

Scrutiny Standing Panel Agenda



Planning Services Scrutiny Standing Panel Thursday, 2nd December, 2010

Place: Council Chamber, Civic Offices, High Street, Epping

Time: 7.30 pm

Democratic Services Officer: Mark Jenkins - Office of the Chief Executive
Email mjenkins@eppingforestdc.gov.uk Tel: 01992 564607

Members:

Councillors J Philip (Chairman), H Ulkun (Vice-Chairman), Mrs P Brooks, C Finn, Mrs A Grigg, Mrs S Jones, Mrs M McEwen, J Markham, W Pryor, A Watts and J M Whitehouse

A BRIEFING FOR THE CHAIRMAN OF THE PANEL WILL BE HELD AT 6.30P.M. PRIOR TO THE MEETING

1. APOLOGIES FOR ABSENCE

2. SUBSTITUTE MEMBERS

(Assistant to the Chief Executive). To report the appointment of any substitute members for the meeting.

3. DECLARATIONS OF INTEREST

(Assistant to the Chief Executive). To declare interests in any items of the agenda.

In considering whether to declare a personal or a prejudicial interest under the Code of Conduct, Overview and Scrutiny members are asked to pay particular attention to paragraph 11 of the Code in addition to the more familiar requirements.

This requires the declaration of a personal and prejudicial interest in any matter before an Overview and Scrutiny Committee which relates to a decision of or action by another Committee or Sub-Committee of the Council, a Joint Committee or Joint Sub-Committee in which the Council is involved and of which the Councillor is also a member.

Paragraph 11 does not refer to Cabinet decisions or attendance at an Overview and Scrutiny meeting purely for the purpose of answering questions or providing information on such a matter.

4. NOTES FROM THE LAST MEETING (Pages 3 - 10)

The notes of the Panel meeting held on 2 September 2010 are attached. The notes of the last Panel meeting, held on 11 October 2010, are yet to be finalised.

5. TERMS OF REFERENCE (Pages 11 - 14)

The Terms of Reference are attached. These have been re-drafted from the earlier version.

6. WORK PROGRAMME (Pages 15 - 18)

The Work Programme is attached.

7. IMPROVEMENT PLAN

(Director of Planning and Economic Development). Report to follow.

8. CONSTRUCTION DAMAGE TO HIGHWAYS (Pages 19 - 20)

(Director of Planning and Economic Development) To consider the attached report.

9. BONUS HOMES CONSULTATION (Pages 21 - 90)

(Director of Planning and Economic Development) To consider the attached report.

10. TREE PRESERVATION ORDERS CONSULTATION DOCUMENT (Pages 91 - 112)

(Director of Planning and Economic Development) To consider the attached report and supporting documents.

The details of the consultation may be found here

www.communities.gov.uk/publications/planningandbuilding/treestreamliningconsult

11. PLANNING AND ECONOMIC DEVELOPMENT - DIRECTORATE BUSINESS PLAN (Pages 113 - 204)

(Director of Planning and Economic Development) To consider the attached draft Planning Directorate Business Plan 2011-12.

12. ANY OTHER BUSINESS

13. DATES OF FUTURE MEETINGS

The next programmed meeting of the Panel is on 3 March 2011. In order to deal with other officer reports to the Panel it will be necessary to arrange a further Panel meeting early in the new year.

Agenda Item 4

**EPPING FOREST DISTRICT COUNCIL
NOTES OF A MEETING OF PLANNING SERVICES SCRUTINY STANDING PANEL
HELD ON THURSDAY, 2 SEPTEMBER 2010
IN COMMITTEE ROOM 1, CIVIC OFFICES, HIGH STREET, EPPING
AT 7.30 - 9.40 PM**

Members Present: J Philip (Chairman), H Ulkun (Vice-Chairman), Mrs P Brooks, Mrs A Grigg, Mrs S Jones, Mrs M McEwen, J Markham, W Pryor, J M Whitehouse and K Chana

Other members present: K Angold-Stephens, Mrs P Smith, Ms S Stavrou and D Wixley

Apologies for Absence: C Finn and A Watts

Officers Present J Preston (Director of Planning and Economic Development), N Richardson (Assistant Director (Development Control)), R Sharp (Principal Accountant) and M Jenkins (Democratic Services Assistant)

14. SUBSTITUTE MEMBERS

It was noted that Councillor K Chana had substituted for Councillor A Watts.

15. DECLARATIONS OF INTEREST

There were no declarations of interest made.

16. NOTES FROM THE LAST MEETING

RESOLVED:

That the notes of the last meeting of the Panel held on 3 June 2010 be agreed.

17. TERMS OF REFERENCE

The Panel was advised that under Item 4 Terms of Reference, the East of England Plan was likely to be abolished by the Coalition Government.

18. WORK PROGRAMME

The following was noted:

Item 1

(b) Local Development Framework (LDF)

As indicated above the regional plan was likely to be abolished in the near future.

(c) Gypsy and Traveller Development Plan Document

Government correspondence had advised that further work on the Gypsy and Traveller Development Plan Document should cease

Item 3 Chairmen and Vice Chairmen of Area Planning Committee's Meeting

The Chairmen and Vice Chairmen of Area Planning Committees had met on 2 August 2010 along with Planning Portfolio Holders. The minutes were in the process of being completed. It was requested that more regular feedback from this Panel should take place.

Item 6 Possible Route a Planning Enforcement Investigation Could Take

The Panel was advised that the software needed to present this information was not available. Officers would therefore resort to a simpler presentation medium. The Chairman requested that the Panel should receive this report regarding enforcement in December 2010.

RESOLVED:

That a report regarding enforcement be submitted to the December 2010 Panel meeting.

Item 11 Planning Conditions Controlling Damage to Highways Infrastructure.

It was agreed that this item would be put before the December 2010 meeting.

19. IMPROVEMENT PLAN

The following was noted:

Item 1 Develop and promote a set of service standards for planning and Economic Development, outlining the minimum levels of service that external and internal customers will receive.

The target date set for the service standards was December 2010. Members requested a draft beforehand.

RESOLVED:

That a draft set of service standards for Planning and Economic Development be forwarded to members at the earliest opportunity.

Item 2 Improving Procedures

Members spoke of specific problems with Iplan. Mr J Preston, Director of Planning and Economic Development said he would provide the Panel with a programme of the works under taken on Iplan.

RESOLVED:

That a programme of works undertaken on Iplan be submitted to the Panel.

Item 3 Create a Business Plan for 2011-12

Members felt that a draft of the Business Plan was needed before the completion date of March 2011.

RESOLVED:

That the draft of the Business Plan 2011-12 be submitted to the Panel in December 2010.

Item 4 Implement Practical measures to Improve the Public Perception and Reputation of the Council's Planning Services

There was Member concern regarding enforcement action decisions being made with no apparent subsequent action taking place. J Preston suggested that the protocol needed reviewing and would be brought to the December 2010 Panel meeting.

RESOLVED:

That the Planning Protocol be submitted to the Panel in December 2010 for review.

Item 5 Green issues

There was concern that green issues within the District Council were not getting the coverage they should. There was an officer working group on this subject with Councillor Mrs P Smith, Portfolio Holder for Safer and Greener as a member.

RESOLVED:

Revise the Terms of Reference with regards to more information on the outcomes.

20. STAFFING WITHIN COUNTRYCARE

The Panel received a report regarding the Proposed Countrycare Re-Structure.

Countrycare was the District Council's Countryside Management Service, and was based within the Policy and Environment Section of the Directorate of Planning and Economic Development. Countrycare was established in 1986, it had developed a credible and proven track record for delivering quality projects. Countrycare had provided the following:

- Key resource for advice, information and practical assistance on countryside and nature conservation issues
- Attracted external grant funding
- Developed strong community support and trust
- Recruited and kept a wide volunteer base, gaining public support for community based project works
- Undertook a wide variety of community based activities and co-ordinated a regular programme of practical conservation work
- Provided a key resource for advice on biodiversity, nature conservation law, protected species, green infrastructure and legislation

Existing Countrycare Structure

Countryside Manager £42,210 Vacant as of August 2010
 Assistant Countryside Manager £36,720 Vacant as of June 2010
 Assistant Countryside Manager £36,720 Vacant as of September 2010

Countryside Assistant £21,750

Total £137,400

Assistant Countryside Manager (trainee) corporately funded to November 2011 £28,930. Plus two Future Jobs Fund employees until November 2010.

The Countryside Manager post was currently vacant prior to pursuing a process to re-fill the post, it had been acknowledged that the job description and grading required a review.

Recommended Countrycare Re-Structure

Delete one Assistant Countryside Manager post and create an additional Countryside Assistant Post:

Countryside Manager £44,460
 Assistant Countryside Manager £36,720
 Countryside Assistant £21,750
 Countryside Assistant £21,750

Total £124,680

Assistant Countryside Manager (trainee) corporately funded to November 2011 £28,930. Plus two Future Jobs Fund employees until November 2010.

Current Salary Budget £137,400

Proposed Re-Structure £124,680

The proposed re-structure would result in a CSB saving of £12,720 per annum. The total per annum running costs for the service were being reviewed to ensure operational cost savings over the medium and long term.

It was not felt feasible that Countrycare could run as a volunteer service. Because the team's work was specialist, in ecology, conservation management and planning.

Extending the Volunteer Programme.

The team's Volunteer Programme for 2009/10 had:

- Organised 99 practical project days involving 1,044 volunteer days or 6,264 hours
- Equated to £45,750 of volunteer assistance
- Over 500 staff hours and 2000 volunteer hours were given to working, promoting and maintaining District Council land
- Equated to £30,000 worth of labour
- Additionally Countrycare had raised over £200,000 worth of grant funding for the development and delivery of projects over the last 10 years.

RECOMMENDED:

- (1) That one Assistant Countryside Manager post, within Countrycare, be deleted;

(2) That an additional Countryside Assistant post, within Countrycare, be created, to fortify the project implementation tier of the team allowing for the further extension of the volunteer programme; and

(3) That Countrycare's intention of extending its voluntary and public engagement programme be noted.

21. CONTROVERSIAL PLANNING DECISIONS

The Panel received a report regarding Controversial Planning Decisions.

On 3 June 2010 the Panel had requested a review of recent controversial planning decisions which would enable lessons to be learnt from the selected sites. The review would raise the quality of decision making and assist in the monitoring of development.

An item was placed in the Bulletin issue of 6 August 2010, asking members to suggest suitable sites for the review. No members had come forward and therefore officers had suggested one site from each planning committee area. However, on consideration, members felt that the proposed sites would not be suitable for scrutiny. Members also asked for the Monitoring Officer of Essex County Council to be invited to the Panel regarding Green Travel Plans associated with planning applications.

RESOLVED:

That an invitation be extended to the Monitoring Officer of Essex County Council be added to the Panel's Work Programme.

The review should cover:

- The original planning application
- Any further formal amendments to the scheme
- Any enforcement investigations and action
- The final scheme as built

Those present at the site visit would consist of the following:

- Members of the Scrutiny Panel
- The Planning Officer and/or Presenting Officer
- Ward Members
- Parish/Town Council representative
- Site owner/developer

Details of relevant plans and a summary of the planning/enforcement history of the site should be circulated to all parties prior to the site visit. A brief report of the conclusions drawn from the scheme would then be circulated to all parties.

The visit could be carried out either in the evenings prior to the clocks going forward on 31 October 2010 or on a Saturday morning as required.

Officers were tasked again with locating one site for scrutiny from each of the planning sub-committee areas, one of these sites needed to be residential. An

invitation for proposed sites would be put on the area planning sub-committee agendas.

RESOLVED:

That, officers locate one development site from each planning sub-committee area for scrutiny, of which one will be residential, with an invitation for proposed sites put on the area planning sub-committee agendas.

22. SETTING OF 2010-11 PERFORMANCE TARGET FOR LPI45 AND NI157B

The Panel received a report regarding Setting of 2010-11 Performance Target for LPI45 and NI157(b).

Each year the District Council adopted a range of Key Performance Indicators (KPIs), which were regarded as crucial to the council's core business and its corporate priorities. At its meeting on 23 February 2010, the Finance and Performance Management Scrutiny Panel considered a raft of new indicators and agreed to adopt LPI45, (the number of appeals allowed against refusal of planning permission applications, as a percentage of the total number of appeals against refusal of planning permission applications) and NI157(b), (the percentage of "minor" planning applications determined in a timely manner where a timely manner was defined as within 8 weeks for "minor" applications) as indicators with a view to achieving top quartile performance for district authorities.

The Panel had stated that in the case of LP45 (Appeals), the target should be left as it was (25%) and be reviewed again in June 2010 depending on the policies in place at the time. In the case of NI157(b) (minor planning applications) the Panel concluded that the target would be set when it came to scrutiny.

In the case of NI157(b), the performance over the last few years had been 78% (2007/08), 79.64% (2008/09) and 79.67% (2009/10). A small change to delegated powers was agreed in June 2010, but without greater changes to allow more delegated powers for senior officers to decide therefore the previous year's targets of 84% were not going to be achievable.

Officers suggested a more achievable target of 81%. Last year's target of 79.62% was the best yet attained. Members agreed that LPI45 should be 28% and NI157(b) set at 80%.

RESOLVED:

(1) That the Local Performance Indicator, LPI45, Planning Appeals be set at 28%; and

(2) That the National Indicator, NI157(b), Processing of "Minor" Planning Applications be set at 80%.

23. CLARIFICATION OF THE PLANNING APPEALS AND THE INSTRUCTING OF COUNSEL REPORT

The Panel received an updated report regarding Clarification of the Planning Appeals and the Instructing of Counsel Report.

At the last meeting of the Panel on 3 June 2010 a report was submitted concerning Planning Appeals and the Instructing of Counsel. Members had queried what was meant by political insensitivity in the report. The reference was not intended to suggest that there was party political sensitivity, or political with a capital P involved. Small p political sensitivity may involve whether a Gypsies and Travellers case was in Roydon or Nazeing, whether an issue was in proximity to an election, and if the case was found to be less strong once the appeal was launched, perhaps because a key consultee had begun to take a different view from that which it held at application stage.

RESOLVED:

That the update regarding Clarification of Planning Appeals and the Instructing of Counsel report be noted.

24. STAFFING WITHIN PLANNING AND ECONOMIC DEVELOPMENT - FAMILY TREES

The Panel received updated versions of the Planning and Economic Development Directorate's Staffing Family Trees.

RESOLVED:

That the Staffing within Planning and Economic Development Family Trees be noted.

25. THE PLANIT

At the last meeting of the Panel members had requested that the Planning Services Directorate Newsletter, The PlanIt, should be circulated more widely. There were issues given the current editorial style of the newsletter. However the Panel requested that The PlanIt circulation and editorial approach should stay as it was.

26. DATE FOR MEETING WITH PLANNING AGENTS/AMENITY GROUP

Mr N Richardson, Assistant Director of Planning, advised that the date scheduled for the meeting with Planning Agents and Amenity Groups, should take place on Tuesday 26 October 2010 at 4.00p.m. and was expected to last until 6.30p.m.

27. ANY OTHER BUSINESS

The following was noted:

- The Chairman announced that an extra ordinary meeting of the Panel would be arranged regarding Core Strategy consultations from two councils in Hertfordshire. It was likely that the meeting would be in early October 2010.
- The Panel was advised that Members had requested in cases where the Parish and Town Council had not wanted to object to a planning application, the application should still come to a planning committee. Mr N Richardson advised that local councils could not ask for an application to go before a planning committee this could only be undertaken by a District Councillor. It was suggested that this issue should be raised at the next Local Council's Liaison Committee.

- Members raised the issue of extending time limits on planning applications. The Panel was told that 3 year permission was attached to all decisions. When applying for an extension to existing planning permission, residents and local councils were notified as per an ordinary application. On objections being received the application went before a Sub-Committee. It was felt that more information was required regarding the circumstances under which an extension was being requested.

28. DATES OF FUTURE MEETINGS

The next scheduled meeting of the Panel was on 2 December 2010. Although there would be an extra Panel meeting in early October 2010.

(Previous Terms of Reference)

TERMS OF REFERENCE - STANDING PANEL

Title: Planning Services

Status: Standing Panel

Terms of Reference:

1. To consider in detail the provision of Value for Money within the following Planning Services in focusing specifically on:
 - Development Control (including Appeals)
 - Forward Planning
 - Building Control
 - Enforcement
 - Administration and Customer Support
 - Economic Development
 - Environment Team
2. To gather evidence and information in relation to these functions through the receipt of:
 - performance monitoring documents,
 - Best Value Review of Planning Services (updated version)
 - benchmarking exercises,
 - consultation with Planning Committee Members, customers and IT Suppliers.
3. To review the measures taken to improve performance within the directorate.
4. To consider matters which arise through the process that the Government is driving to bring in an East of England Plan. These may range from responding to the views of those who support or oppose us, and how we may support or oppose the views taken by others. This includes how to work in partnership with others to secure delivery of the plan with adequate infrastructure. In particular, those Portfolio Holders with relevant responsibilities to remain tuned in to local views.
5. In association with 4 to keep an overview of work associated with securing a sound New Local Development framework; in particular how the core strategy will cater for the adequate delivery of infrastructure of all types, the limited rolling back of the Metropolitan Green Belt, the provision of affordable housing, and the maintenance of the settlement pattern elsewhere in the District.
6. To consider what changes are practical and desirable to Council policies concerning the Metropolitan Green Belt; including those concerning the extension of existing dwellings, and the reuse of redundant and other buildings; in particular, are further restrictions necessary (changes in policy required) to ensure that such developments are truly sustainable.
7. To establish whether there are any resource implications arising out of the topics under review and advise Cabinet for inclusion in the Budget Process each year;

8. To report to the Overview and Scrutiny Committee at appropriate intervals on the above. To report to the Overview and Scrutiny Committee, the Council and the Cabinet with recommendations on matters allocated to the Panel as appropriate.

Chairman: Cllr Mrs Wagland

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3. To review the measures taken to improve performance within the directorate.
4. To keep an overview of work associated with securing a sound New Local Development Framework; in particular how the core strategy will cater for the adequate delivery of infrastructure of all types, the limited rolling back of the Metropolitan Green Belt, the provision of affordable housing, and the maintenance of the settlement pattern elsewhere in the District.
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6. To establish whether there are any resource implications arising out of the topics under review and advise Cabinet for inclusion in the Budget Process each year;
7. To report to the Overview and Scrutiny Committee at appropriate intervals on the above. To report to the Overview and Scrutiny Committee, the Council and the Cabinet with recommendations on matters allocated to the Panel as appropriate.

