

**EPPING FOREST DISTRICT COUNCIL
NOTES OF A MEETING OF PLANNING SERVICES SCRUTINY STANDING PANEL
HELD ON TUESDAY, 15 JULY 2008
IN COMMITTEE ROOM 2, CIVIC OFFICES, HIGH STREET, EPPING
AT 7.30 - 9.25 PM**

Members Present: Mrs L Wagland (Chairman), K Chana (Vice-Chairman), A Boyce, M Colling, R Frankel, J Hart, Mrs C Pond, P Spencer and H Ulkun

Other members present: Mrs A Grigg

Apologies for Absence: Mrs A Cooper and W Pryor

Officers Present J Preston (Director of Planning and Economic Development), R Sharp (Principal Accountant), A Hendry (Democratic Services Officer) and M Jenkins (Democratic Services Assistant)

8. SUBSTITUTE MEMBERS (COUNCIL MINUTE 39 - 23.7.02)

There were no substitute members.

9. DECLARATIONS OF INTEREST

There were no declarations of interest made.

10. NOTES FROM LAST MEETING

That the minutes of the last meeting of the Panel held on 19 June 2008 be agreed subject to the following amendments:

Ms B Harris was incorrectly entered on the minutes as being from Woodberry Hill Conservators when she was actually from the Hills Amenity Society; and Ms Wendy Fisher had been entered on the minutes as being of Loughton when she was in fact Chairman of the Hills Amenity Society Committee.

11. UPDATE ON BEST VALUE REVIEW OF PLANNING SERVICES

Mr R Sharp, Principal Accountant, presented a spreadsheet to the Panel on Income and Expenditure for all Planning and Economic Development Services from 2003/04 to 2008/09. Mr R Sharp told the Panel that the spreadsheet provided the summarised cost of each aspect of the service, with the estimated cost of the portfolio in 2008/09 expected to be £2,880,000, having increased from £1,805,000 in 2003/04. The budget was also set on the basis that there was expected to be a full staff complement in Planning Services next year.

In building control it was anticipated that the ring fenced account would show a deficit of around £35,000 by the end of the financial year unless remedial action was taken such as increasing fees or reducing expenditure. For the Planning Service generally there had been a 23% increase between 2003/04 and 2004/05 which mainly related to the start of the new ICT system, and an additional £116,000 for a land tribunal case. Since 2005/06 costs levelled out to a year by on year increase of around 8%.

The cost of Forward Planning which included the core strategies and East of England Plan, had gone up to £700,000 in 2008/09. Councillor Mrs A Grigg informed the Panel that advertisements were going out soon. The estimates of Hambleton District Council had shown a significant expenditure. The Chairman said it would take 18 months to complete our core strategy. Councillor Mrs A Grigg advised that the timescale should be less than 18 months. Mr J Preston advised that government regulations have changed so they may have to do less, and the cost may be £1.3 million. The Local Development Framework was DDF expenditure with a cost of £0.5 million programmed in the first two years. The Chairman thought that the funding should be annotated to underline that this figure will be effected by outside factors.

Councillor J Hart asked why the number of Planning Appeals had fallen steadily. Mr J Preston replied that the number of appeals had fallen since 2003/04 when it stood at 145. He added that the District Council's performance on appeals was not so good in the last couple of years, and it was unclear as to why this was happening. The members felt that the year 2003/04 seemed an aberration, as the number of appeals received was 145 the same as the year before. In 2004/05 the figure dropped dramatically.

Councillor P Spencer wanted to know the percentage of appeals allowed in comparison to nearby authorities. Mr J Preston advised that he would attempt to locate the percentage figures for a future meeting of the Panel. The Chairman thought that caution was necessary when looking at statistics because of the different suburban or rural aspects of other authorities. Perhaps percentage figures could be linked to the Area Planning Sub-Committees which covered urban and rural areas.

Councillor M Colling asked about the list of Planning Services staff, which he said was out of date. One officer had left the District Council, and another was seriously ill. Mr J Preston confirmed that the list in the agenda was inaccurate, he informed the Panel that Mrs J Shingler had been appointed to the vacant post of Principal Planning Officer, her old post was being advertised. Mr J Preston advised that there were currently 200 cases per planning officer. The Chairman said that it would take time to get new staff up to speed on their work. Councillor M Colling noticed that a senior planner had been appointed since summer 2006, paid for out of Planning Delivery Grant allocation. However it was pointed out that the staff resource cost of £50,000 per annum was more than the full cost of a senior planner on the establishment. The Chairman felt that it would be helpful if new planning officers should be introduced to the Planning Sub-Committees and get to know the members.

