1.00	ELECTRONIC RECORDS TEAM	18,920
6	LOCAL LAND CHARGES OFFICER (18 MONTHS)	5	18	0.50	LOCAL LAND CHARGES	21,800
TOTAL FIXED TERM – EIGHTEEN MONTHS (DDF FUNDING)						£40,720

Resource Implications:

A supplementary estimate of £109,760 is required to make the four temporary posts permanent. If this is agreed the £40,720 DDF requirement can be met by reallocating part of that saving. A CSB bid for £25,820 is required to fund the new compliance officer post.

The 20% uplift in planning fees originally scheduled for 1 July 2017 is still anticipated during this calendar year. Over a full year it is likely on current performance to generate £180,000 - £200,000 p.a. Therefore, the use of this additional income is appropriate to provide the planning service in the way detailed within the report.

Safer, Cleaner and Greener Implications:

The adjustments detailed in this report will secure the provision of improved processing of planning applications.

The movement away from paper based manual records towards ‘paperless’ working is more environmentally sustainable. This is in terms of less paper used/ stored and improved ability to work remotely reducing the need for car journeys.

Consultation Undertaken:

Financial consultation has taken place with the Development Management Service Accountant who has reviewed the financial elements of this report. Management Board has seen a draft of the report.

Background Papers:

None.

Risk Management:

There is a risk of not meeting statutory timescales laid down for the processing of planning applications. This may lead to increased levels of customer complaint, failed KPI targets, workplace stress and potential external intervention and reputational damage.

There may also be delays in moving planning towards complete electronic working as planning officers may not be able to participate in essential digital working measures such as electronic case management and flexible mobile working. This would detrimentally impact the transformation aims of the Council.

The Council may not be able to meet the statutory requirements of delivering the Local Land Charges Register to the Land Registry in acceptable digital and spatially accurate format.

Due Regard Record

This page shows which groups of people are affected by the subject of this report. It sets out how they are affected and how any unlawful discrimination they experience can be eliminated. It also includes information about how access to the service(s) subject to this report can be improved for the different groups of people; and how they can be assisted to understand each other better as a result of the subject of this report.

S149 Equality Act 2010 requires that due regard must be paid to this information when considering the subject of this report.

The proposed restructure will improve service user provision and enable equitable access to planning information and applications. It will also help in the short term by ensuring improved responsiveness by Development Management and in the long term by reducing gaps in service provision.

A key aim of this restructure is to ensure that our service delivery is improved. This will have a positive impact on all affected groups particularly as a significant element of our services is provided online. An important part of our service delivery provision is to enable and support the better delivery of planning information across the District. The proposed structural changes will indirectly support this.