Chairman: Councillor J Philip

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Planning Services Standing Panel (Chairman – Cllr J Philip)

Item	Report Deadline / Priority	Progress / Comments	Programme of Future Meetings
(1) (a) Regional Plan (b) Local Development Framework (c) Current Staffing (d) Improvement Plan	Regular updating reports	Report on new LDF Scheme & implications for S106 agreements, new draft policy required. LDF timeline to be presented. Development Document Site Allocations Issues and Options Paper. Updated Staffing Family Tree.	3 June 2010 2 September 11 October – Extra Ordinary Meeting 2 December; and 3 March 2011

<p>(2) Value for Money Provision:</p> <p>(a) Administration & Customer Support</p> <p>(b) Building Control</p> <p>(c) Development Control (including Appeals)</p> <p>(d) Economic Development</p> <p>(e) Enforcement</p> <p>(f) Environment Team</p> <p>(g) Forward Planning</p> <p>(h) Performance</p>		<p>VFM Task and Finish report went to September 08 meeting and the November 08 O&S Cttee meeting where it was endorsed.</p>	
<p>(3) Chairmen and Vice Chairmen of Area Planning Cttees to be invited to a meeting to provide feedback.</p>		<p>Results fed back to Panel regularly. Meetings will take place on a frequent basis.</p>	
<p>(4) Report from Legal on performance at Planning Appeals</p>	<p>June 2009</p>	<p>COMPLETED</p>	

(5) Comments from the planning agents and amenity groups required matching		N Richardson, Asst Director of Planning, to arrange a date, time and venue.	
(6) That a report be produced for the Panel setting out the possible route any planning enforcement investigation could take.		A further report was required with financial implications.	
(7) Review the Corporate Planning protocol with respect to dealing with applicants, agents, developers and the local business community to ensure that the highest standards of probity and governance are achieved.	February 2010 meeting		
(8) To review a selection of controversial planning decisions to see if lessons can be learnt from their consideration.		This item has been extracted from the Terms of Reference of the Provision for Value for Money within Planning Services Task and Finish Panel and the current Panel.	
(9) To consider whether the reporting arrangements for Terms of Reference sections and those from the Section 106s (including how they are negotiated agreed and implemented strategically to secure community benefit), and appeals are sufficient (including how new legislation impacts on these) and recommend accordingly		This item has been extracted from the Terms of Reference of the Provision for Value for Money within Planning Services Task and Finish Panel and the current Panel.	
(10) Best Value Review	Received update in February 2010		

(11) Planning conditions controlling damage to highways infrastructure	December 2010	Referred from the Overview and Scrutiny Committee – March 2010.	
(12) Contributions to affordable housing (S106 Agreements)	New Item		
(13) Arrange visit to other planning authorities to learn from their work.	New Item		
(14) Countrycare	Submitted to 2 September 2010 Panel meeting.	COMPLETED - Future structure following the departure of Paul Hewitt.	
(15) Consultations from Hertfordshire Councils regarding Core Strategies	New Item – October 11 2010	COMPLETED - Consultations to be considered at extra-ordinary panel meeting on October 11 2010.	
(16) Tree Preservation Order Consultation	New Item - December 2010	Government Consultation	
(17) New Homes Bonus Consultation	New Item - December 2010	Government Consultation	



Report to Planning Services Scrutiny Panel

SCRUTINY

Date of meeting: 02 December 2010



Subject: Construction Damage to Highway Infrastructure

Officer contact for further information: Nigel Richardson (01992 56 4110)

Committee Secretary: Mark Jenkins (01992 56 4607)

Recommendations/Decisions Required:

1. That further investigation is carried out to determine whether damage to highway verges can be controlled by conditions/obligations attached to planning permissions.

Report:

Minute 5 Item 11 of Planning Service Scrutiny Standing Panel meeting dated 03 June 2010 required Officers to look at this issue of damage to highway infrastructure during construction work and whether there was a way of forcing developers to make good any damage that had been created at their cost. It was also requested that a Essex County Council Officer could attend this particular meeting. A Development Manager Engineer from Essex will be available to take part in the discussion on this issue. Chigwell Parish Council have also brought officers attention to damaged green verges in their local area.

Essex advise that ultimately any damage to the highway include grass verges, which has been raised as a particular issue by a few Members, should be reported to the Maintenance Team at the West Area Highway Office, where it will be logged on a priority basis. The difficulty is gathering evidence and proving who or what has caused the damage and therefore how the perpetrator can be held responsible to pay and rectify the damage. Routine maintenance inspections are carried out by highway inspectors for the Highway Authority, who record damage/faults and start the process of rectifying and repair.

There is of course the difficulty of proving whether the damage was caused by construction related work as a result of development that required planning permission. Since October 2008, there is now a great deal of extension work to houses that no longer require planning permission. Even where extension work does require planning permission, the highway authority are only consulted if there is a highway safety issue as a result and in the case of householder type applications, this is very rare.

This is not a planning enforcement function, because the damage itself is not subject to planning control. Some recent developments in Chigwell have resulted in damage to grass verges, though the Maintenance team of Highways have stated that they are dealing with these matters. Unfortunately, they may not be high in priority in terms of other more pressing highway safety issues and there is understandable frustration that enforcing the perpetrators of the damage takes time.

For large-scale planning applications, it is possible to condition a construction management plan and a "before and after" condition survey where construction damage is put right, however this is only feasible on lower used roads (i.e. estate roads) as there will be difficulty in gathering proof to show construction of the development was the sole responsibility on well-trafficked roads.

Grampian style planning conditions could be another possibility but only where there is likelihood of proving where damage has originated from in terms of where construction and delivery vehicles/ lorries, for example, have resulted in damage to the highway. However, planning should not take on a responsibility that is controllable by the landowner, in this case, likely to be the highway authority (although some verges can be privately owned). The enforcing of such planning conditions would place more burden on the planning enforcement team because it would firstly require evidence of the condition of the highway prior to the work being carried out and secondly, require proof of the contractor companies vehicles causing the damage, meaning that the condition is unlikely to be enforceable.

Another alternative is use of planning obligations, whereby the applicant enters into a legal agreement that he agrees to pay for any repair damage, should it occur. Again, this could only be realistically be done in the case of grass verges outside or in the immediate vicinity of the property where the development is taking place.

Reason for decision:

Further discussions will take place between the highway and the planning authorities to see how best this matter can be controlled and enforced, though this would be only in the case of damage to grass verges outside the application site and in the case of planning, only where planning permission is required.

Options considered and rejected:

Nil

Consultation undertaken:

Essex County Council - Highway Authority

Resource implications:

Budget provision: Nil

Personnel: Planning Officers and Highway Officers of the County Council

Land: Nil

Community Plan/BVPP reference: Nil

Relevant statutory powers: The Highways Act

Background papers: None

Environmental/Human Rights Act/Crime and Disorder Act Implications: Nil

Key Decision reference: (if required)



Report to Planning Services Scrutiny Standing Panel

Date of meeting: 2nd December 2010

**Portfolio: Planning and Economic Development:
Housing; Finance and ICT**

Subject: New Homes Bonus Consultation

Officer contact for further information: Ian White, Forward Planning Manager (01992 56 4066)

Committee Secretary: Mark Jenkins (01992 56 4607)

SCRUTINY



Epping Forest District Council

Recommendations/Decisions Required:

To consider the consultation questions and issues raised by the principle of the bonus scheme and report direct to Council on 14th December 2010.

Report:

This is a CLG consultation on the New Homes Bonus (NHB) – the coalition government’s approach to incentivise local authorities to increase their housing supply. The consultation runs from 12th November to 24th December, the period being restricted to 6 weeks (rather than the more normal 12) so that the final scheme can be announced alongside the local government finance settlement early in the new year.

There are 16 questions which deal with (a) the level of bonus; (b) enhancement for affordable homes, and extension of definition; (c) bringing empty homes back into use; (d) split of bonus between local authority tiers; (e) basis of calculation; and (f) additional issues. Further comments are also welcomed.

1. Level of bonus

For each new home built in a specified period of a year, the Council will receive the “Bonus”, equal to the national average for the appropriate council tax band. This will be paid for each new property for the following six years as an un-ringfenced grant. The use of the national average is intended to make allowance for the relative value of properties, and not to penalise prudent authorities which have maintained lower council tax levels. The first consultation question therefore is:

- Do you agree with CLG’s proposal to link the level of grant for each additional dwelling to the national average of the council tax band?

Issues to consider

There are many other current and complex changes underway to local government financing which will lead to a reduction in Revenue Support Grant (RSG). The Housing and Planning Delivery Grant has also been abolished so, unless new housing is built, the Council will be receiving significantly less money from central government. Conversely, any local authorities that allocate significant land for housing through the LDF could receive much more than otherwise. The implications for the protection of the Green Belt are discussed in section 8(a) below. Other than assisting with growth around Harlow, the Council has not had much

appetite for significant housing growth in the district, and it is therefore possible that the Council will lose out financially if the bonus scheme is introduced. The degree to which the Council would gain or lose out would be dependent on its rate of housing growth relative to other authorities. Members will need to give careful consideration to the effect of the NHB when potential housing targets are considered as part of the Issues and Options consultation on the Core Planning Strategy.

In the last 5 years an annual average of 158 new houses have been built in the district – the Council Tax banding of these is not known.

Officers believe that there are pluses and minuses to linking the level of grant to particular tax bands. On one hand a larger bonus should be received for larger properties, because they inevitably mean a lower density of development. But this approach to the calculation of the bonus could potentially raise some of the problems outlined in 8(b) below.

2. Affordable housing enhancement

The document proposes an additional £350 for each of the six years for every new affordable unit. This is described as “about 25% of the current average Band D council tax”. The second question therefore asks:

- What do you think the enhancement should be?

Issues to consider

An annual average of 43 new affordable houses were built in the last 5 years.

Since this Council recognises the importance of, and need for, affordable housing, it is felt that an enhancement will be beneficial. Permission for 80-100% affordable housing on some Green Belt sites has been granted for very special reasons in recent years.

3. Definition of affordable housing

The definition in Appendix B of PPS3 is proposed – ie to include social rented and intermediate housing. In addition, pitches on Gypsy and Traveller sites in public ownership (ie owned and managed by local authorities or registered social landlords) are considered to contribute to the supply of affordable homes. While this Council has made significant progress in increasing the number of authorised pitches in the last couple of years, these have all been on privately owned sites. Any further provision in the district is most likely to be on non-public land, so, with this definition of “affordable”, the Council would not gain any NHB enhancement from increased number of Gypsy and Traveller pitches. The third questions asks:

- Do you agree to use PPS3 and publicly owned G & T sites to define affordable homes?

Issues to consider

It is reasonable to use the PPS3 definitions for affordable housing. However, as part of the Comprehensive Spending Review, the Government announced its proposed introduction of “affordable rented” properties to replace the social rented tenure of new housing association homes. These will be at rents of up to 80% of private rents, with regular reviews to consider if the terms of the tenancy should continue (ie no longer tenancies/homes for life).

It is therefore strongly recommended that the definition of “affordable housing” for the NHB includes “affordable rented properties” – these are not currently covered by the PPS3 definition.

4. Empty homes

The document is not entirely specific about the details, merely saying that (the Government) “proposes to reward local authorities for bringing empty properties back into use through the NHB”. There are 2 questions associated with this:

- Do you agree with the proposal of reward;
- Are there any practical constraints?

Issues to consider

While any initiatives to incentivise and reward local authorities for bringing empty properties back into use would generally be welcomed, the consultation document is not sufficiently detailed to assess how the NHB would work – eg how long would a property have to be empty before it qualified; when and how would it be judged to be occupied such that the bonus would be paid; would it be when Council Tax was collected, or would it have to be assessed as reaching a certain standard (eg Decent Homes) first; how would Council Tax bases be used; is there a case for payment of enhancement in particular situations, for instance when a severely dilapidated property has been repaired so that it can again be occupied.

5. Tier split of bonus

The document recognises that “for the incentive to be most powerful, it must be strongest where the planning decision sits”, ie with the district rather than the county council. It therefore proposes an 80:20 split “as a starting point for local negotiation”. There is also discussion of the pooling of funding with other local service providers, and with Local Enterprise Partnerships, but these cases will depend upon individual circumstances, and the Government states again that “local authorities are best placed to negotiate (the tier split) to meet the needs of local neighbourhoods and communities”. Two questions flow from this proposal:

- Do you agree to the 80:20 split between lower and higher tier authorities, as a starting point for local negotiation?;
- If not, what would the appropriate split be, and why?

Issues to consider

Local authorities will be free to spend the grant in line with community wishes – this is obviously in line with the localism agenda, and the consultation makes it clear that this is seen as a local and not a central government issue. But could this lead to disagreement between local communities – eg those which have new housing developments expecting all that particular bonus to be allocated to their locality, rather than to other district or district-wide schemes. (And the same would apply to the County Council where, if Members agree to the proposed 80:20 split, there is no guarantee that the County would apportion the “20” to this district). It is likely to be even harder for local communities to accept some pooling of funding at LEP level for, eg, a strategic infrastructure project, if there is little or no sign of direct benefit to those communities.

As RSG will be reduced to help fund the NHB, officers believe that RSGs to upper tier authorities should be similarly reduced. They also propose that, for the avoidance of doubt, the final guidance should make it clear that, if there are no infrastructure costs to upper tier authorities, the proportion of NHB should be nil.

6. Basis of calculation

This section discusses sources of data (including affordable housing and demolitions),

minimising additional burdens on authorities and the timing of grant allocations and payments. Six questions are posed:

- Do you agree to use data collected on the Council Tax Base form as at October to track net additions and empty homes?
- Do you agree with one annual allocation, based on the previous year's Council Tax Base form, and paid the following April?
- Do you agree that allocations should be announced alongside the local government finance timetable?
- Do you agree that local authorities should be rewarded for affordable homes using data reported through the official statistics on gross additional affordable supply?
- How significant are demolitions?
- Is there a proportionate method of collecting demolitions data at local authority level?

Issues to consider

Officers agree with the first four questions with the proviso that the definition of affordable homes (question 4) should be expanded as described in section 3 above.

Demolitions are not considered to be significant in this district, and the information is already collected as part of the Annual Monitoring Report for the LDF. There may be a minor amount of work needed to cover the period from October to October, rather than the financial year.

7. Additional issues

This covers equalities impacts and "consultation stage impact assessment". CLG's view is that the NHB is fair as all relevant local authorities are able to access the scheme funds. The bonus is not ringfenced, so authorities can spend the grant as they see fit – and they will be subject to equality legislation in making those decisions.

Two questions are asked:

- Do you think the proposed scheme will impact any groups with protected characteristics?
- Do you agree with the methodology used in the impact assessment?

Issues to consider

The first question raises potentially controversial issues, and is addressed in 8(b) below.

In the time available to write this report, officers did not have the opportunity to assess the second issue (impact assessment) of this section.

8. Wider Views

The document asks for other comments, particularly where there are issues that have not been addressed. Officers wish to raise the following issues for Members' consideration:

- (a) The district is entirely within the Green Belt, with only the towns and larger villages being excluded by tightly drawn boundaries. How will "incentivisation" sit with the strategic aim of growth restraint, and with the Government committed to the continuing protection of the Green Belt? The localism agenda is bound to highlight the local community's strong support for continued protection;
- (b) It is unclear how the existence of the bonus should be treated in considering the planning merits of such schemes. There must be a concern that some residents or other observers will argue that some permissions have been "sold", or that more expensive properties have been permitted to maximise the bonus, when dwellings of

a smaller size would have been more appropriate for proven need. Whatever the facts of individual cases, there could be lingering problems of bad publicity and suspicion;

- (c) Similar problems could arise with permissions granted on appeal – will Inspectors have guidelines on how to assess planning merits in the era of the bonus. Officers would like confirmation that the bonus will still apply if a permission is granted contrary to the wishes of the Council;
- (d) The relationship between NHB, S106 Agreements, the Community Infrastructure Levy (CIL) and Tax Increment Financing is currently unclear. The Government will be reforming CIL and issued the following guidance on 18th November:
- The levy will be passed directly to local neighbourhoods, either by contributing to larger projects funded by the council, or funding smaller local projects like park improvements, playgrounds and cycle paths;
 - Levy rates will be set in consultation with local communities so developers will know upfront exactly how much they will be expected to pay towards infrastructure;
 - Independent examiners will monitor the levies, but councils will control the detail of what type of levy rate is charged, including what rates are set for specific areas and types of development;
 - All but the very smallest building projects will contribute to the levy, although affordable and social housing projects as well as charity developments will be exempt;
 - Section 106 Agreements will continue to fund affordable housing, and will remain scaled back so they directly relate to the proposed development.
- (e) The Government intends that the scheme will become a permanent feature of local government funding – ie that it will therefore continue beyond the initial six-year cycle. What medium and long-term effects will this have on settlements such as Harlow which, within their current boundaries, have very little land left for new housing? Could this lead to increased pressure for boundary reviews and loss of Green Belt land within the district?
- (f) Similar issues would apply to any urban extensions to Harlow, most or all of which could be in this district. This could increase pressure for early boundary changes which could also mean this Council losing nomination rights for any affordable housing included in such schemes. Officers believe that the council which permits the housing should retain the NHB, irrespective of any subsequent boundary changes;
- (g) The consultation period has not permitted officers to gauge the public response to the principle of the bonus scheme, and it is proposed that an item is placed on the Council's website, coupled with an item for the local press. This will allow some feedback to be considered at Council on 14th December;
- (h) The Core Strategy will not be adopted until 2014, but it does not specifically identify sites. That is the function of further Development Plan Documents which may not be adopted until 2015 or 2016, so there will be a significant time lag in this district before new housing sites are identified through the planning process.
- (i) Developers will only build houses if there is a market for them.

Reason for decision:

The CLG consultation requires a response by 24th December 2010.

Options considered and rejected:

Not to respond to the consultation, but the proposed scheme has potentially fundamental

implications for planning decisions and local government financing, so it is important that the Council makes its views known.

Consultation undertaken:

Management Board

Resource implications:

Budget provision: Potentially very significant but currently unclear.

Personnel:

Land: As with budget provision

Community Plan/BVPP reference:

Relevant statutory powers:

Background papers: Letter of 12th November from the Minister for Housing and Local Government;

New Homes Bonus consultation November 2010-11-22

CLG press item 18th November 2010 "Communities to share in the advantages of development"

Environmental/Human Rights Act/Crime and Disorder Act Implications:

Key Decision reference: (if required)

To all LA Leaders

Tel: 0303 444 3460
Fax: 020 7828 4903
E-Mail: grant.shapps@communities.gsi.gov.uk

www.communities.gov.uk

Dear Leader

12 November 2010

NEW HOMES BONUS CONSULTATION

The Coalition Government inherited a catastrophic decline in home building. A combination of the recession, divisive top-down targets and a public subsidy-driven approach delivered just 118,000 completions in 2009. This was the lowest level of house building in England and Wales in peace-time since 1923-24. We need a fundamentally different approach – a **New Homes Bonus**.

At the moment, councils and communities don't have enough of an incentive to welcome new homes. Rewarding rather than penalising councils and communities for new homes is not only fairer, but will be far more effective than the failed top-down regional targets which served only to antagonise. People know that new homes are needed – now they will have a say in where they should go as well as seeing the real benefits of the new homes built in their communities.

On the 9 August, I wrote to you as well as MPs in England setting out my intention to introduce the New Homes Bonus and making a commitment to consult on the scheme design shortly after the spending review. **I am pleased to announce that the Consultation has been published today** and is available, with other background information at; <http://www.communities.gov.uk/housing/housingsupply/newhomesbonus>. These set out the Government's policy to *match fund the additional council tax raised when a new home is built, or a property is brought back into use, with an additional amount for affordable homes* and we will reward those who take action now to increase house building. The consultation seeks views on how to implement the "New Homes Bonus". It sets out the details of the scheme and the rationale for the proposed mechanisms.

As announced in the spending review, we have set aside nearly £1 billion over the Spending Review period and funding beyond that level will come from formula grant. This includes around £2 million to fully fund the scheme in Year 1. Now we need your contributions to make sure the New Homes Bonus works and delivers the homes your communities need.

I am writing in similar terms to your local MP and I look forward to reading your response.



GRANT SHAPPS MP

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New homes bonus Consultation



New homes bonus
Consultation

November 2010
Department for Communities and Local Government

Department for Communities and Local Government
Eland House
Bressenden Place
London
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Ministerial foreword

We all knew last month's Spending Review settlement was going to be tough, but not reducing the public deficit would be tougher. It would put the country's economic recovery at risk. The Government had to take hard decisions to address the level of debt that was in danger of crippling the UK and we took them. If we didn't tackle the deficit, interest rates would rise, making housing less affordable. The interest repayments on £1 trillion of public debt would also suck money away from frontline services and future investment. We could not go on like that.

We also inherited a catastrophic decline in home building from the previous Government. A combination of divisive top-down targets and a public subsidy-driven approach delivered just 118,000 completions in 2009, the lowest level of house building in England and Wales in peace-time since 1923-24. We need to take urgent action to ensure that we build more of the homes that people want in the places they want to live. We need a fundamentally different approach.

The current system does not provide the right incentive for councils or communities to welcome new homes. If a local authority enables the building of new homes, little benefit is seen by the local community. Existing residents only see further strain on public services. They see increased competition for scarce resources from the people who move into the new homes. They and their elected local councillors, therefore quite naturally object to much of the proposed development.