Councillor R Frankel asked if the fees increase reported from the last Planning Services Task and Finish Value for Money Panel, had been fed into the figures presented in this agenda, Mr R Sharp replied that the Planning budget had been set including a 4% increase for fees for 2008/09. Mr J Preston said that government had set the fees much higher, the government had predicted to raise it by 23%. Large scale applications attracted larger fees, however the District were not receiving large applications. The Chairman said that the larger schemes subsidised the smaller ones which could often pay for themselves, this had a disproportionate effect. Councillor Mrs A Grigg advised that pre-application charges had a low take up. The Panel's attention was drawn to some statistics on the agenda regarding planning fees. Epping Forest District Council had, on average, lower planning fees than other Local Authorities in South East Essex. The district was largely rural and there was more of an area to cover. The Chairman asked if local land searches could boost the income here, Mr J Preston replied that searches did not fall into this remit. The first quarter of the year had been good for development control, however there had been a downward dive following the third quarter. The Chairman asked where Planning

services gained a recovery, Mr J Preston replied that the District Council had done well in Section 106 Agreements, gaining over £300,000, Broxbourne District Council had also done well in this source.

Councillor J Hart commented on the pressure that planning officers were under, did they need more staff? Mr J Preston replied that more staff were needed. Restructuring in 2004/05 and new IT development had assisted a great deal. Creation of new posts will help, but a 20% increase in workload had taken an effect. Councillor R Frankel commented that the officer's report had shown that staff were working hard, their caseload was high. The last meeting of the Task and Finish Panel on Value for Money, had received glowing reports from planning agents. He thought that there ought to be a job by job tracking for each member of staff, how much time did a planning application take to process? The panel needed the ability to analyse the exact workload of each member of staff. The Chairman said that timesheets should help with the answer, some officers may deal with fewer cases than others, but their cases could be very big. Councillor R Frankel said that site visits were disruptive and costly, the costs should be tracked. An analysis was needed of costs on a job by job basis. Councillor J Hart thought that Mr J Preston's report was too self congratulatory, the workload had increased because the budget had been enlarged by 50%. Mr J Preston advised that Planning Services had made efforts and were improving, he felt that these points needed to be made. This report was completed before the last meeting of the Panel which heard comments from amenity groups.

The panel next discussed the bullet points from the report. They made the following amendments:

First Bullet Point – This concerned a general upwards increase in workload. There had been a general increase in workload since 2001, however the amount of work coming into Planning Services had flattened out in the last eighteen months. Mr R Sharp advised that unit costs were quite good, compared to 15 other councils at £15.00 per head of population. The Chairman thought that an extra bullet point was needed to illustrate the point regarding unit costs.

Second Bullet Point – This concerned significant improvement in performance, particularly case handling within time limits. The Panel agreed with this, the Chairman felt that reference should be made to being in the top quartile.

Third Bullet Point – This point concerned removal of a substantial backlog of development control items, during the "Hit Squad" period. This was agreed, subject to inclusion of a level of investment in paragraph 6.16.

Fourth Bullet Point – This concerned significant changes to IT arrangements. The Chairman felt that the evidence so far had been equivocal on IT arrangements. There had been positive feedback recently from the planning agents. Mr J Preston said that IT was crucial for helping officers in handling their caseloads. Councillor P Spencer thought that the wording in paragraph 6.7 needed expanding, it was too early to come to a conclusion on the merits of the recent changes. Mr J Preston was asked if the Planning Services IT system was complete, he replied that it was still being developed with more information being added. Sometimes the public section of the website did not function. The Chairman reminded the Panel of a request which had been made by the Panel for computer consultants to provide more information.

Fifth Bullet Point – This concerned improvements in how customers ranked the services provided. Mr J Preston commented that they did not have a large sample from which to work. It was felt that the planning agents and amenity groups who had

met with the Panel were too separate in their positions to be included under this bullet point. Councillor R Frankel said that the meeting with planning agents had been very positive, but the meeting with amenity groups had been bogged down with more localised and peripheral issues. Councillor M Colling thought that the amenity groups only dealt with the Council, planning agents had wider experience with other councils. The Chairman commented that officers and applicants were perceived in the same way, with members and amenity groups perceived as separate. The officers and members should be seen as one, she felt that more survey work was needed. Councillor K Chana advised the Panel that some Local Authorities sent a decision letter with the survey. Could the District Council do the same? The Chairman was unclear as to how this could be evaluated.

Councillor M Colling said that where an officer recommendation was based on a balanced evaluation, they should recommend grant or refuse, it should be left to the committee members. Perhaps they could have a third alternative. Mr J Preston replied that officers employed the term "on balance", because some of their evaluations did not easily fit into planning law or planning guidelines. He told the Panel that he would reconsider this issue. The Chairman thought that not providing an officer recommendation in balanced applications would provide less of an opportunity for a wedge to be driven between officers and members, she added that Planning Committees needed to make better decisions. Councillor M Colling said that Planning Committees sometimes voted no and found the reasons for refusal afterwards. There was also substantial pressure from government, particularly in providing more housing which effected decision making. Councillor K Chana was concerned that decisions were being made on political grounds rather than judged in their own context.