Rewarding rather than penalising councils and communities for new homes is not only fairer, but will be far more effective than the failed top-down regional targets which served only to antagonise. It will help local politicians to lead a mature debate about the benefits of development, not just the costs. Incentives will be a powerful driver. Communities could see reductions in council tax, or a redeveloped town centre or a new community centre in return for accepting new homes.

Nor does the current system incentivise local authorities to bring empty homes back into use. This consultation asks whether bringing long-term empty homes back into use should be counted as additional supply for the New Homes Bonus. Local authorities would then be able to consider these properties with equal weight alongside new build.

The New Homes Bonus will return the ownership of this debate to a local level and encourage local authorities and communities to develop their housing plans in ways that meet their needs and concerns. I am committed to ensuring that rewards start to flow in the next financial year to those authorities going for growth. We need your ideas to make sure the New Homes Bonus delivers the homes your communities need. I look forward to reading your responses to the questions set out in this consultation.

Thank you

A handwritten signature in black ink, appearing to read 'Grant Shapps'.

The Rt Hon Grant Shapps MP
Minister for Housing and Local Government

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Section 1: Scope of the consultation

Scope of the consultation

Topic of this consultation:	<p>This consultation seeks views on the implementation of the 'New Homes Bonus' - which will provide a powerful, simple, transparent and permanent means of incentivising local authorities to increase their housing supply.</p> <p>This follows the commitment in the Coalition Agreement:</p> <p><i>to provide incentives for local authorities to deliver sustainable development, including for new homes and businesses.</i></p>
Scope of this consultation:	<p>This consultation sets out the details of the scheme and the rationale for the proposed mechanisms. It also sets out how the scheme sits within the wider context of the Government's locally-driven growth strategy.</p> <p>This is largely a technical consultation for local authorities. In the current financial circumstances, it is important that the final scheme is announced alongside the local government finance settlement early in the new year so that local authorities have clarity when they set their budgets and council tax in March. As a result this is a six week consultation.</p> <p>We would like to invite views from interested parties on some key design features.</p>
Geographical scope:	<p>This consultation is applicable to England only.</p>
Impact Assessment:	<p>A consultation stage impact assessment has been completed for this consultation and can be found at Appendix E.</p> <p>In line with guidance issued by the Government Equalities Office (GEO), we have had regard to equalities issues as the proposed New Homes Bonus has been designed. However, we consider it good practice to consult as widely as possible on these issues and as part of this consultation we are asking respondents to consider whether the proposed scheme design is likely to have any equalities impacts.</p>

Basic information

To:	Local authorities Housing and Trade Bodies
Body/bodies responsible for the consultation:	The Department for Communities and Local Government Housing Supply Division Incentives Team
Duration:	The consultation will commence on 12 November and end on 24 December 2010 and is published online at http://www.communities.gov.uk/housing/housingsupply/newhomesbonus
Enquiries:	newhomesbonus@communities.gsi.gov.uk Junaid Azam New Homes Bonus Consultation 1/A6 Incentives Team Housing Supply Division Department for Communities and Local Government Eland House Bressenden Place London SW1E 5DU Tel: 030344 43598
How to respond:	See Section 5.4 Please send responses electronically to: newhomesbonus@communities.gsi.gov.uk (with attachments in MS Word only) Hard copy responses can be sent to: New Homes Bonus Consultation 1/A6 Incentives Team Housing Supply Division Department for Communities and Local Government Eland House Bressenden Place London SW1E 5DU

Additional ways to become involved:	<p>As this is largely a technical consultation this will be a written exercise.</p> <p>Should you require a copy of the document in an alternative format then please contact newhomesbonus@communities.gsi.gov.uk to make a request.</p>
After the consultation:	<p>Following the consultation we will review the responses received and announce the final design of the scheme early in 2011.</p>
Compliance with the Code of Practice on Consultation:	<p>This consultation document and consultation process have been planned to adhere to the Code of Practice on Consultation issued by the Department for Business Innovation and Skills and is in line with the seven consultation criteria, which are:</p> <ol style="list-style-type: none"> 1. Formal consultation should take place at a stage when there is scope to influence the policy outcome. 2. Consultations should normally last for at least 12 weeks with consideration given to longer timescales where feasible and sensible. 3. Consultation documents should be clear about the consultation process, what is being proposed, the scope to influence and the expected costs and benefits of the proposals. 4. Consultation exercises should be designed to be accessible to, and clearly targeted at, those people the exercise is intended to reach. 5. Keeping the burden of consultation to a minimum is essential if consultations are to be effective and if consultees' buy-in to the process is to be obtained. 6. Consultation responses should be analysed carefully and clear feedback should be provided to participants following the consultation. 7. Officials running consultations should seek guidance in how to run an effective consultation exercise and share what they have learned from the experience. <p>Representative groups are asked to give a summary of the people and organisations they represent, and where relevant who else they have consulted in reaching their conclusions when they respond.</p> <p>Information provided in response to this consultation, including personal information, may be published or disclosed in accordance with the access to information regimes (these are primarily the Freedom of Information Act 2000 (FOIA), the Data Protection Act</p>

1998 (DPA) and the Environmental Information Regulations 2004).

If you want the information that you provide to be treated as confidential, please be aware that, under the FOIA, there is a statutory Code of Practice with which public authorities must comply and which deals, amongst other things, with obligations of confidence. In view of this it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the department.

The Department for Communities and Local Government will process your personal data in accordance with DPA and in the majority of circumstances this will mean that your personal data will not be disclosed to third parties. Individual responses will not be acknowledged unless specifically requested.

Your opinions are valuable to us. Thank you for taking the time to read this document and respond.

Are you satisfied that this consultation has followed these criteria? If not or you have any other observations about how we can improve the process please contact:

DCLG Consultation Co-ordinator
Department for Communities and Local Government
Zone 6/H10
Eland House
Bressenden Place
London SW1E 5DU

or by e-mail to:

consultationcoordinator@communities.gsi.gov.uk

Background

<p>Getting to this stage:</p>	<p>There has been a long-term pressure on housing supply, which top-down targets failed to resolve. Supply has now fallen to an historic low. 2009 saw the lowest level of housebuilding in peace-time since 1923-24. However, the long-term demand for housing is strong. The latest published household projections show that around 252,000 new households could form each year between now and 2031 (as a result of increased longevity, migration and a rise in the number of one-person households), 134,000 above current build levels. The previous Government tried to remedy this by using centrally determined, top-down housing targets which were imposed on local authorities and local communities. These failed to deliver the housing this country needs.</p> <p>A series of independent reviews – most recently by Sir Michael Lyons, Kate Barker and Professor Michael Ball – highlighted the powerful role that local incentives could play in driving housing delivery. International comparisons also show the role enhanced local fiscal incentives can have in supporting development (see for example, Evans and Hartwich (2006) for Policy Exchange). However, in the UK the state has become more centralised over time. For example, local government grants from the centre increased from 34 per cent in 1950 to 61 per cent in 2008¹.</p> <p>Recognising that a new approach was required, the Coalition Agreement set out <i>to provide incentives for local authorities to deliver sustainable development, including for new homes and businesses</i>. The proposed scheme will provide this incentive by returning the benefits of growth back to communities.</p>
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¹ Layfield, *Local Government Finance: Report of the Committee of Enquiry*, 1976, 1949/50 and 1973/74 data: *Local Government Finance: Report of the Committee of Enquiry*, F. Layfield, 1976, 2007/08 data: Department for Communities and Local Government, *Local Government Finance Statistics (England No 19)*, 2009

<p>Previous engagement:</p>	<p>The Department for Communities and Local Government has carried out a range of activities with private and public sector partners over the summer of 2010 to develop the scheme design options.</p> <p>Two joint Department for Communities and Local Government/Local Government Association workshops were held with a number of local authorities to work through the mechanics of the scheme.</p> <p>In addition the Department has held a number of bilateral meetings with key partners in the housing industry such as British Property Federation, Home Builders Federation, National Housing Federation, Shelter, Campaign to Protect Rural England and a number of academics to share the emerging scheme design issues and consider their views.</p> <p>An email address for enquiries, issues of concern and any suggestions was also introduced over the summer. All emails are logged and will be used to inform the scheme design.</p> <p>newhomesbonus@communities.gsi.gov.uk</p>
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2. Introduction

Aim

- 2.1. The aim of the New Homes Bonus is to create a powerful, simple, transparent and permanent incentive which rewards local authorities that deliver sustainable housing development.

Background

- 2.2. The Coalition Agreement set out the Government's commitment to provide incentives for local authorities to deliver sustainable development, including for new homes and businesses. At the heart of the Government's strategy for locally-driven growth is a framework of powerful incentives. This will involve changes to the local government finance system to reward those authorities that go for growth. This framework will encourage local authorities and communities to increase their ambitions for housing and economic growth by returning the benefits of this growth and allowing them to take the lead in managing the way in which villages, towns and cities develop.
- 2.3. The current local government finance system does not provide the right incentive or rewards for councils to build new homes or bring long-term empty properties back into use. If a local authority promotes the building of homes in the area it governs, little of the economic gain is captured by the local community. As a result existing residents can only see a further strain on public services and reduced amenities when new homes are built. They and their elected representatives on local councils therefore quite naturally object to much of the proposed development. We have seen a sustained fall in housing development, on average 26,000 fewer homes were built each year from 1997 to 2009 than under the previous Conservative government. In 2009, we achieved just 118,000 completions, that's the lowest level of house building in peacetime since 1924.
- 2.4. The previous Government tried – and failed – to remedy this by imposing development through top-down targets. The Housing and Planning Delivery Grant (HPDG) was introduced to improve housing delivery but this was ineffective and complicated, and local authorities could not rely on it as a sufficient and stable incentive. Changing this and rewarding rather than penalising councils for new homes is not only fairer, but will be far more effective than the failed top-down regional targets.
- 2.5. The impact assessment sets out a strong evidence base for action. A series of independent reviews – most recently by Sir Michael Lyons, Kate Barker and Professor Michael Ball – have highlighted the powerful role that incentives could play in driving housing delivery. International comparisons and experience with growth funding show the practical impact financial rewards can have.

- 2.6. Government will not tell local authorities what type of development or homes they should build or where, but we will reward authorities and communities where growth takes place. The scheme will return power back to local communities and allow them to decide where and how housing development occurs in their area whilst ensuring that the benefits of growth are returned to those communities.
- 2.7. The Local Growth white paper, published on 28 October 2010, sets out the Government's new approach to rebalancing the economy and driving sustainable growth by focusing on three key themes:
- **Shifting power to local communities and businesses** - by establishing dynamic local enterprise partnerships of local business and civic leaders.
 - **Focused investment** – by tackling barriers to growth through the £1.4bn Regional Growth Fund to encourage private sector enterprise, create sustainable private sector jobs and to help places currently reliant upon the public sector.
 - **Increasing confidence to invest** – by creating the right conditions for growth through a consistent and efficient framework for investment, an effective planning framework and new incentives to make sure local communities benefit from development.
- 2.8. The New Homes Bonus is a key part of a wider family of incentives set out in the Local Growth white paper. In particular, we have considered ways of enabling councils to retain locally raised business rates. This will be considered within the Local Government Resource Review which will be launched in January 2011 after a period of consultation on the proposals in the white paper on Local Growth. The Government is committed to protecting business rates payers. Businesses should not be subjected to locally imposed tax increases that they do not support.
- 2.9. Since the publication of the Local Growth white paper, the Government has announced that it will retain and reform the existing Community Infrastructure Levy to improve its incentive effect and give more control over its use to local communities.
- 2.10. Alongside the reforms outlined in the white paper, the New Homes Bonus plays a key role in this new approach. The scheme will help local authorities and their partners realise their growth ambitions and ensure that local communities can see the benefits, as well as the costs, of economic growth in their area.

3. Scheme design

3.1. A range of options have been explored for implementing the scheme and the following section sets out the Government's preferred model with the rationale for each design feature. Appendix B sets out the scheme payment model and Appendix C provides a worked example.

Summary

3.2. The scheme will incentivise local authorities to increase housing supply by rewarding them with a New Homes Bonus, equal to the national average for the council tax band on each additional property and paid for the following six years as an unringfenced grant. There will be an enhancement for affordable homes.

The New Homes Bonus is designed to create an effective fiscal incentive to encourage local authorities to facilitate housing growth. In particular we have designed the scheme in line with the following key principles:

- *Powerful* - the grant will be payable for the following six years, so the total will rise for at least the first six years. The diagram below shows how the profile will rise as the grant rolls forward. By year six, even at a steady rate of build, we expect it to be over £1bn. In fact, we expect building rates to increase and the grant to be significantly higher by year six. DCLG has set aside nearly £200m to fully fund the scheme in 2011-12. For the following three years of the spending review (2012-13 to 2014-15) we have set aside £250m per annum and funding beyond these levels will come from Formula Grant. Those authorities which respond to the incentive and drive growth will reap the benefits.

	2011-12	2012-13	2013-14	2014-15	2015-16	2017-18	2018-19
Year 1	£	£	£	£	£	£	
Year 2		£	£	£	£	£	£
Year 3			£	£	£	£	£
Year 4				£	£	£	£
Year 5					£	£	£
Year 6						£	£
Year 7							£

- *Simple* - additional homes will be rewarded with six years of grant based on the council tax, returning the economic benefits of growth to the local community.
- *Transparent* - easy for councillors, the community and developers to calculate and see the early benefits of growth. The Government is publishing [an online calculator](#)² alongside this consultation so that communities can see how much they can gain from the scheme.
- *Predictable* - the scheme is intended to be a permanent feature of local government funding and will therefore continue beyond the six year cycle. We will keep the design features simple and stable to ensure that expected rewards for growth are delivered.
- *Flexible* - local authorities can decide how to spend the funding in line with local community wishes. The Government expects local councillors to work closely with their communities – and in particular the neighbourhoods most affected by growth – to understand their priorities for investment and to communicate how the money will be spent and the benefits it will bring. This may relate specifically to the new development or more widely to the local community. For example, they may wish to offer council tax discounts to local residents, support frontline services like bin collections, or improve local facilities like playgrounds and parks. This will enable local councillors to lead a more mature debate with local people about the benefits of growth, not just the costs. The Bonus will be paid through section 31 of the Local Government Act 2003 as an unringfenced grant.

3.3. We have identified a list of issues which we would like to consult on. Broadly, these relate to:

- How we should reward local authorities for the additional properties made available in their community for the following six years.
- The level of the enhancement for affordable homes and how we should define an affordable home.
- Whether we should reward local authorities for bringing empty properties back into use.
- Whether, in two tier areas outside London, allocating 80 per cent of the New Homes Bonus to the lower tier and 20 per cent to the upper tier authority is an appropriate split. If not, what would the appropriate split be, and why?
- Whether the proposed methods of data collection to track increases to the housing stock are appropriate.
- We would also welcome your wider views on the proposed New Homes Bonus, particularly where there are issues that have not been addressed in the proposed model.

² <http://www.communities.gov.uk/housing/housingsupply/newhomesbonus>

Unit of reward

- 3.4. The previous Government's policies did not meet Britain's housing needs. The top-down targets that were set were not reached and often led to undesirable outcomes. For example, local authorities were encouraged to focus on high density developments of at least 30 dwellings per hectare. One consequence of this was fewer houses were built - the proportion of flats built increased considerably from 15 per cent in 1997-98 to 45 per cent in 2009-10 - but this did not necessarily reflect the types of homes the local community needed or wanted. This left demand for larger family homes unmet.
- 3.5. We want to return the economic benefits of growth to the local community. We have therefore designed the New Homes Bonus around the council tax revenues generated from housing development.
- 3.6. We propose to link the level of grant for each additional dwelling to the national average of the council tax band for the following six years to incentivise local authorities to build the types of homes people want and need, in the places that people want them.
- 3.7. We propose to do this by measuring the change in dwellings on council tax valuation lists as set out in Section 4. This approach recognises:
- increases in housing stock
 - the relative value of the properties – larger family homes require more land and that homes built in areas of highest need are more expensive and tend to be in a higher council tax band and
 - that local council tax levels have a variety of historic and local reasons and we do not want to penalise authorities which have been prudent
- 3.8. Currently this would mean that the amount of grant relating to an additional council tax band D property would be about £1,439 per annum or £8,634 over six years, where as the grant relating to an additional band E property would be about £1,759 per annum or £10,553 over six years. This would be reviewed if council taxes rise.
- 3.9. The full calculation is set out fully in Section 4 and exemplified in Appendix C.

Consultation question 1

Do you agree with our proposal to link the level of grant for each additional dwelling to the national average of the council tax band?

Affordable housing enhancement

- 3.10. It is crucial that there is a good balance of market and affordable housing. We want to reward local authorities that provide the right balance of housing to meet the needs of local people. Particularly in bringing forward land for development, granting planning permissions and negotiating section 106 agreements. This will support the commitment made in the Spending Review of almost £4.5bn over a four year period to support affordable housing.
- 3.11. To ensure that affordable homes are sufficiently prioritised within supply, we propose a simple and transparent enhancement of a flat rate £350 per annum for each additional affordable home. This is about 25 per cent of the current average Band D council tax and would be reviewed if council tax rises. Over six years an affordable home would receive an enhancement of £2,100. A flat rate also means we can use existing data sources to calculate the reward. (See Section 4).

Consultation question 2

The Government proposes an affordable homes enhancement of £350 for each of the six years - what do you think the enhancement should be?

Affordable housing definition

- 3.12. The Government considers that the housing market should offer a range of affordable housing options that meet people's varying needs. There are low cost homeownership products that offer housing at less than market cost, for example shared ownership, which allow households who would otherwise have been excluded from the market to purchase a home. These products allow purchasers to get a first step up on the property ladder with the later ability to 'staircase up' and own a larger share later.
- 3.13. Affordable housing will include the new 'affordable rent' homes which will be offered to new tenants at a level between social rents and local market rents and on a tenancy agreement that will be reviewed after an agreed period of time. Local authorities will be able to nominate prospective tenants to these properties in the same way as they do now. We will publish more details shortly. Affordable rent homes will be eligible for the same bonus as other affordable homes.
- 3.14. Traveller sites in public ownership also contribute to the supply of affordable homes. Provision of public Gypsy and Traveller caravan sites is now included in the Homes and Communities Agency's affordable housing programme. In agreeing Local Investment Planning with local authorities, the Homes and Communities Agency will seek to ensure

that provision of appropriate sites forms part of the overall package of housing and regeneration in the area.

- 3.15. We propose to define affordable homes using Appendix B of Planning Policy Statement 3 (PPS3) and also include pitches on Gypsy and Traveller sites owned and managed by local authorities or registered social landlords. Appendix A of this consultation document sets out the types of housing which would be eligible for the enhanced rate.

Consultation question 3

Do you agree with the proposal to use PPS3 and also include pitches on Gypsy and Traveller sites owned and managed by local authorities or registered social landlords to define affordable homes?

Empty homes

- 3.16. The Coalition Agreement set out the Government's commitment to explore a range of measures to bring empty properties back into use.
- 3.17. There are a number of reasons why properties become and remain empty including low demand, the cost of repairs, reluctance to rent, or personal circumstances. Around 300,000 privately owned homes have been vacant for over six months and many are in areas of high demand. Empty homes are a blight on local communities and a waste which we cannot afford. We need to harness this potential to meet pressing housing need.
- 3.18. The Spending Review announced that the Government is investing £100m - through the Homes and Communities Agency - to support housing associations to refurbish over 3,000 empty properties and manage them at an affordable rent for up to 10 years.
- 3.19. Many local authorities already work with property owners to bring homes back into use. Some also take enforcement action where advice and support fails. Through the New Homes Bonus, the Government proposes to strengthen the incentive for local authorities to identify empty properties and work with property owners to find innovative solutions that allow these properties to be brought back into use.
- 3.20. Bringing empty homes back into use is also important in overcoming some local opposition to new housing. **We therefore propose to reward local authorities for bringing empty properties back into use through the New Homes Bonus.**

Consultation question 4

Do you agree with the proposal to reward local authorities for bringing empty properties back into use through the New Homes Bonus?

Are there any practical constraints?

New Homes Bonus allocation

TIER SPLIT

- 3.21. For the incentive to be most powerful, it must be strongest where the planning decision sits – the lower tier in two tier areas. However, in two tier areas outside London, we recognise the role of the upper tier in the provision of services and infrastructure and the contribution they make to strategic planning.
- 3.22. We propose to split the payment of the New Homes Bonus between tiers outside London: 80 per cent to the lower tier and 20 per cent to the upper tier, as a starting point for local negotiation. In London 100 per cent will go to the London borough.

Consultation question 5

Outside London: Do you agree with the proposal to split the payment of the New Homes Bonus between tiers: 80 per cent to the lower tier and 20 per cent to the upper tier, as a starting point for local negotiation?

If not, what would the appropriate split be, and why?

LOCAL FLEXIBILITY

- 3.23. The proposed tier-splits are a starting point for local debate. Every development is different and will need different services to support it. Local authorities are best placed to negotiate these to meet the needs of local neighbourhoods and communities. In many cases this will involve advanced planning with other local service providers to ensure that there is timely delivery of infrastructure for the new development. For example, local authorities can pool funding by allocating more to the upper tier to deliver infrastructure. In National Park areas, the local authority may negotiate funding with the national park authority.

3.24. Local Enterprise Partnerships can support the delivery of new housing through infrastructure planning and providing the best business environment for growth. Pooling some New Homes Bonus at the level of the Local Enterprise Partnership could have many benefits, such as ensuring that the money is reinvested into shared priorities which support long-term prosperity for the area, increased efficiency and reduced transaction costs by managing the money collectively, greater transparency and increased potential for alignment with other partner sources of funding (e.g. Regional Growth Fund and European Structural Funds).

4. Basis of calculation

Grant calculation

- 4.1. The basis on which grant to individual authorities is calculated must be fair and equitable and support the objective of the scheme – to increase housing supply. We want to collect data in a way which is simple and minimises additional burdens on local authorities and others, but is robust and sufficiently timely.
- 4.2. Our preferred option is the [Council Tax Base form](#)³, which has the advantage of bringing together data on additions, demolitions and empty homes in one place and it is already used to calculate formula grant. Collection of affordable homes data is considered separately below.
- 4.3. We would calculate the grant for a billing authority's area and a financial year ('the relevant year') as follows:
 - The base position for the preceding financial year would be established using the following lines in the Council Tax Base form submitted by the authority for the preceding year:

Dwellings on the valuation list (Line 1) – adjustment for recent demolitions and out of area dwellings (Line 3) – Long term empty homes (Lines 12, 14 & 15)

- The position for the relevant year would be established in the same way, but using the Council Tax Base form for that year.
- Both these calculations would be converted to Band D equivalents using the standard table below.

	Ratio to Band D
Band A	6/9
Band B	7/9
Band C	8/9
Band D	1
Band E	11/9
Band F	13/9
Band G	15/9
Band H	2

- We would then calculate the annual change from the preceding financial year ('the relevant figure') using the Band D equivalent calculations.

³<http://www.communities.gov.uk/localgovernment/localregional/localgovernmentfinance/statistics/usefulinformation/formst timetable/otherforms>

- The grant for the authority's area would be calculated by multiplying the relevant figure by the average Band D council tax in England for the previous year.
- The grant would be payable for the relevant year and the five financial years following that year (that is, for a total of six financial years).
- This process would be repeated each financial year with each new amount of grant being added to the amount of grant payable in the preceding financial year. The total would not be less than zero.
- From the seventh year of the scheme onwards the grant calculated six years earlier will no longer be included in the total grant payable (and so in the seventh year the amount calculated for the first year will not longer be paid, in the eighth year the amount calculated for the second year will no longer be paid and so on). See table at Appendix D.

Consultation question 6

Do you agree with the proposal to use the data collected on the Council Tax Base form as at October to track net additions and empty homes?

Timing of grant allocation and payments

- 4.4. The grant has been designed to be stable and predictable. To maximise this we propose to pay the New Homes Bonus alongside the local government finance timetable, as set out in Appendix D. This means that provisional allocations would be announced in early December and final allocations in early February. This would allow local authorities to include the grant in their budget setting process in February. In Year One we would issue allocations as soon as possible after the consultation.
- 4.5. Grant for houses built between successive Octobers would be paid from the following April. Using this approach means that there is a potential time lag for payment of the grant. The diagram in Appendix D exemplifies Year Two, where grant for houses built between October 2010 and October 2011 would be paid the following financial year - between April 2012 and March 2013.
- 4.6. We are seeking views on whether this time lag between completions and payment of the grant could and should be reduced. For instance data could be collected on additions only, at a mid-point in April and an additional payment made as soon as reasonably possible. The fuller October data set would correct for demolitions and empty homes. This would increase the timeliness of the data, but would increase the burden on local authorities and mean the annual grant would be harder

to predict when budgets were set in the previous February, possibly reducing transparency.

Consultation question 7

Do you agree with the proposal for one annual allocation based on the previous year's Council Tax Base form, paid the following April?

Consultation question 8

Do you agree that allocations should be announced alongside the local government finance timetable?

Affordable homes

- 4.7. We have considered how to include data on affordable homes in the scheme design, in a way which is proportionate – minimising administration burdens on central and local government, while ensuring that the data is consistent and accurate.
- 4.8. Currently, the best source of data on affordable homes defined by Planning Policy Statement 3 and including Traveller Sites is considered to be the Department for Communities and Local Government official statistics on gross additional affordable housing supply⁴. This includes data from a range of sources including the Homes and Communities Agency Investment Management System and other Homes and Communities Agency monitoring systems, and returns made by local authorities to DCLG through the Housing Strategy Statistical Appendix, the P2 quarterly house building return and the P1B quarterly social housing sales returns. The data is collected for financial years and published in the following October. It includes newly built affordable homes and acquisitions to the affordable stock.
- 4.9. We propose to use the Department for Communities and Local Government official statistics on gross additional affordable housing supply to calculate the affordable homes enhancement. Local authorities would receive an additional £350 for the following six years for all additional affordable homes reported in this statistical release. Similar to paragraph 4.3, this process would be repeated each financial year with each new amount of grant being added to the amount of grant payable in the preceding financial year. From the seventh year of the

⁴<http://www.communities.gov.uk/housing/housingresearch/housingstatistics/housingstatisticsby/affordablehousingsupply/>

scheme onwards the grant calculated six years earlier will no longer be included in the total grant payable.

- 4.10. These statistics measure additional affordable supply on a gross basis. They do not deduct demolitions or other losses to stock. We would welcome views on how significant this is and whether demolitions by local authority, including demolitions by Registered Providers, could be collected.
- 4.11. The statistics also measure acquisitions. Acquisitions increase the availability of affordable homes and so would receive the £350 enhancement. They would not receive the council tax element as they are not new supply and would not be included in the data set from the valuation list.
- 4.12. These statistics run from April to April and the Council Tax Base data from October- October. This means there will in some cases be up to a further six month delay for the affordable homes enhancement. Data from April 2010 – April 2011 on affordable homes will not be available October 2011. We will be considering when the first affordable homes enhancement payments should be made.
- 4.13. We propose to involve local authorities in ensuring that the data set is robust and would welcome comments on how this could be achieved.

Consultation question 9

Do you agree with the proposal to reward local authorities for affordable homes using data reported through the official statistics on gross additional affordable supply?

Consultation question 10

**How significant are demolitions?
Is there a proportionate method of collecting demolitions data at local authority level?**

5. Additional issues

Equalities

- 5.1. In line with guidance issued jointly by the Government Equalities Office (GEO) and the Department for Communities and Local Government⁵, we have had regard to equalities issues as the proposed New Homes Bonus has been designed. In particular, discussions have been held with interested parties to allow them to comment on any equalities issues they see arising from the scheme design and no equality issues (intended or unintended) have been identified to this point.
- 5.2. However, we consider it good practice to consult as widely as possible on these issues and as part of this consultation we are asking respondents to consider whether the proposed scheme design is likely to have any equalities impacts. We will take any representations into account in deciding how to proceed with the New Homes Bonus.
- 5.3. The Department's view is that the proposed New Homes Bonus is fair; in particular, all relevant local authorities are able to access the scheme funds. The New Homes Bonus grant will not be ringfenced and so authorities will have the power to spend the grant as they see fit and they will be subject to equality legislation in making those decisions. Local authorities are responsible delivery agents and so subject to any representations received our conclusion is that no equality issues arise with regard to the proposed New Homes Bonus.

Consultation question 11

Do you think the proposed scheme will impact any groups with protected characteristics?

- 5.4. A full list of these groups can be found in the [Equality Act 2010](#)⁶.

⁵ <http://www.equalities.gov.uk/PDF/20414%20Equality%20Guide%20bookmarked.pdf>

⁶ <http://www.legislation.gov.uk/ukpga/2010/15/part/2/chapter/1>

Consultation stage impact assessment

- 5.5. A consultation stage impact assessment for the New Homes Bonus is being published alongside this consultation document. A link to this can be found at Appendix E. The analysis is based on a series of assumptions, empirical evidence, international comparisons and previous reviews.

Consultation question 12

Do you agree with the methodology used in the impact assessment?

Conclusions

Consultation question 13

We would welcome your wider views on the proposed New Homes Bonus, particularly where there are issues that have not been addressed.

Handling of responses to this consultation

- 5.6. This consultation will be available for viewing at:
<http://www.communities.gov.uk/corporate/publications/consultations/>
- 5.7. Your comments should be sent by 24 December 2010 if possible by email to:
newhomesbonus@communities.gsi.gov.uk
(with attachments in MS Word only)
- 5.8. Comments received on the proposals set out in the consultation will be collated and a formal response document published within three months of the closing date of the consultation. This consultation follows the Government's Code of Practice on consultations, which is set out in section one.
- 5.9. Information provided in response to this consultation, including personal information, may be published or disclosed in accordance with the access to information regimes (these are primarily the Freedom of Information Act 2000 (FOIA), the Data Protection Act 1998 (DPA) and the Environmental Information Regulations 2004).

- 5.10. If you want the information that you provide to be treated as confidential, please be aware that, under the Freedom of Information Act, there is a statutory Code of Practice with which public authorities must comply and which deals, amongst other things, with obligations of confidence. In view of this it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the department.
- 5.11. The Department for Communities and Local Government will process your personal data in accordance with the Data Protection Act and in the majority of circumstances this will mean that your personal data will not be disclosed to third parties. Individual responses will not be acknowledged unless specifically requested.

6. Summary of consultation questions

1. Do you agree with our proposal to link the level of grant for each additional dwelling to the national average of the council tax band?
2. The Government proposes an affordable homes enhancement of £350 for each of the six years - what do you think the enhancement should be?
3. Do you agree with the proposal to use PPS3 and also include pitches on Gypsy and Traveller sites owned and managed by local authorities or registered social landlords to define affordable homes?
4. Do you agree with the proposal to reward local authorities for bringing empty properties back into use through the New Homes Bonus? Are there any practical constraints?
5. Outside London: Do you agree with the proposal to split the payment of the New Homes Bonus between tiers: 80 per cent to the lower tier and 20 per cent to the upper tier, as a starting point for local negotiation?

If not, what would the appropriate split be, and why?

6. Do you agree with the proposal to use the data collected on the Council Tax Base form as at October to track net additions and empty homes?
7. Do you agree with the proposal for one annual allocation based on the previous year's Council Tax Base form, paid the following April?
8. Do you agree that allocations should be announced alongside the local government finance timetable?
9. Do you agree with the proposal to reward local authorities for affordable homes using data reported through the official statistics on gross additional affordable supply?
10. How significant are demolitions? Is there a proportionate method of collecting demolitions data at local authority level?
11. Do you think the proposed scheme will impact any groups with protected characteristics?
12. Do you agree with the methodology used in the impact assessment?

13. We would welcome your wider views on the proposed New Homes Bonus, particularly where there are issues that have not been addressed in the proposed model.

Appendix A – Calculation of council tax

Each authority is required to set a 'basic amount of council tax'. This is a Band D amount set by an authority under section 33(1) (if the authority is a billing authority), or 44(1) (if the authority is a major precepting authority other than the GLA) of the Local Government Finance Act 1992, or sections 88(2) and 89(3) of the Greater London Authority Act 1999 in the case of the GLA. An authority calculates its 'basic amount of council tax' by dividing the total council tax requirement (the total amount that it wishes to raise in council tax) by its tax base.

The tax base is the number of Band D equivalent dwellings in a local authority area. To calculate the tax base for an area, the number of dwellings in each council tax band is reduced to take account of discounts and exemptions. The resulting figure for each band is then multiplied by its proportion relative to Band D (from 6/9 for Band A to 18/9 for Band H) and the total across all eight bands is calculated. The tax base figure that is used by a local authority when it sets its council tax uses an adjustment for the collection rate and the actual discount for second homes.

The average Band D is calculated by taking the total council tax requirement for England and dividing by the total tax base for England. The average for each band is calculated by using the proportions relative to Band D.

Appendix B – PPS3, affordable housing definition

This Appendix should be read in conjunction with [Planning Policy Statement 3](#)⁷.

Affordable housing is:

Housing which includes social rented and intermediate housing, provided to specified eligible households whose needs are not met by the market.

Affordable housing should:

- Meet the needs of eligible households including availability at a cost low enough for them to afford, determined with regard to local incomes and local house prices.
- Include provision for the home to remain at an affordable price for future eligible households or, if these restrictions are lifted, for the subsidy to be recycled for alternative affordable housing provision.

Social rented housing is:

Rented housing owned and managed by local authorities and registered social landlords, for which guideline target rents are determined through the national rent regime. The proposals set out in the *Three Year Review of Rent Restructuring* (July 2004) were implemented as policy in April 2006. It may also include rented housing owned or managed by other persons and provided under equivalent rental arrangements to the above, as agreed with the local authority or with the Housing Corporation as a condition of grant.

Intermediate affordable housing is:

Housing at prices and rents above those of social rent, but below market price or rents, and which meet the criteria set out above. These can include shared equity products (e.g. HomeBuy), shared ownership, other low cost homes for sale and intermediate rent.'

For the purposes of the New Homes Bonus, this definition can include homes provided by private sector bodies and homes without grant funding provided that the above criteria are met.

⁷ <http://www.communities.gov.uk/documents/housing/pdf/152897.pdf>

Appendix C – Worked examples

The following table illustrates the size of the gross incentive payments to a local authority based on assumed delivery. Calculations are based on the scheme parameters set out in the consultation document with gross incentive payments based on the full amount received over six years. (Note: delivery of the same units may differ by local authority should units be built at differing band – in this illustration new delivery is assumed to be in-line with the existing stock of our example local authority).

Local authority A

Type of delivery	Units	Gross incentive
Net additions	1,800	£12.5m
- of which are affordable homes	500	£1.1m
Empty homes bought back into use	20	£0.1m
Gypsy and Traveller sites	10	£0.1m
Total		£13.8m

Local authority B

Type of delivery	Units	Gross incentive
Net additions	400	£3.3m
- of which are affordable homes	40	£0.1m
Empty homes bought back into use	10	£0.1m
Gypsy and Traveller sites	40	£0.2m
Total		£3.6m

To illustrate the incentive payments to particular local authority readers are invited to explore [the online payment calculator](#)⁸.

⁸ <http://www.communities.gov.uk/housing/housingsupply/newhomesbonus>

Appendix C (Part 2) – Worked examples

Year X

Council Tax Band	A	B	C	D	E	F	G	H
Line 1	600	750	500	300	250	100	50	10
<i>minus</i>								
Line 3	20	10	12	8	3	1	0	0
<i>minus</i>								
Lines 12, 14, 15	50	20	2	0	0	0	1	0
Adjusted line 1	530	720	486	292	247	99	49	10
<i>Adjust to band D</i>	6/9	7/9	8/9	1	1/9	13/9	15/9	2
Band D equivalent	353	560	432	292	302	132	71	20

Year X+1

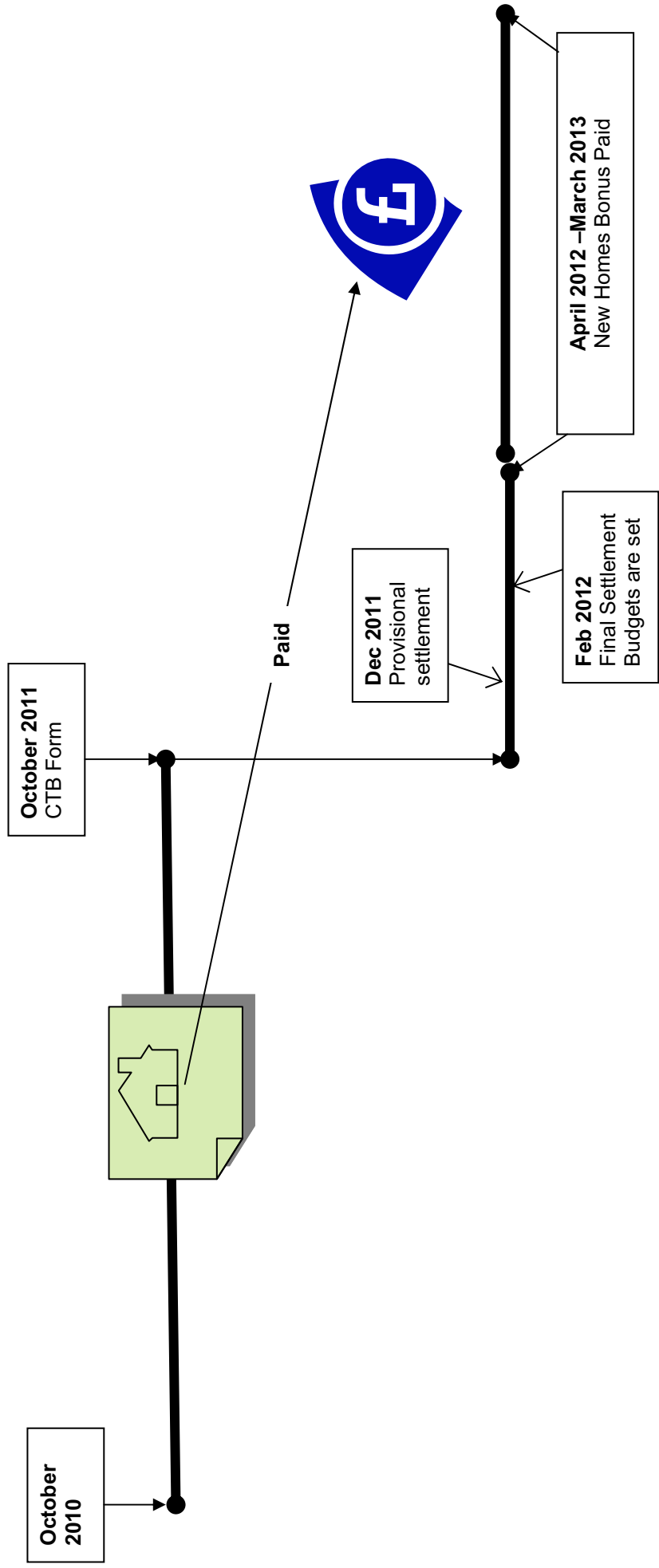
Council Tax Band	A	B	C	D	E	F	G	H
Line 1	650	780	520	340	260	110	55	12
<i>minus</i>								
Line 3	18	9	12	5	3	2	0	0
<i>minus</i>								
Lines 12, 14, 15	40	18	2	0	0	0	0	0
Adjusted line 1	592	753	506	335	257	108	55	12
<i>Adjust to band D</i>	6/9	7/9	8/9	1	11/9	13/9	15/9	2
Band D equivalent	395	586	450	335	314	144	79	24
Net change	41	26	18	43	12	12	9	4

Multiply by £1,439 59,479 36,934 25,582 61,877 17,588 17,268 12,471 5,756

Gross incentive (Y1) £236,955

**Gross incentive over
6 years £1,421,732**

Appendix D – Payment model (example for year two)



Appendix D (Part 2) – Payment model

	2011-12	2012-13	2013-14	2014-15	2015-16	2017-18	2018-19
Year 1	£10,000	£10,000	£10,000	£10,000	£10,000	£10,000	
Year 2		£15,000	£15,000	£15,000	£15,000	£15,000	£15,000
Year 3			£15,000	£15,000	£15,000	£15,000	£15,000
Year 4				£20,000	£20,000	£20,000	£20,000
Year 5					£15,000	£15,000	£15,000
Year 6						£25, 000	£25,000
Year 7							£20,000
Total	£10,000	£25,000	£40,000	£60,000	£75,000	£100,000	£110,000

Appendix E Consultation stage impact assessment

Impact assessment: New Homes Bonus

This document provides a robust analysis of the potential impacts of one element of a package of policies that will have an impact on housing supply.