The Chairman asked for the head of the DCLG to be invited to speak to the Panel, there had been considerable satisfaction from planning agents, but what was needed was more information on customer satisfaction. The Chairman said that greater acknowledgement was needed for individuals who did not fall into professional categories.

Sixth Bullet Point – This concerned professional staff continuing to have considerable average case loads compared to the suggested government figure of 150 cases. This was agreed.

Seventh Bullet Point – concerning the Planning Delivery Grant and other "one off" expenditure being used to invest in training, ICT changes and improvements. This was agreed. The Chairman commented that this should only be used to bolster staff and not used to replace the existing budget.

Eighth Bullet Point – concerning the 2005 restructure investment of £88,000 per year, and 2007 corporate restructure savings of £50,000 per year. This, coupled with other efficiency savings is the extra expenditure. Mr J Preston had not shown the Panel the Gershon efficiency saving analysis. Mr R Sharp advised that the restructuring savings were around £50,000 and not £56,000 as indicated. Mr J Preston was concerned that the Audit Commission would ask why the Gershon savings were not recognised. The Chairman said that reference to Gershon should be taken out, and Mr J Preston to supply information on savings.

Ninth Bullet Point – concerning the appeals performance being more volatile in recent times. This was agreed.

Tenth Bullet Point – concerning comparisons with other Essex and Audit Commission authorities becoming more difficult. Some local authorities did not supply CIPFA with information. This item was agreed.

Eleventh Bullet Point – concerned Planning Services standing favourably in comparison with other councils in Essex. Councillor M Colling said it was known what other Councils' ranking was, Councillor R Frankel was unclear as to what planning services were being referred to. The Chairman requested that "Planning" be taken out and replaced with "performance".

Twelfth Bullet Point – concerned the District Council having the lowest average planning fee for any authority that had given data, quite low values for the total value of planning receipts, wide geographic area covered by Planning Services to a high relative population but with low population density. Councillor J Hart said the southern part of the area was quite densely populated. The Chairman felt that this bullet point was not needed, she felt that the bullet point needed to be dispassionate, the population was spread over a wide area. It was agreed that this bullet point should be incorporated with bullet point number ten.

Thirteenth Bullet Point – concerned the staffing numbers within planning, the District Council dealt with the second highest workload in Essex, and the fourth of the wider comparators. Despite this, planning investigated very high numbers of breaches of planning control, and responded to high numbers of appeals. The panel thought that this bullet point should be less defensive, it should state that planning dealt with comparatively high numbers etc.

Fourteenth Bullet Point – concerned table of comparators to depict costs of dealing with planning applications on a per application basis. Councillor P Spencer said the District was sparsely populated. The Panel agreed to leave out the geographical references.

Fifteenth Bullet Point – concerned Planning Services' achievements despite recruitment and retention difficulties and being a low Council Tax authority. The Chairman said that the bullet point needed to be factual rather than defensive. The statement "We achieve all of that" is a mis-leading passage, Councillor R Frankel said that Investors in People should be removed.

12. TERMS OF REFERENCE

The Panel looked at Section 4 of the Terms of Reference, they considered and made the following decisions:

Development Control – The Panel felt that information on appeals should be listed separately.

Forward Planning – Should remain

Building Control – Should remain

Enforcement – Should remain

Administration and Customer Support – The Panel felt that Administration had been dealt with, but IT information was needed. Mr J Preston was requested to provide a further ICT presentation. Planning Services were trying to put all planning

applications on-line. Mr J Preston was to speak to Councillor M Cohen, Corporate Support Service and ICT Portfolio Holder, regarding ICT support on this.

Economic Development – The Panel were advised that the District Council had an Economic Development Officer and a Town Centre Officer, working with the Town Centre partnerships, and responding to the job requirements which went with the East of England Plan. The Panel may want to review the Value for Money and performance issues which went with these at a later date.

Environment Team – The Chairman thought that this item had been dealt with. Mr J Preston was unsure as to its completion. He added that Countrycare had achieved a great deal, there may be an adverse effect on costings.

The Chairman felt that performance monitoring did not need to go under this Panel, it had been dealt with by the previous scrutiny planning committee.

The Panel had dealt with the measures introduced since 2004 to improve performance within Development Control, namely the “Hit Squad”, service restructuring and application of the Planning Delivery Grant. The Chairman was to report to the Overview and Scrutiny Committee, the Council and the Cabinet with recommendations on matters allocated to the Panel as appropriate.

Mr J Preston was to collate a revised version of the bullet points and circulate to members.

13. ANY OTHER BUSINESS

There was no other business.

14. DATES OF FUTURE MEETINGS

The Programme of future meeting dates was noted as follows:

9 September 2008

18 November 2008

6 January 2009

12 February 2009; and

13 March 2009