This document should be read in conjunction with impact assessments for related measures that form part of the Government's housing supply strategy. It should be recognised that some measures, considered in isolation, may not increase supply. However, they contribute to a new approach, which will deliver more of the homes that people want, where they want them. This new approach aims to rebalance power from central government to local authorities and local people, combined with new freedoms and financial incentives.

Title: New Homes Bonus Lead department or agency: Department for Communities and Local Government Other departments or agencies:	Impact Assessment (IA)
	IA No:
	Date: 05/11/2010
	Stage: Consultation
	Source of intervention: Domestic
	Type of measure: Other
	Contact for enquiries:

Summary: Intervention and options

What is the problem under consideration? Why is government intervention necessary?

There is a significant and persistent gap between the supply of and demand for new homes in the UK. This undersupply has led to significant problems of affordability, particularly for those seeking to buy their first home. It has also led to wider social and economic problems, for example higher labour costs for firms and reduced labour mobility.

The fact that housing supply is not as responsive to changes in demand in England as it is in many other markets might be due to various factors including: the availability of credit to developers; planning and building regulation and the availability of land and the provision of infrastructure. Therefore, Government intervention is necessary to alleviate policy barriers, provide support and incentives for housing growth.

What are the policy objectives and the intended effects?

The key objective of the New Homes Bonus is to create a powerful financial incentive for local authorities to facilitate housing growth. We aim to ensure that the scheme is simple and transparent so that it is easily understood and that it is a predictable and permanent feature of the local government finance system. The intended effect is to increase housing supply and provide the homes that communities need and want.

What policy options have been considered? Please justify preferred option (further details in Evidence Base)

The current system penalises local authorities for new homes and the previous grant scheme, Housing and Planning Delivery Grant, did not provide a sufficient incentive to change this. The Government considers a new approach is required. Local authorities and local communities need to see the benefits of growth and not just the costs. They should be given greater control over how their towns and villages grow. This scheme is part of a framework of incentives to increase housing and business growth and this policy enacts a manifesto commitment.

When will the policy be reviewed to establish its impact and the extent to which the policy objectives have been achieved?	It will/will not be reviewed 01/2010
Are there arrangements in place that will allow a systematic collection of monitoring information for future policy review?	Yes/No

SELECT SIGNATORY Sign-off For consultation stage Impact Assessments:

I have read the Impact Assessment and I am satisfied that, given the available evidence, it represents a reasonable view of the likely costs, benefits and impact of the leading options.

Signed by the responsible Minister:  Date: 12 November 2010

Summary: Analysis and Evidence

Policy Option 1

Description:

Implement the New Homes Bonus.

Price Base Year 2010	PV Base Year 2010	Time Period Years 10	Net Benefit (Present Value (PV)) (£m)		
			Low: £2,006m	High: £3,845m	Best Estimate: £2,821m

COSTS (£m)	Total Transition (Constant Price) Years	Average Annual (excl. Transition) (Constant Price)	Total Cost (Present Value)
Low	Optional	-	-
High	Optional	-	-
Best Estimate		-	-

Description and scale of key monetised costs by 'main affected groups'

This policy redistributes a portion of formula grant on the basis of housing delivery. As a result - in the long run - there are no additional cost implications to central Government. However, over the course of the Spending Review period, additional funding (over £900m) from central Government will be provided from the abolition of Housing and Planning Delivery Grant. This will fund the total cost of the scheme in year 1; with the remainder spread across years 2-4.

Other key non-monetised costs by 'main affected groups'

BENEFITS (£m)	Total Transition (Constant Price) Years	Average Annual (excl. Transition) (Constant Price)	Total Benefit (Present Value)
Low	Optional	£257.2m	£2,006m
High	Optional	£493.1m	£3,845m
Best Estimate		£361.7m	£3,821m

Description and scale of key monetised benefits by 'main affected groups'

Additional housing units provide a welfare benefit as estimated using land value uplift (see details in the evidence base). We estimate this policy will lead to an 8 to 13 per cent increase in net additions above the baseline from 2016-17 onwards.

Other key non-monetised benefits by 'main affected groups'

Additional housing units boost the construction industry providing more jobs. (mid-point estimate of 11,100 p.a. net jobs supported – see evidence base for calculation)

Key assumptions/sensitivities/risks

Discount rate (%)

3.5

The distribution of financial winners and losers is illustrated through retrospective modelling of housing output to which a broad set of behavioural responses are applied to get an estimated impact in terms of housing supply (as discussed further in the evidence base).

The best estimate represents scenario 2 of modelling and not simply the average of high and low. With some local authorities facing budget reductions there may be trade-offs for existing expenditure.

Impact on admin burden (AB) (£m):		Impact on policy cost savings (£m):		In scope
New AB:	AB savings:	Net:	Policy cost savings:	Yes/No

Enforcement, Implementation and Wider Impacts

What is the geographic coverage of the policy/option?	England				
From what date will the policy be implemented?	01/04/2011				
Which organisation(s) will enforce the policy?	DCLG				
What is the annual change in enforcement cost (£m)?	n/a				
Does enforcement comply with Hampton principles?	Yes				
Does implementation go beyond minimum EU requirements?	Yes				
What is the CO ₂ equivalent change in greenhouse gas emissions? (Million tonnes CO ₂ equivalent)	Traded: n/a		Non-traded: n/a		
Does the proposal have an impact on competition?	No				
What proportion (per cent) of Total PV costs/benefits is directly attributable to primary legislation, if applicable?	Costs: n/a		Benefits: n/a		
Annual cost (£m) per organisation (excl. Transition) (Constant Price)	Micro	< 20	Small	Medium	Large
Are any of these organisations exempt?	Yes/No	Yes/No	Yes/No	Yes/No	Yes/No

Specific Impact Tests: Checklist

Set out in the table below where information on any SITs undertaken as part of the analysis of the policy options can be found in the evidence base. For guidance on how to complete each test, double-click on the link for the guidance provided by the relevant department.

Please note this checklist is not intended to list each and every statutory consideration that departments should take into account when deciding which policy option to follow. It is the responsibility of departments to make sure that their duties are complied with.

Does your policy option/proposal have an impact on...?	Impact	Page ref within IA
Statutory equality duties ¹ Statutory Equality Duties Impact Test guidance	No	18
Economic impacts		
Competition Competition Assessment Impact Test guidance	No	18
Small firms Small Firms Impact Test guidance	No	18
Environmental impacts		
Greenhouse gas assessment Greenhouse Gas Assessment Impact Test guidance	No	18
Wider environmental issues Wider Environmental Issues Impact Test guidance	Yes	18
Social impacts		
Health and well-being Health and Well-being Impact Test guidance	No	18
Human rights Human Rights Impact Test guidance	No	18
Justice system Justice Impact Test guidance	No	18
Rural proofing Rural Proofing Impact Test guidance	No	18
Sustainable development Sustainable Development Impact Test guidance	No	18

¹ Race, disability and gender Impact assessments are statutory requirements for relevant policies. Equality statutory requirements will be expanded 2011, once the Equality Bill comes into force. Statutory equality duties part of the Equality Bill apply to GB only. The Toolkit provides advice on statutory equality duties for public authorities with a remit in Northern Ireland.

Evidence Base (for summary sheets) – Notes

Use this space to set out the relevant references, evidence, analysis and detailed narrative from which you have generated your policy options or proposal. Please fill in **References** section.

References

Include the links to relevant legislation and publications, such as public impact assessment of earlier stages (e.g. Consultation, Final, Enactment).

No.	Legislation or publication
1	Open Source Planning, Conservative Party, 2010 www.conservatives.com/~media/Files/.../planning-green-paper.ashx
2	Barker Review of Land Use Planning, Kate Barker, 2006 www.communities.gov.uk/documents/planningandbuilding/.../154265.pdf
3	
4	

+ Add another row

Evidence Base

Ensure that the information in this section provides clear evidence of the information provided in the summary pages of this form (recommended maximum of 30 pages). Complete the **Annual profile of monetised costs and benefits** (transition and recurring) below over the life of the preferred policy (use the spreadsheet attached if the period is longer than 10 years).

The spreadsheet also contains an emission changes table that you will need to fill in if your measure has an impact on greenhouse gas emissions.

Annual profile of monetised costs and benefits* - (£m) constant prices

	Y ₀	Y ₁	Y ₂	Y ₃	Y ₄	Y ₅	Y ₆	Y ₇	Y ₈	Y ₉
Transition costs										
Annual recurring cost										
Total annual costs										
Transition benefits										
Annual recurring benefits										
Total annual benefits										

* For non-monetised benefits please see summary pages and main evidence base section



Microsoft Office
Excel Worksheet

Evidence base

Problem under consideration

There is a significant gap between the supply of and demand for new homes. For decades, the housing market has failed to keep up with the needs of our growing population. This has led to significant problems of affordability, particularly for those seeking to buy their first home. It has also led to wider social and economic problems for example higher labour costs for firms and reduced labour mobility. The reasons for the lack of responsiveness of housing supply are discussed in detail in the Barker Review (2006).

House building in England is at its lowest levels since 1946, with just 118,000 completions in 2009. If you take into account the obvious effect of the Second World War, this is the lowest rate of house building across England and Wales since 1923-24. However, the long-term demand for housing is strong. The latest published household projections show that around 252,000 new households could form each year between now and 2031 (as a result of increased longevity, migration and a rise in the number of single-person households), 134,000 above current build levels.

This stagnation in growth comes at a time when house-building is crucial to the state of the wider economy and demographic changes mean that demand for new homes is growing.

Housing supply accounts for between 2¾ per cent and 3¼ per cent of GDP and provides 1 to 1¼ million UK jobs (3½ per cent to 4 per cent of the total). 85 per cent of adults aspire to own their own home 10 years from now² and as incomes rise they have a strong propensity to consume housing services.

Rationale for intervention

The current local government finance system does not provide the right incentive or rewards for councils to build new homes. Housing growth can place additional demands on services and infrastructure without corresponding benefits which often provokes a strong resistance to growth from local communities. In addition the top down target led approach which attempted to force developments on communities would often antagonise communities and increase resistance.

The New Homes Bonus is the cornerstone of the new Government's approach to housing supply incentives and seeks to transform this situation. The scheme is part of a wider family of incentives that were set out in the Local Growth white paper, published on October 28. The white paper detailed the Government's new approach to rebalance the economy and drive sustainable growth. This section provides evidence on the analytical underpinnings for this approach in the context of housing supply and the goal of meeting people's housing aspirations.

² CML (2010) <http://www.cml.org.uk/cml/media/press2010>

Policy objective

The principle aim of the scheme is to create a powerful, simple, transparent and permanent incentive for local authorities and communities to increase their aspirations for housing growth.

The scheme will help ensure that communities reap the benefits of growth and not just the costs. We will not tell local authorities what type of development or homes they should build or where, but we will reward authorities and communities where growth takes place. To achieve growth, local authorities will need to lead a mature debate within their communities and this new funding system will help facilitate that debate.

Descriptions of options considered (including do nothing)

The Government's view is that the previous system of setting top-down targets meant that communities moved against development. This approach failed to deliver enough houses even at the height of a debt-fuelled housing boom and created distortions that did not to deliver the right investment in the right places. And the recent downturn in the housing market makes reform all the more necessary.

Furthermore, the current finance system penalises local authorities for new homes and the previous attempt to address this, Housing and Planning Delivery Grant, did not provide a sufficient incentive.

The Government considers a new approach is essential. Local authorities and local communities need to see the benefits of growth and not just the costs and they should be given greater control over how their towns and villages grow. This can only be done by returning the benefits of growth to those communities. The consultation sets out the Government's preferred model and the responses will determine the final scheme design.

Summary and description of preferred option and implementation plan

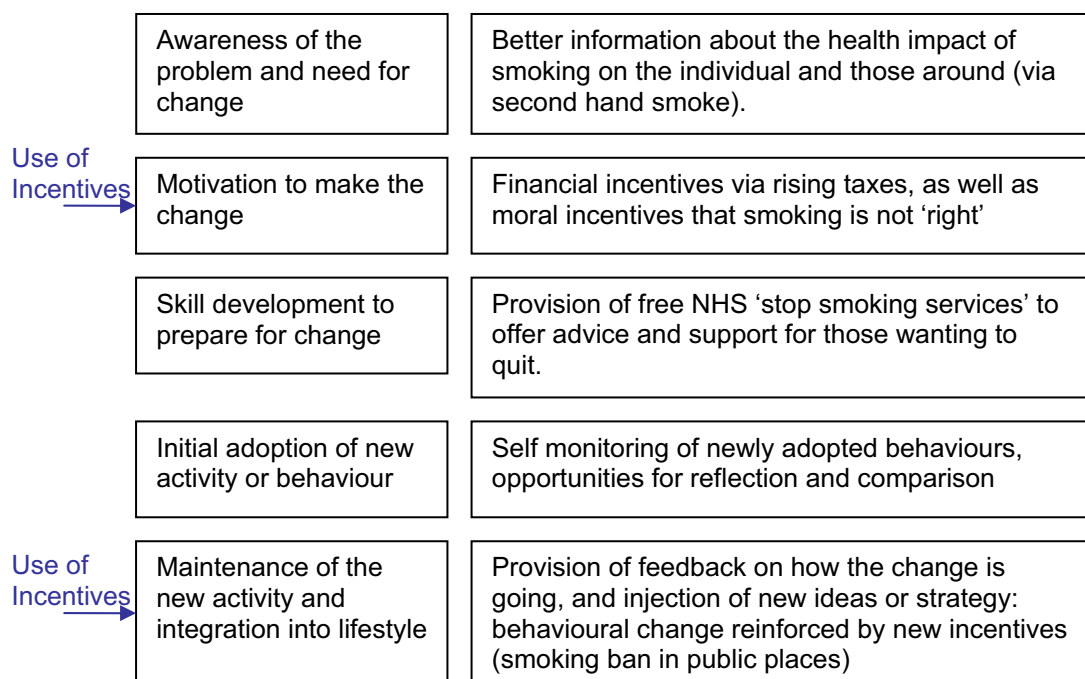
The proposed scheme will incentivise local authorities to increase housing supply by rewarding them with a New Homes Bonus, paid as an unringfenced grant, equal to the average council tax on each additional property and for properties brought back into use, for the following six years. The scheme will be implemented in April 2011.

Evidence – the role of incentives

In developing the proposal, Government is drawing on an extensive evidence base around the role of incentives in changing behaviours. Incentives are essentially concerned with changing collective or individual agent behaviour: an incentive is any factor that motivates a particular course of action, or counts as a reason for preferring one choice over another. In public policy incentives are often used to induce us to consume more or less of particular goods. For example, lower car tax on 'green' cars encourages greater consumption, whilst taxes on alcohol aim to reduce consumption.

Incentives alone, however, are often insufficient and need to be supported by other measures. Models of behavioural change often consider a cyclical process involving five stages. Figure 1.1 illustrates this process using the example of smoking: an area that has seen numerous incentive-based policies implemented and where the proportion of male smokers has fallen from 65 per cent in 1948 to 21 per cent today.

Figure 1.1: Example of smoking in the process of behavioural change



This example highlights the importance of an awareness of the problem and need for change, without which the motivation for change – induced by the implementation of incentives – is likely to be less effective.

Effective incentive design

Incentives come in many different forms and this section discusses numerous factors to consider when designing incentives. It must be noted that this is not a blue-print to the formulating a perfect incentive, but rather a framework of factors to consider, as factors will vary in importance depending on specific objectives.

TYPE

The main incentives tools used are financial (via taxes and subsidies) whereby agents are rewarded for acting in a certain way. Other categories of incentive include moral incentives (enforced as they are the 'right thing to do' and that agents will gain non-material benefits i.e. admiration or self-esteem for particular actions) and coercive incentives (in which failure to act as required will lead to 'physical force' such as imprisonment or confiscation of property). In general, financial incentives are considered the most effective.

FLEXIBILITY

Linked to the type of incentive is the issue of flexibility. Mostly related to financial incentives this considers where and in what time frame the monies received can be spent. For example, financial benefits received can be restricted to expenditure on certain items within a time limited period or at the discretion of the recipient. Greater flexibility is likely to maximise behavioural change but could distort the intended policy outcome (i.e. if the monies are spent less efficiently without restrictions).

SIZE

Larger incentives are likely to induce the greatest behavioural response at an individual level (though the relationship is likely to be non-linear). It must also be noted that bigger incentives may not always produce the best outcome at a society level. This is because for a given budget, there is a trade off between magnitude of impact and numbers targeted: large incentives aimed

at few can lead to perverse incentives (see later) thereby undermining the intended outcome whilst incentives that are too small will result in no impact on behaviour.

Maximising both impact and number can be particularly important as large numbers of people changing behaviour can help to reinforce change by changing the social norm and thereby installing a moral incentive also.

TARGETING

Government incentives are designed to create a better outcome for society yet they can be targeted via different agents. For example, a financial incentive to encourage more households to insulate their homes could be given directly to the consumer or to the producer. Optimal targeting will vary by policy area: producers may have more certainty and benefit from economies of scale if they receive the incentive (or not pass on the full benefit gained).

TIMING

In general we prefer benefits now rather than later, but in some cases this will be more important than others. Much of this depends on (assuming a financial incentive) what the monies received will be spent on. For example, if the monies are to be spent on expensive time-consuming projects then it is important to receive the money early.

CERTAINTY

Certainty of an incentive relates to the length of time it will last and its size. In terms of time period, changing behaviour is likely to occur incrementally: agents need time to adapt, new systems may need to be set up and changes reinforced by real positive outcome/updated social norms.

Beneficiaries also need certainty over the size of incentive. For example, if the size of incentive is dependent on external factors (or the actions of others) recipients will be less able to plan ahead on the basis of what they expect to receive. Overall, uncertainty about the length and size of incentives will undermine the level of behavioural change and thus the impact of the incentive.

SIMPLICITY

Linked to the issue of certainty is the simplicity of the incentive, that is, do potential recipients understand what they have to do to realise the benefit of the incentive and what the incentive is trying to achieve overall. Individuals in general do not like change and thus unnecessary complexity may lead to greater numbers sticking with the 'status quo'. This serves to highlight the trade-off between simplicity and effectiveness.

PERVERSE INCENTIVES

A perverse incentive is where an incentive leads to an unintended or undesirable effect that is against the intention of the policy maker: they produce unintended consequences. For example, there is some evidence in the US that the smoking ban in public spaces has led to more children exposed to smoking within the home. These issues are often difficult to identify but careful consideration must be given or the outcome could be worse than the counterfactual.

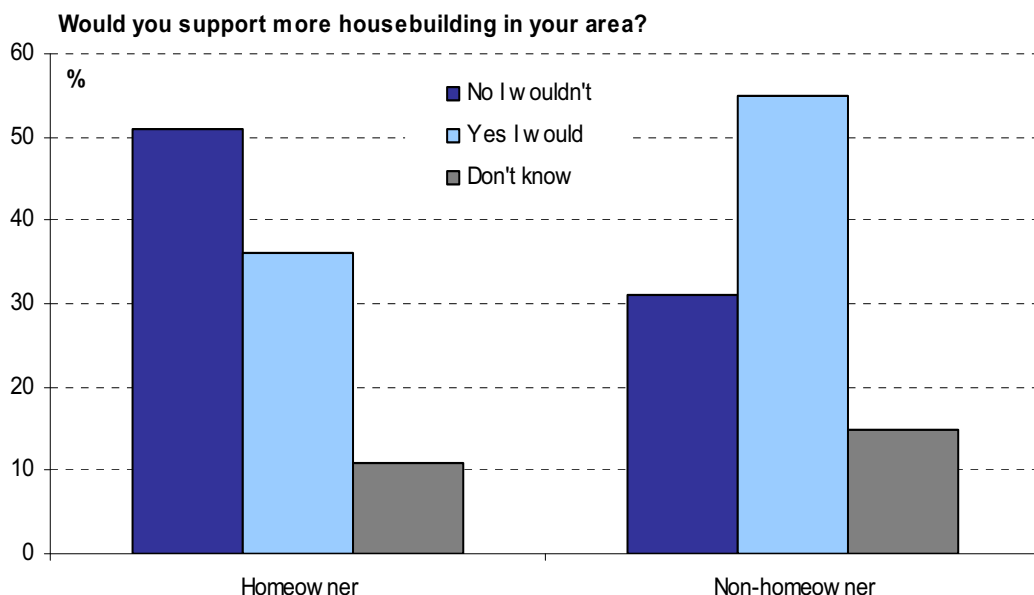
MEASUREMENT

For any incentive to be successful it is essential for agents to understand the desired outcome. This will be determined by both clarity of objectives and method of measurement. Without clear measurement of progress it is very difficult to evaluate incentives and allow opportunities to improve outcomes.

Evidence - Incentives in theory and practice

THEORY

In the UK, it is often perceived that the key factor influencing housing supply is local politics: the interaction between local residents and the local authority. Local authorities have little incentive to welcome house building, as do local residents. It has been found that 'organised local amenity groups and those opposing specific development proposals are more likely to participate in community engagement'³.



There is also variation by current tenure: over half of homeowners would oppose more houses being built in their area, compared with less than a third of non-homeowners⁴. The reasons for local authority and resident opposition overlap; it often revolves around supporting infrastructure. Local authorities concern is finance; for local residents is the potential strain on infrastructure and local services. Evidence suggests that private residential development most often opposed due to traffic congestion, pollution and protection of green space/environment⁵. A survey of the South East finds that there seems to be no blanket opposition to land being used for development. It emphasises that people support new housing and growth when it is coupled with open space, services and infrastructure⁶.

Hence, the reasons for opposition are due to the negative externalities arising from development. Incentives are used to mitigate externalities, which can reduce local opposition to development and thus can lead to greater supply. Economic theory states that agents can be compensated for externalities. For example, there is one group who frequently favour development because of the compensation received – those who own a large garden or farm with planning permission: in the South East a hectare of agricultural land is worth £7,410 while the same hectare with planning permission for housing is worth £3.32m⁷. These landowners may not welcome the development as such, but the compensation is likely to be sufficient to counter the detrimental effects of extra housing. Therefore, if communities as a whole could capture the value of the planning permission granted, local people would be fairly compensated. This provides an incentive to support rather than oppose new development.

³ Ferrari et al., 2010. *Behavioural Change Approach and the Housing Sector: a note on incentivising community engagement*. Sheffield University

⁴ NHPAU YouGov Survey, May 2009.

⁵ Saint Consulting. 2009 UK Saint Index.

⁶ The Joseph Rowntree Foundation. *Public views of development options in the South East*. June 2004.

⁷ Leunig, T. 2007. *In my back yard*. VOA, 'Agricultural Land and Property', Property Market Report, July 2006.

Another key constraint on development is funding supporting infrastructure; a concern of local authorities and residents. Infrastructure costs will vary by scheme. One estimate for a 'typical' scheme of 1,000 units puts these infrastructure costs, such as education and healthcare at £20m⁸. It could be argued that given the scale of these costs, they should be financed by the developer rather than central government (such as via community infrastructure levy). Theory states that infrastructure, such as roads, are public goods. It could be said that developers may be reluctant to provide infrastructure due to free-riding: they can benefit from the provision of services by other developers/government and thus bear less than a fair share of the production costs.

It is important to acknowledge however, that such methods may get around the infrastructure provision issue but are not always best in all cases: certain groups would not benefit from improvements to infrastructure and local amenities in the same way as others. For example, to address externalities such local residents losing value in their property, it may be more efficient for compensation to be paid directly to the homeowner rather than via the local authority.

Both the Barker Review of Housing Supply and the Lyons Inquiry into Local Government recommended the use of incentives to *"provide space – at the margins, but with enough weight to change local government behaviours – to incentivise local government to grow their tax bases and crucially enable local communities to receive some reward for allowing their area to develop and grow"*. Furthermore, Prof. Ball stated *"there should be further investigation of a greater range of fiscal options than exists at present to incentivise local authorities against adopting excessive planning restrictions and reward those providing additional housing"*⁹. In response two main policies – each of which target the local politics side of the housing supply equation – have been implemented.

Empirical findings from Hilber et al (2010) imply that in fact *"LPAs have strong fiscal disincentives to permit new residential developments. This is due to a misalignment of costs (too much burden on LPAs) and benefits (too low long-term payback) associated with residential developments"*. The report thus recommends the *"fiscal system to provide serious fiscal incentives to permit residential developments"*¹⁰.

We can also look to past forms of intervention for evidence of the role that financial incentives have played in encouraging housing supply. For example, launched in 2005 the Growth Fund supported the provision of infrastructure for housing growth in Growth Areas and Growth Points: local authorities were invited to bring forward their own proposals for large scale sustainable growth, in return for infrastructure funding support.

Across the programme local authorities committed to build an additional 350,000 units. This is at an average cost of 500 units per £m or a cost per unit of £2,000. However, it must be noted that this assumes all units are additional i.e. they would not have been built without funding and in practice due to wider market conditions, many of the units may not in fact be delivered (or will be delivered more slowly). But the example serves to illustrate the point that by providing for an area to benefit from the proceeds of growth then a positive incentive is generated which may act to change attitudes and behaviours to that growth. It is also worth noting the variation in commitments by local authority. For example, though the average promise of additional units was 42 per cent extra but this by between 1 per cent and 97 per cent. This highlights how incentives can lead to different impacts (i.e. behaviours) in different places.

⁸ Estimates by Roger Tym & Partners consultancy.

⁹ DCLG (2010) <http://www.communities.gov.uk/documents/housing/pdf/1526670.pdf>

¹⁰ Hilber et al (2010) 'The effect of supply constraints on housing costs' NHPAU (forthcoming)

Analytical approach to measuring the impact on supply

Differences in the challenges faced by communities in delivering housing growth and in the financial distribution of money out of the formula grant settlement mean that local authorities are likely to respond in a variety of ways to the New Homes Bonus. Furthermore, the behavioural response of local authorities to their net financial position may change over time as attitudes and financial impacts alter. Together these factors make estimating the supply impact a challenge.

The approach adopted here is to use behavioural change based scenario modelling. Here, we consider a number of potential behaviours that local authorities could adopt, estimate the supply responses consistent with each of these behaviours, and analyse where different proportions of local authorities take each behavioural response. The following section outlines this approach in more detail.

FUNDING REQUIREMENT

The New Homes Bonus is set to be funded primarily by taking money out of the formula grant settlement. That is, money will be taken out of the formula grant allocation and redistributed based on the parameters of the bonus: the policy therefore – in the long run - is revenue neutral. This redistributive mechanism of the New Homes Bonus means that the scheme will create financial winners and losers: for any authority to gain financially (relative to their allocation before the bonus), one or more authorities must lose financially. Across the spending review period, however, these impacts will be mitigated by additional central Government money from the abolition of the Housing and Planning Delivery Grant: this will fund the full cost in year 1 and a falling proportion across years 2-4.

With uncertainties around the future amount and distribution of formula grant, along with the amount that would need to be taken out of the formula grant settlement, the impact has been modelled retrospectively. In other words, we have calculated the annual funding requirement, taken this amount out of the formula grant settlement and redistributed it as if the scheme had been introduced in 2005-06 (i.e. six years ago).

This methodology provides a distribution of financial winners and losers. To explain: formula grant is distributed on a formula based on numerous variables such as council tax base, population etc. It also includes 'floors' which prevent authorities from being given too little to provide basic services. Both of these factors (the formula and floors) are based on the decisions of the Government of the day.

As a result, this analysis provides a useful illustration of the distribution of financial winners and losers based on the circumstances of the local government finance system in 2005-06. However, both the formula and floors are unlikely to be the same in the future and thus the distributional pattern of net 'winners' and 'losers' will most likely differ. Furthermore, these estimates are based on the previous delivery of net additions and thus do not capture the potential behavioural response to the incentive – something which is factored in later into the analysis (see below).

Despite these caveats these estimates do provide a best estimate of financial net winners and losers, which are required to estimate the overall impact on supply looking forward (see methodology below).

ESTIMATING THE IMPACT ON SUPPLY

We can't know how local authorities will behave in response to the New Homes Bonus, but we can consider a range of behavioural responses they could adopt and assess the implications for housing delivery. This means, for the purposes of the impact assessment, we can set out a range of outcomes that reflect the different strategies and the distribution of these strategies across local authorities.

When considering the financial impact of the New Homes Bonus it is important to focus on the net impact, that is: both monies taken away from formula grant and received through incentive payments upon housing delivery. As described above, our retrospective analysis provides us with an estimate of each local authority's net financial position; this analysis considers the behavioural impact in terms of housing supply resulting from this net financial position.

In the analysis there are three broad strategies that a local authority can adopt:

- 1 **maintain levels of expenditure on existing population:** here, winners are able to reduce their housing delivery, whilst losers strive to increase output
- 2 **building away the losses:** in this strategy local authorities that win will maintain their current build rates and those that lose will increase delivery
- 3 **'race-to-the-spade':** local authorities try to increase their overall budgets by building more units; local authorities become more open to growth with only those strongly against growth not increasing output.

In order to quantify the supply impact we calculate how much each local authority would need to change their housing delivery by to be consistent with each of the three strategies. The scale of the effect varies by local authority and is dependent on the current build rate and the size of the fund removed from the formula grant settlement (percentage reduction).

For every local authority we estimate the income elasticity¹¹ of net additions with respect to income (percentage reduction due to money being taken from the formula grant settlement) associated with maintaining initial spend per household. This measure of responsiveness is then used to estimate supply responses for each behaviour. See Annex A for more detail.

These estimates are then constrained – by demand and land supply – as measured and ranked by the following:

- **affordability ratio:** the ratio of lower quartile earnings to lower quartile house prices
- **brownfield land suitable for housing:** the number of years land supply identified at current density and build rates

In both constraints, each local authority is measured and ranked relative to others. For example, local authorities with an affordability ratio above the national average are assumed to have no constraint; those above the national lower-quartile are assumed to be constrained to 20 per cent above the baseline and those below lower-quartile at just 10 per cent above the baseline. Land supply constraints are constructed similarly, with those having a five-year land supply having no constraint; three to five years restricted to 20 per cent; and less than three years limited to 10 per cent growth above the baseline.

Finally, estimates in the 'steady state' – from year six onwards – are constrained to 30 per cent above the baseline i.e. it is assumed a local authority can increase housing supply by a maximum of 30 per cent above the baseline (see below). Prior to this point, growth is assumed to build up exponentially as the scheme is implemented and behaviours change over time. Table one illustrates how the financial impact and two constraints work to estimate the overall impact on supply.

¹¹ Percentage change in housing supply resulting from a 1 per cent reduction in income.

Table 1: Illustrative impact on supply by local authority growth with financial impact and constraints

<i>Local authority</i>	<i>Financial impact</i>	<i>Housing demand constraint</i>	<i>Land capacity constraint</i>	<i>Impact on supply</i>
A	22%	20%	30%	20%
B	28%	30%	30%	28%
C	18%	10%	10%	10%

The analysis then needs to consider how these behavioural responses across different local authorities. To illustrate, we create three scenarios based on the proportion of authorities that will adopt each behavioural response and randomly allocate these across local authorities.

Table 2: Proportion of local authorities adopting each behaviour in lower, central and upper scenarios¹²

	Behaviour 1	Behaviour 2	Behaviour 3
S1	50%	50%	0%
S2	33%	33%	33%
S3	0%	50%	50%

HOUSING SUPPLY BASELINE

In making the assessments of potential impact, a baseline for future net additions has been assumed. This baseline is described below and has been used consistently in the analysis of a series of related policies that concern housing supply. This allows those potential ‘quantitative’ housing supply impacts to be considered collectively and to provide a net overall assessment. The baseline takes view of future housing supply (as measured by the net additions measure of changes in the housing stock) based on past performance in the market across housing market cycles. The table below summarises the assumptions made in the baseline:

Completions: net additions ratio	1.13
Peak to trough fall (per cent)	-42%
Recovery from (year)	2011-12
Rate of recovery (per cent)	5% - 8%

Headline results

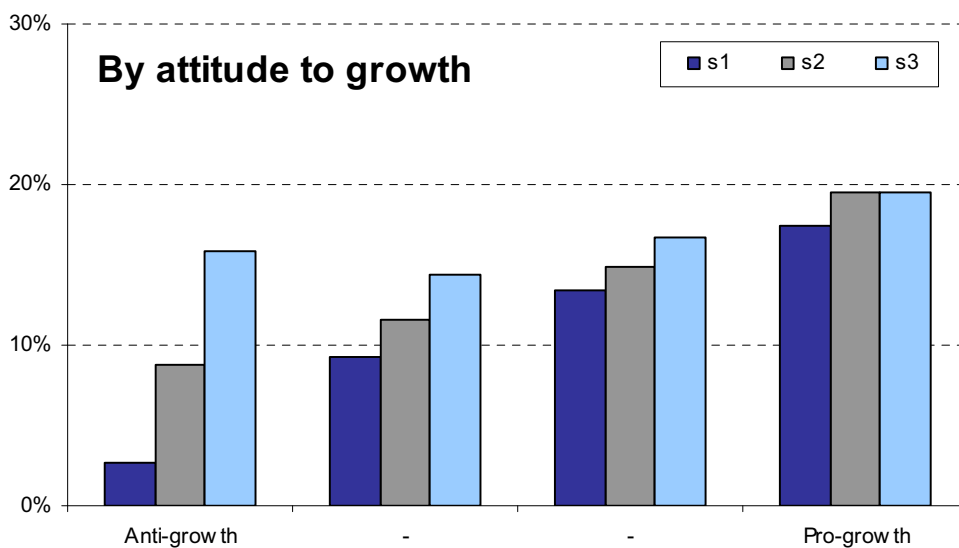
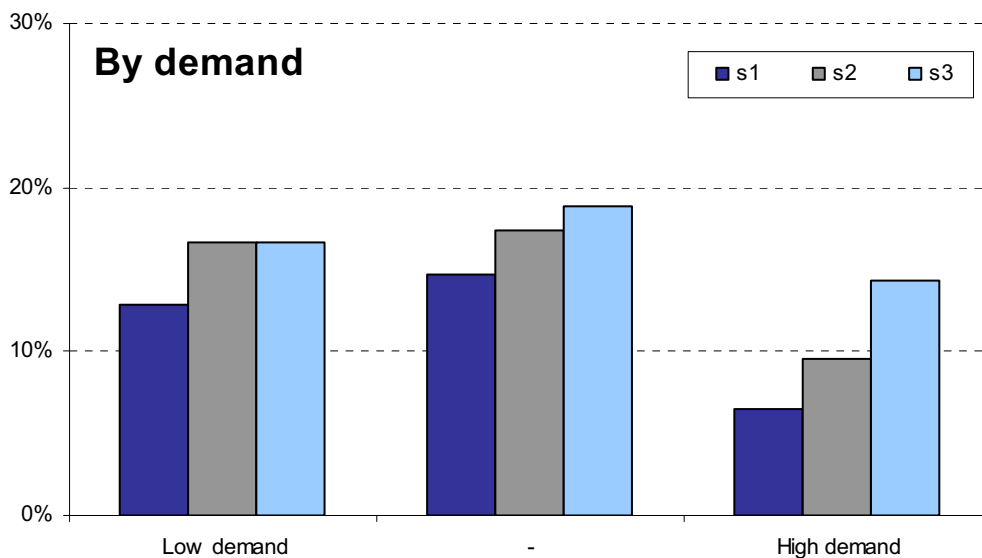
Following the behaviour based scenario approach above, and applying some additional assumptions around the current/near term fiscal environment we estimate the aggregate impact on supply. The Spending Review set out overall reductions in formula grant of 26 per cent¹³. As a modelling assumption we assume that 10 percentage points of this reduction will be potentially mitigated through a housing supply response, with the remainder absorbed by other means (e.g. reduced expenditure). These provide a range of supply estimates from 8 per cent (S1), 11 per cent (S2) to 13 per cent (S3). To explain: under scenario 2 housing supply will be

¹² Note: The response of authorities that lose out is the same under each strategy – to increase supply.

¹³ HM Treasury (2010) http://www.hm-treasury.gov.uk/spending_review_2010_documents.htm

11 per cent higher than the baseline from 2016/17 onwards. Over the initial 10-year period this is equivalent to 140,000 additional units for the mid-point scenario.

Estimated impact on supply by various factors, 2016-17 on



As shown, in aggregate terms there is a range of housing supply impacts between the three scenarios. This range may be higher or lower depending on a range of factors:

- **demand:** The supply response is more variable in higher demand areas
- **attitude to growth:** Areas with more a more anti-growth attitude see greater variability across scenarios

These trends are driven by the estimated net financial impacts from our retrospective analysis as outlined above, and thus are sensitive to decisions taken about the formula and floors.

DEMAND AND LAND SUPPLY CONSTRAINTS

As outlined in the methodology, demand and land supply constraints¹⁴ have been applied to produce the final results. These serve to constrain some authorities achieving their desired build rate. Removal of these constraints would boost the central supply estimates to 10 per cent (S1), 12 per cent (S2) and 15 per cent (S3) above the baseline from 2016/17 onwards. Of the two, demand is the more binding constraint.

Having outlined the analytical approach and headline results, we now move on to discuss the application of this behaviour-based scenarios modelling when considering the overall costs and benefits of the policy.

Costs

As discussed above, the New Homes Bonus is a redistributive policy. It essentially shifts the way that a proportion of formula grant is distributed towards the delivery of net additions. As a result there are no direct costs from the policy.

Indirectly, given the redistribution by definition create financial winners and loser's authorities will adjust their expenditure accordingly. This point, however, must be put into context with the New Homes Bonus only affecting the distribution of a small proportion of overall formula grant.

Benefits

As derived by the methodology above we estimate the New Homes Bonus to lead to an increase in supply of 8-13 per cent above the baseline from 2016-17 onwards (with growth built up exponentially in previous years). In order to quantify the value of these additional units we consider the resulting land value uplift and jobs supported.

For land value uplift: in short, this approach uses land value changes following the approval of new housing developments as a measure of the 'private' value of additional housing and then nets off any external impact (which may be positive or negative). It can be summarised as follows:

- net private value of new housing = residential land value – existing land use value
- net social value of new housing = net private value of new housing + net external impact of housing development

Based on January 2010 land values and densities over the past four years (at a regional level), this land value uplift can be applied to the additional housing units estimated above. This creates from £2,006m (S1) to £3,845m (S3) – in the central estimate (S2) the value is £2,821m.

In addition, additional housing units will support jobs across the housing supply chain: we estimate the number as follows. The average new build property is sold for £216,015 (DCLG, England, Q2, 2010). For the purposes of illustration we assume that around a third of this value represents the cost of construction (£72,000 per unit). Multiplying this up the number of units above and applying a coefficient of 21 gross direct jobs per £1m of construction output¹⁵ provides a mid-point estimate of 21,000 gross direct jobs per annum.

¹⁴ Note: it must be noted that as land designated as suitable for housing by a local authority it may be biased by the efficiency of that local authority.

¹⁵ Based on: Construction skills (<http://www.cskills.org/>)

To this estimate we then increase to reflect the like supply-chain multiplier (of 1.59, source: Scottish Government) and finally, to account for additionality and displacement we make assume that one-third of these jobs are additional. This gives us a final estimate of 11,100 net direct and indirect additional jobs per annum resulting from this policy.

New burdens

There will be no new burdens imposed on local authorities. It is proposed that payment of the New Homes Bonus will be determined by the CTB form. This data is already collected, thus this does not require additional work from local authorities (see consultation document for further details).

One-in-one-out

It is not thought that this policy will place additional burden on business.

Specific impact tests

Statutory equalities

In line with guidance issued by the Government Equalities Office (GEO), we have had regard to equalities issues as the proposed New Homes Bonus has been designed. We consider it good practice to consult as widely as possible on these issues and as part of the consultation we have asked respondents to consider whether the proposed scheme is likely to have any equalities impacts.

Economic impacts

An increase in housing supply will lead to positive impact directly on the construction sector and more widely on business. This will be beneficial to both competition and small firms. This has been illustrated above in both the estimation of value created from additional units and the net jobs created.

Environmental impacts

The environmental impacts may result from increased development that takes place as a result of this policy. There may be impacts in respect of:

- consumption of land
- carbon emissions through construction and through general increased level of economic development

The scale of these impacts will be directly related to the extent to which the policy promotes housing and economic growth. But in practice, such impacts will still be the subject of nation guidance which seeks to minimise their scale, such as environmental impact assessments (EIA) and strategic environmental assessments (SEA).

Social impacts

Local authorities will be overseeing the quantity, type and location of development where they deem necessary, thus responding to and meeting local needs. This could lead to positive social impacts.

It is not anticipated that there will be any adverse impacts in terms of health/human well-being, human rights or the justice system.

Rural proofing

There could be concern that with a potential increase in development, there could be adverse impacts on development in rural areas and of Greenfield land. However, the risks are mitigated given that local authorities determine the quantity, type and location of housing development. Furthermore, Green Belt (PPG2) protection will remain and locally-led plans will provide a framework for where development should go following the abolition of regional spatial strategies (giving local communities greater control over where units are delivered). Therefore, it is not anticipated that there will be any adverse impacts on rural areas.

Sustainable development

It is not anticipated that this policy will have any negative impact on sustainable development. With communities able to play a greater role in decisions over local development it is possible there will in fact be a positive impact on sustainable development.

Annexes

Annex 1 should be used to set out the Post Implementation Review Plan as detailed below. Further annexes may be added where the Specific Impact Tests yield information relevant to an overall understanding of policy options.

Annex 1: Post Implementation Review (PIR) Plan

A PIR should be undertaken, usually three to five years after implementation of the policy, but exceptionally a longer period may be more appropriate. A PIR should examine the extent to which the implemented regulations have achieved their objectives, assess their costs and benefits and identify whether they are having any unintended consequences. Please set out the PIR Plan as detailed below. If there is no plan to do a PIR please provide reasons below.

<p>Basis of the review: [The basis of the review could be statutory (forming part of the legislation), it could be to review existing policy or there could be a political commitment to review];</p> <p>The Government is committed to the success of the New Homes Bonus and will monitor its impacts closely. We will formally consider the impact of the scheme in 2013/14 in preparation for the 2015-16 spending review.</p>
<p>Review objective:</p> <p>To assess the impact that the New Homes Bonus has in changing behaviours at the local level in favour of appropriate housing development.</p>
<p>Review approach and rationale:</p> <p>To be determined.</p>
<p>Baseline:</p> <p>The baseline of new housing supply (net additions) and the composition of that supply (by type, location and size).</p>
<p>Success criteria:</p> <p>To be determined.</p>
<p>Monitoring information arrangements</p> <p>Existing data collection arrangements will form part of the information monitored as part of any review, along with other evidence.</p>
<p>Reasons for not planning a PIR: N/A</p>

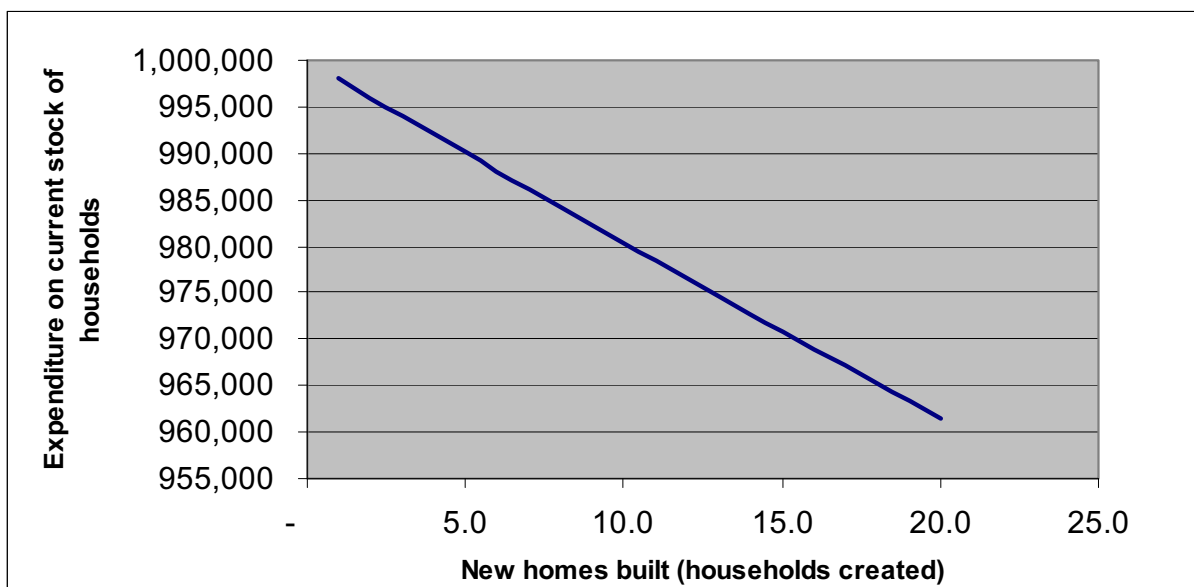
Technical annex

Methodology – financial effects

1. We can't know how local authorities will behave in response to the New Homes Bonus, but we can consider a range of strategies they could adopt and assess the implications for housing delivery. This means, for the purposes of the impact assessment, we can set out a range of outcomes that reflect the different strategies that local authorities may adopt.

CONTEXT

2. Each local authority faces a budget constraint (LGF allocation), which implies a trade-off: spending on existing households versus spending on new households. As more homes are built, a given allocation must be spread more thinly over a larger number of households.
3. This highlights a problem with the current system: allocations are backward-looking and do not quickly adjust for household growth, which acts as a disincentive to growth.
4. A local authority's strategy, in response to the New Homes Bonus, may depend on a range of factors, including how much it values spending on existing households versus spending on new households.
5. The chart below is illustrative. For a £1,000,000 allocation, a local authority can choose different rates of new build. If it chooses to build five new units, then expenditure on existing households is reduced from £1,000,000 to £900,099.
6. The slope of the budget line is a function of the income allocation (M), the existing stock of households (n) and new homes built (X1): $-M/(n+X1)$ (which in absolute terms equals spend per household). If there are 500 households, then a build rate of five net additions means that spend per household equals £1,980.
7. Spend per household is higher at lower build rates because a given income allocation is spread across a fewer households. If net additions are zero, spend per household equals £2,000; if net additions are 10, spend per household equals £1,961.



8. **Introduction of New Homes Bonus.** There are two elements we need to take into account. The first is a negative income effect associated with the money taken from formula grant. The second is an effect (positive or negative) associated with the per unit New Homes Bonus subsidy.

9. **Strategy 1.** Maintain initial spend per household.

- all authorities attempt to maintain spend per household by reducing their build rate

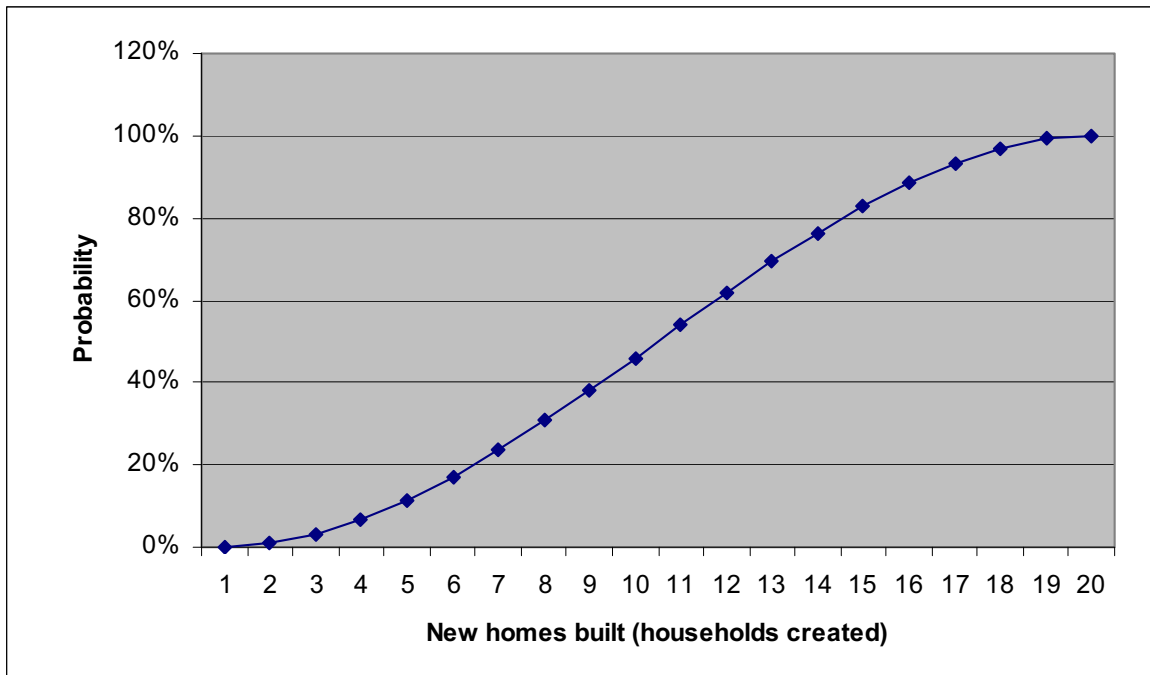
The scale of the effect depends on the current build rate and the amount of money taken from formula grant (percentage reduction). In terms of the former: on the one hand, (a) a lower initial build rate means a higher initial level of spend per household (other things being equal) so that net additions must fall by more (in percentage terms) to maintain it. In other words, the elasticity of net additions with respect to income is inversely related to the initial build rate. On the other hand, (b) we think that the feasibility and likelihood of this strategy may be either positively or negatively related to the build rate.

For every local authority we estimate the income elasticity of net additions with respect to income associated with maintaining initial spend per household. The chart below is illustrative. The maximum income elasticity is constrained to 100 per cent because we assume that net additions do not fall below zero¹⁶.

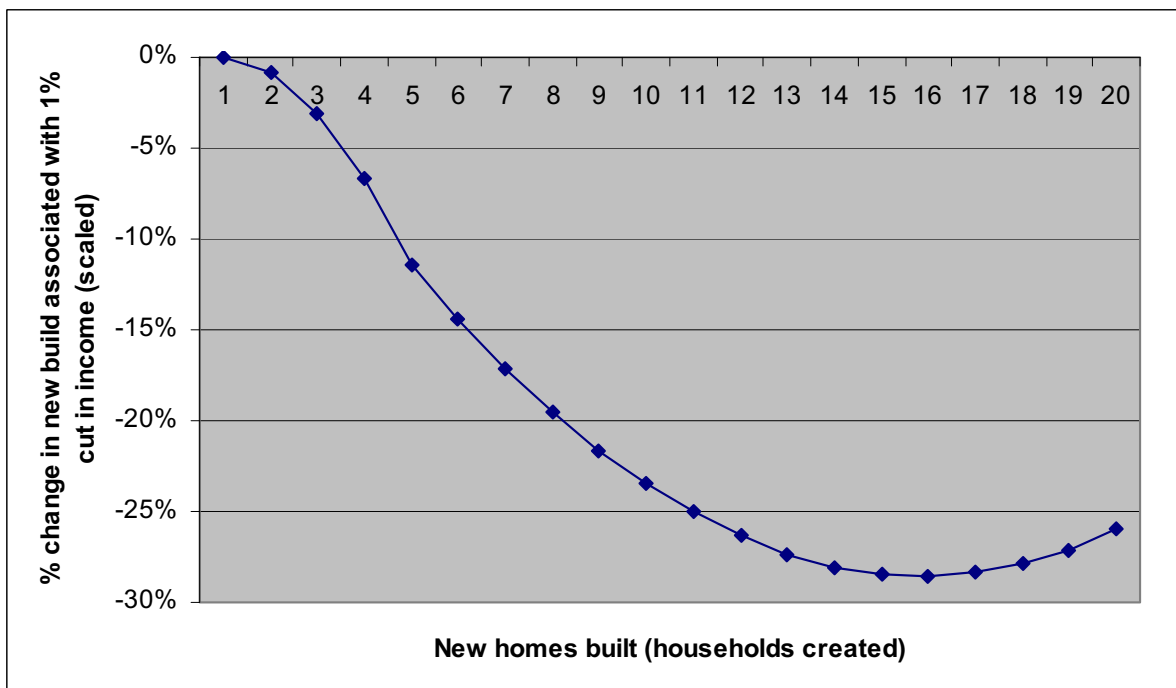


The elasticity estimates are then scaled by a probability (between 0 and 1) to reflect point (b). The chart below is illustrative and shows that the probability of implementing the strategy (maintaining initial spend per household) rises (declines) at higher (lower) build rates. Alternatively we consider the opposite, where the probability of implementing the strategy declines (rises) at higher (lower) build rates.

¹⁶ Net additions can feasibly be negative, but we rule out the possibility that a local authority could or would actively pursue negative net additions in order to maintain the desired level of spend per household.



Finally, the scaled elasticity estimates are applied to the amount taken from formula grant in order to estimate the impact on net additions. For illustration, at an initial build rate of 1 unit, the effect of a 1 per cent reduction in formula grant is $-1 \text{ per cent} \times 100 \text{ per cent} \times 0 = 0$; at an initial build rate of 20, the effect is $-1 \text{ per cent} \times 26 \text{ per cent} \times 1 = -26 \text{ per cent}$ (fall in net additions). The chart below is illustrative (and consistent with the previous two charts).



‘NHB subsidy’. This may be a positive or negative effect. We assume:

- ‘Winners’ build fewer homes. ‘Winners’ are local authorities whose spend per household would increase i.e. the subsidy that would be paid out at the initial build rate would more than offset the amount taken from formula grant.
- ‘Losers’ build more homes. ‘Losers’ are local authorities whose spend per household would decrease i.e. the subsidy that would be paid out at the initial build rate would less than offset the amount coming from formula grant.

The scale of the effect depends on the size of the 'per unit' subsidy (relative to the amount coming from formula grant) and the current build rate. In terms of the latter: on the one hand, (a) a lower initial build rate means a higher spend per household (other things being equal) so that net additions must rise (or fall) more (in percentage terms) to maintain the initial spend per household. On the other hand, (b) the feasibility and likelihood of this strategy is likely to vary with the initial build rate. As with the amount coming from formula grant, we can either assume feasibility and likelihood is positively related or negatively related to the initial build rate.

10. **Strategy 2.** Same as strategy 1 except 'winners' maintain rather than reduce their build rate. Only losers react to the NHB, by increasing their output in order to try to maintain initial levels of spend per household.
11. **Strategy 3.** Same as strategy 2 except some winners, namely those who are 'pro growth' do not maintain or reduce their build rate; rather they attempt to 'go for growth'. This category of local authorities is termed 'pro winners'.
12. We assume 'pro winners' try to increase their total income (M) by X per cent (relative to their initial allocation). This may lead to an increase or decrease in spend per household.
13. It should be noted that all the strategies describe what local authorities try to do, but what they achieve is constrained in two main ways:
 - As described earlier, local authorities' income elasticities are constrained to reflect feasibility and likelihood. We assume a range of probabilities between zero and 1.
 - Secondly, every local authority is constrained in its behaviour to an overall change in net additions by +30 per cent or -30 per cent.

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Report to Planning Services

Date of meeting: 2 December 2010

Subject: Tree Preservation orders: Proposals for Streamlining - Consultation

**Officer contact for further information: C Neilan
01992 564117**

Committee Secretary: M Jenkins – 01992 564607

Recommendations/Decisions Required:

To agree responses to the consultation: A draft set of responses for consideration is contained at appendix 1.

Report:

Introduction: The Government is consulting on a proposal to consolidate legislation and streamline the Tree Preservation Order (TPO) system; the consultation closes on 20th December 2010.

The key measures outlines are:

1. the creation of a unified system for all TPOs;
2. to shorten and simplify the model TPO order.

It is suggested that the changes are broadly positive and to be welcomed although there are some areas of concern, which are set out below.

The Main Changes

The main changes proposed are to:

1. simplify all existing TPOs by bringing them into line with a new model order;
2. make a new, shorter and easier to understand model order for new TPOs, comprising only a list of trees and a map;
3. give all new TPOs immediate effect;
4. reduce the required publicity for new TPO's and in particular to reduce the number of land owners on whom orders must be served;
5. clarify the exemptions that apply to applications for works to a protected tree;
6. adopt a single system for the duration of consents;
7. increase local flexibility to provide consents for regular works to protected trees;
8. Bring compensation provisions into line with the 1999 regulations, scrapping protective certificates for special or outstanding trees.

The new regulations are expected to be brought into effect in 2011.

Discussion

As will be seen from the attached draft consultation response the majority of the proposals are considered to be beneficial. The chief benefit is considered to be that new orders will be much easier for the public to understand and easier to administer. There will be some saving in the time taken to make an order and the opportunity for error will be reduced. The simplification of the basic TPO document, and the proposed reduction of the need to consult all adjacent land owners, are both particularly welcome reforms.

There are, however, concerns in some areas. In relation to the draft replies these are:

Question 10: Compensation

The consultation states that it is right in principle to make all the legislation operate on the same basis, however there is no analysis of the impact of the change made in 1999 or consideration of the potential impact this could have on either the stock of protected trees, or the finances of local authorities. It is suggested therefore that this change is premature and should be backed by statistical analysis.

The change made in 1999, only in relation to TPOs made after that date, was to take away the provision for the LPA, when determining any application, to certify trees as being of special or outstanding value. This has the effect of protecting the LPA from compensation claims.

This authority faces many applications as a result of alleged subsidence, particularly after hotter summers. It is accepted that in the majority of cases felling is unlikely to be refused where evidence of subsidence is sufficient to prove the case. However, there are particularly special trees whose loss would cause great harm to local amenity. It is suggested that the previous position, that it was possible to protect the authority from compensation claims in respect of such trees, was reasonable and proportionate.

Question 11: Further Comments

Area orders are occasionally useful as an emergency measure, where access to survey trees is not available and the Woodland form of TPO is not appropriate. Area orders are mentioned in the draft model order but not in the draft regulations. It is suggested that it should be clarified whether the intention is to continue to allow area TPOs.

The legislation also includes the out of date terms “lopping” and “topping”. It is considered this is regrettable. The government’s view has been that these firms are legally enforceable whereas more up to date terms such as “crown reduction” are liable to be circumvented. However, it is considered that some other general terms in common usage could be found which would be more up to date and less regressive.

The reference in the draft regulations, Part 4, paragraph 17 (3), to “good Forestry” alone is regrettable; it is suggested that the phrase should be expanded to include “good woodland management” since, by and large, TPOs are applied to woodlands not forest.

Question 14: Merits of the “Do Nothing” Approach

Although it is agreed that the “do nothing” option would not be preferable, and indeed there are significant benefits from the proposals, the consultation is flawed in that it contains no overall assessment of issues relating to TPOs or assessment of alternative options for change. The evidence that is presented relates solely to the proposed solution as against “do nothing”. Although a 5 yearly review is proposed it appears there are no proposals to collect information to make that review meaningful. It is suggested that this approach should be reconsidered.

Reason for decision:

It is important to support the proposed changes, since the effects are largely beneficial, but also to register concerns.

Options considered and rejected:

None

Consultation undertaken:

None

Resource implications:

Budget provision: none

Personnel: None

Land: None

Community Plan/BVPP reference: Corporate plan: 5: ...protecting the special character of the District.

Relevant statutory powers: Town and Country Planning 1990 as amended Section 197, 198 & following.

Background papers: Government Consultation, Tree preservation orders: proposals for streamlining September 2010. (DCLG)

Environmental/Human Rights Act/Crime and Disorder Act Implications: none

Key Decision reference: (if required) not required

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Consultation response form:

Tree preservation orders: proposals for streamlining

Proposed draft responses

Section 2: Consolidating the tree preservation order system		
Q.1 Will the proposal to consolidate legislation and introduce one system for TPOs benefit tree owners and local planning authorities?	Yes	✓
	No	
Explanation/comment: There will be real and significant benefits for both.		
Q.2 Will bringing all existing and future TPOs into the same shorter format be clearer for tree owners and help local planning authorities?	Yes	✓
	No	
Explanation/comment: It will undoubtedly be clearer for tree owners, and it will assist in effective tree protection by speeding up the production of new TPOs.		

Section 3: Streamlining the system		
<i>Provisional effect of a TPO</i> Q.3 Is the proposed provisional protection helpful to local planning authorities and, given the interests of tree owners, fair and reasonable?	Yes	✓
	No	
<p>Explanation/comment:</p> <p>It confirms what is the general de facto position in any case.</p> <p>However it appears that a provisional order would become void after 6 months, which is a negative change.</p>		
<i>Informing interested parties</i> Q.4 Is the proposed minimum notification of new or varied TPOs targeting the right people?	Yes	✓
	No	
<p>Explanation/comment:</p> <p>It will still ensure that those most closely affected are made aware, and in doing so will reduce the administrative burden of making an order to some extent, and reduce costs.</p> <p>.</p>		
<i>Exceptions to the need for obtaining consent</i> Q.5 Are the proposals to remove the current exemption for work to dying trees and limiting work to dangerous trees useful clarification, and reasonable?	Yes	✓
	No	
<p>Explanation/comment:</p> <p>It provides useful clarification and closes a potential loophole.</p>		

Consents	Yes	✓
Q.6 Do you agree that the power to vary or revoke consents for work under TPOs made before 2 August 1999 should be removed?	No	
<p>Explanation/comment:</p> <p>Not a power that this authority has exercised.</p>		
Q.7 Is a default period of one year for the duration of consents reasonable?	Yes	
	No	✓
<p>Explanation/comment:</p> <p>On balance, two years would be preferable. Many consents are not exercised within a year.</p>		
Q.8 Will the opportunity to consider repeated operations, or programmes of work, assist tree owners in their management of protected trees?	Yes	✓
	No	
<p>Explanation/comment:</p> <p>This makes explicit what is a useful opportunity – serving to reduce unnecessary bureaucracy for LPAs as well as owners.</p>		

Planting replacement trees	Yes	✓
Q.9 Is the proposed change to secure planting of replacement trees in woodlands by conditions reasonable?	No	
Explanation/comment:		
Compensation	Yes	
Q.10 Are the proposed changes with regard to compensation fair and reasonable?	No	✓
Explanation/comment: There is no evidence to support the complete withdrawal of article 5 certificates; this is likely to have a negative impact on the retention of large and special trees in urban areas.		
General	Yes	
Q.11 Do you have any further comments to make about the draft regulations?	No	
Comment: That the status of Area Orders appears unclear - they are mentioned in the draft Order – but not in the draft regulations. That the retention of out-of-date terms, notably “lopping” and “topping” is regrettable. That the reference in 17(3) to “good Forestry” alone is regrettable, and that it should be expanded to include “good woodland management practice”.		

Section 4: Draft impact assessment		
Q.12 Do you have any general comment of the outcomes predicted in the impact assessment, particularly about the costs and benefits?	Yes	✓
	No	
<p>Explanation/comment:</p> <p>The Authority agrees in general terms with the draft impact assessment.</p>		
Q.14 Are there any benefits to the 'do nothing' option of not consolidating regulations and creating a unified system for TPOs?	Yes	
	No	✓
<p>Explanation/comment:</p> <p>No – but alternative options for change are not considered. It is noted with concern that although a review is proposed, there are no arrangements for systematic collection of monitoring information for future review.</p>		

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Section 2

Consolidating the tree preservation order system

Background

- 2.1 All existing TPOs contain a schedule of protected trees, listed in their specific categories (individual, group, area, woodland) and a map showing their location. Each TPO also contains provisions which apply to that order e.g. appeal and compensation rights, exceptions from the need to obtain consent for work and processes for varying or revoking consents. Over the years the model form of TPO has developed into a long and complex document, running to a dozen pages of legal small print.
- 2.2 Each TPO is based on the wording of the model order applicable at the time the TPO was made, so the rules governing trees protected in, say 1971, are not the same as the rules governing trees protected in 2001. As a result there has been a lack of consistency across TPOs, which has required a local planning authority ("the authority") to check each order when considering certain administrative tasks.
- 2.3 This lack of consistency has resulted in different rights and expectations for tree owners and other applicants. For example, the changes made to the model order by the 1999 Regulations changed the compensation regime for all TPOs made on or after 2 August 1999.
- 2.4 In order to overcome these problems there is a need to bring all the provisions together to restore the safeguards, particularly for tree owners and applicants.

Proposals

Remove the inconsistencies from all TPOs

- 2.5 The first step is to bring all existing TPOs onto the same footing in order to remove the current complex and inefficient system, where each protected tree is governed by the rules and procedures set out in its own particular documentation.
- 2.6 We propose that all existing TPOs would automatically be amended so as to remove the inconsistencies that exist in their provisions. This would not require authorities to make changes to individual TPOs. The content of every order would be cancelled except those items that identify the

trees that it protects i.e. the schedule listing the trees in their respective categories and the map showing their location.⁵

- 2.7 At the same time we propose to introduce a new model order which would follow the resulting slimmed-down format.⁶ This would be a short, simple document of no more than a couple of pages - one that is easy for authorities to administer and easy for all to understand.
- 2.8 This would result in the content of every TPO containing only the details of the trees that are protected. Authorities would continue to provide recipients with information explaining the implications of the TPO e.g. CLG's leaflet *Protected trees: a guide to tree preservation procedures*.⁷

New regulations

- 2.9 At the same time, we propose that new regulations (see Annex A) would come into force and replace provisions that are to be removed from existing TPOs. The 1999 and 2008 Regulations would be cancelled and their provisions would also be transferred to the new regulations. Lastly certain provisions would be included from the Town and Country Planning Act 1990, where their content complements the provisions being transferred from the TPOs and the 1999 and 2008 Regulations (see 1.7).
- 2.10 As a result the new regulations would contain the key provisions, including a new model order, simplifying the process for authorities when making, administering and enforcing TPOs, as well as providing tree owners with more clarity on the requirements arising from a TPO.
- 2.11 When the new regulations commence, all new TPOs would be made using the new model order. The regulations would create one system that would apply to every TPO, existing or proposed.

Question 1: Will the proposal to consolidate legislation and introduce one system for TPOs benefit tree owners and authorities?

If not, what changes are needed?

Question 2: Will bringing all existing and future TPOs into the same shorter format be clearer for tree owners and help local planning authorities?

If not, what changes are needed?

⁵ See section 193 of the Planning Act 2008.

⁶ See draft Regulations in Annex A.

⁷ www.communities.gov.uk/publications/planningandbuilding/protectedtreesguide

Section 3

Streamlining the system

- 3.1 Bringing together into one document the relevant content from the Town and Country Planning Act 1990, the 1999 and 2008 Regulations and various model forms of TPO provides the opportunity to resolve inconsistencies in the existing provisions and produce a more streamlined and fairer system. The following proposed changes to existing provisions are included in the draft regulations.

Immediate protection from a TPO

Background

- 3.2 The current position is that a TPO comes into force once the authority has considered all objections, made any required variations and confirmed the order.
- 3.3 Where it appears to the authority that there is a need for the TPO to come into force immediately they can include a direction in the order applying section 201 of the Act. In practice most new TPOs include such a direction so that they come into immediate effect. The direction provides provisional protection for a period of six months, commencing from the date specified in the direction (usually the date on which the TPO is made). The TPO still needs to be confirmed by the authority. If the TPO is not confirmed within the six months period the provisional protection comes to an end.

Proposals

- 3.4 To assist in the streamlining of the TPO regime we propose that all new TPOs will come into force provisionally on the date they are made, without any need for a direction to be made. This would remove unnecessary complication from the system.
- 3.5 We propose that all new TPOs would lapse after six months unless confirmed within that period.

Question 3: Is the proposed provisional protection helpful to authorities and, given the interests of tree owners, fair and reasonable?

If not, what changes are needed?

Informing interested parties

Background

- 3.6 Prior to August 1999, authorities were required to send copies of TPOs to the owners and occupiers of the land where the trees covered by a new or varied TPO were situated. The 1999 Regulations⁸ changed the process of notifying interested parties so that authorities are currently required to also send copies to the owners and occupiers of any adjoining land, even where they have no rights over the trees protected.
- 3.7 This has resulted in authorities sending copies of TPOs to occupiers of individual properties and, in some cases, multiple copies to all the occupiers of neighbouring blocks of flats even though they may be located some distance from the trees in question.

Proposals

- 3.8 A TPO is a restriction on land and the way it is used. We consider that the main purpose of sending out copies of newly made TPOs should be to allow those people whose land will be subject to this restriction to make representations and to have them considered before the authority confirms the TPO.
- 3.9 We propose that copies of newly made (and varied) TPOs should, as a minimum, be sent to the owners and occupiers of the land on which the trees covered by the TPO are situated and others who have a right to prune or fell the trees. This would include properties adjacent to the land on which the protected trees are situated and overhung by the branches of those trees so as to avoid inadvertent contravention of TPOs.
- 3.10 The proposal would reduce the number of people who must be served a copy of a new TPO. Authorities would no longer be required to notify the owners and occupiers of neighbouring properties who do not have a right to prune or fell the trees being protected. However, it would remain open to authorities, if they so wished, to notify others who might be affected by the TPO or to inform people how trees in their neighbourhood are being managed.
- 3.11 Where a TPO is made as a result of a 'section 211 notice' (for proposed work to a tree growing in a conservation area) it is proposed that the authority will also provide a copy of the TPO to any agent who submitted the notice.

Question 4: Is the proposed minimum notification of new or varied TPOs targeting the right people?
If not, what changes are needed?

⁸ See regulation 3.

Exceptions to the need for obtaining consent

Background

3.12 TPO legislation specifies several circumstances where consent is not required to carry out work to trees protected by a TPO. Section 198(6)(a) of the Act states that a TPO shall not apply to the cutting down, uprooting, topping or lopping of trees which are dying or dead or have become dangerous.

3.13 Currently the broad scope of this exception presents uncertainty for those wanting to carry out what they believe to be exempt work. For example the term "dying" is often confused with "diseased", even where the effect of the disease may not be fatal. Clarity is required to avoid unnecessary disputes between tree owners and authorities.

Proposals

3.14 It is important that the ambiguity and grounds for dispute are removed to assist those entitled to work on protected trees. The proposed changes will provide clarity on people's expectations and reduce the possibility of inadvertently being drawn into a dispute with the authority. The changes will also remove the ambiguity which can be exploited by those wanting to remove healthy trees and avoid enforcement action by authorities.

3.15 We proposed that the exception relating to "dying" trees is omitted. Works to a tree that has become dangerous would continue to be exempt from the need to obtain consent, but this exception would be limited to that work which is urgently necessary in the interests of safety. The exception relating to dead trees would continue unchanged.

Question 5: Are the proposals to remove the current exemption for work to dying trees and limiting work to dangerous trees useful clarification, and reasonable?

If not, what changes are needed?

Consents

Background

- 3.16 Tree preservation orders made before 2 August 1999 contain a power for authorities to modify or revoke consents they have issued, but it is rarely used. The 1999 Regulations did not continue this power in relation to TPOs made on or after that date.
- 3.17 Consent is given to carry out specific work which has been assessed on the tree and its location at a specific point in time. Applicants usually carry out the work permitted soon after consent is received from the authority but, unless specified otherwise, the consent will last in perpetuity. If work is delayed for several years, it may no longer be appropriate and if carried out could inadvertently damage the tree, at which time the right to claim compensation may have expired. The authority has the power, therefore, to impose a condition on a consent to limit its duration.
- 3.18 Authorities do not always consider applications for programmes of work (e.g. for large gardens) or repeated operations over a number of years (e.g. on regularly pollarded trees). In these cases tree owners have to apply for consent every time they wish to prune a protected tree.

Proposals

- 3.19 The power to modify or revoke a consent for work to a tree protected by a TPO would be removed from every TPO made before 2 August 1999 (see paragraph 2.6). We do not propose to replace this power in the new regulations, so bringing all TPOs onto an equal footing. This would also remove the need for appeals against modification or revocation to the Secretary of State.
- 3.20 We propose that a default period of one year would be set for the duration of any consent issued by an authority for work to a tree protected by a TPO. This may be varied by the authority.
- 3.21 Authorities would be more able to consider applications for works to trees that are to be repeated on an annual or regular basis or for a series of operations over a stated period of time (e.g. five years). This would benefit applicants by reducing the need for repeated applications and reduce the burden on authorities of processing unnecessary applications.

Question 6: Do you agree that the power to vary or revoke consents for work under TPOs made before 2 August 1999 should be removed?

If not what changes are needed?

Question 7: Is a default period of one year for the duration of consents reasonable?

If not what changes are needed?

Question 8: Will the opportunity to consider repeated operations, or programmes of work, assist tree owners in their management of protected trees?

If not what changes are needed?

Planting replacement trees

Background

3.22 When consent is granted to remove a protected tree, authorities will consider whether a condition requiring a new tree to be planted is necessary.

3.23 Tree preservation orders contain special provisions about replanting of woodlands. These will apply where the authority grant consent for tree removal when a felling licence is not required. Where the authority grant consent for the removal of trees protected by a woodland TPO they give the landowner a direction (not a condition) to replant.

Proposals

3.24 It is proposed that provisions allowing replanting directions for woodland would be removed from every TPO. Revised provisions in the draft regulations would allow authorities to frame conditions to cover the planting of replacement trees in any situation, including in woodlands. This would provide a single but flexible approach and help ensure that authorities only apply conditions when and as appropriate (i.e. tailoring the replanting requirement to the site in question and its characteristics).

Question 9: Is the proposed change to secure planting of replacement trees in woodlands by conditions reasonable?

If not, what changes are needed?

Compensation

Background

- 3.25 Compensation may be payable by authorities for loss or damage caused or incurred as a result of their refusal of consent under a TPO or their granting consent subject to conditions.
- 3.26 For all TPOs made before 2 August 1999 authorities are able to issue an "article 5 certificate"⁹ which removes their liability to pay compensation under the TPO. These certificates may be issued where the authority is satisfied that their decision is made in the interests of good forestry practice or that the trees or woodlands are of outstanding or special amenity value. Local planning authorities have previously been advised to use article 5 certificates with discretion and not simply as a means of avoiding potential liability of compensation. However there is some evidence that these certificates are not always applied with discretion.
- 3.27 The model order introduced by the 1999 Regulations contains a revised and more clearly defined compensation framework, which only applies to TPOs made on or after 2 August 1999. At the same time the power to issue an article 5 certificate was removed for decisions made on applications for work to trees protected by TPOs made on or after this date.
- 3.28 There are therefore two compensation systems in operation, depending on when a TPO was made, which is confusing and inconsistent.

Proposals

- 3.29 We propose to adopt a single compensation system to create a consistent and even-handed approach. The compensation system currently contained within the 1999 Regulations would be adopted for all TPOs whenever they were or will be made.
- 3.30 The proposals do not alter the right to claim compensation from an authority, for any loss or damage resulting from refusal of a TPO application or imposition of conditions on approvals. The liability of the authority to pay compensation would be for claims over £500. The authority would not be liable to pay compensation for loss of development value, or loss or damage that was not reasonably foreseeable when the authority (in the light of the information supporting the application) decided the application.¹⁰
- 3.31 We propose that the power to issue an article 5 certificate would be removed when the provisions of all TPOs are removed (see paragraph

⁹ See article 5 of the Model Order included in the Town and Country Planning (Tree Preservation Order) Regulations 1969.

¹⁰ See regulation 24 of the draft regulations in Annex A for the full limitations.

Compensation

Background

3.25 Compensation may be payable by authorities for loss or damage caused or incurred as a result of their refusal of consent under a TPO or their granting consent subject to conditions.

3.26 For all TPOs made before 2 August 1999 authorities are able to issue an "article 5 certificate"⁹ which removes their liability to pay compensation under the TPO. These certificates may be issued where the authority is satisfied that their decision is made in the interests of good forestry practice or that the trees or woodlands are of outstanding or special amenity value. Local planning authorities have previously been advised to use article 5 certificates with discretion and not simply as a means of avoiding potential liability of compensation. However there is some evidence that these certificates are not always applied with discretion.

3.27 The model order introduced by the 1999 Regulations contains a revised and more clearly defined compensation framework, which only applies to TPOs made on or after 2 August 1999. At the same time the power to issue an article 5 certificate was removed for decisions made on applications for work to trees protected by TPOs made on or after this date.

3.28 There are therefore two compensation systems in operation, depending on when a TPO was made, which is confusing and inconsistent.

Proposals

3.29 We propose to adopt a single compensation system to create a consistent and even-handed approach. The compensation system currently contained within the 1999 Regulations would be adopted for all TPOs whenever they were or will be made.

3.30 The proposals do not alter the right to claim compensation from an authority, for any loss or damage resulting from refusal of a TPO application or imposition of conditions on approvals. The liability of the authority to pay compensation would be for claims over £500. The authority would not be liable to pay compensation for loss of development value, or loss or damage that was not reasonably foreseeable when the authority (in the light of the information supporting the application) decided the application.¹⁰

3.31 We propose that the power to issue an article 5 certificate would be removed when the provisions of all TPOs are removed (see paragraph

⁹ See article 5 of the Model Order included in the Town and Country Planning (Tree Preservation Order) Regulations 1969.

¹⁰ See regulation 24 of the draft regulations in Annex A for the full limitations.

2.6). This specific power would not be replaced so authorities will no longer be able to remove their liability to pay compensation arising from their decisions on works to trees protected by TPOs.

Question 10: Are the proposed changes with regard to compensation fair and reasonable?

If not, what changes are needed?

Question 11: Do you have any further comments to make about the draft regulations?

Section 4

Draft impact assessment

A draft impact assessment is attached at Annex B. Answers to the following questions would be particularly useful in preparing the final version.

Question 12: Do you have any general comment of the outcomes predicted in the impact assessment, particularly about the costs and benefits?

Question 13: Are there any benefits to the 'do nothing' option of not consolidating regulations and creating a unified system for TPO

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Directorate of Planning & Economic Development

DRAFT BUSINESS PLAN 2011 - 2012

- FORWARD PLANNING
- CONSERVATION
- TREES & LANDSCAPE
- COUNTRYCARE
- DEVELOPMENT CONTROL
- BUILDING CONTROL
- SUPPORT TEAM

**Proposed Draft Business Plan
Planning and Economic Development 2011 – 2012**
(November 2010, subject to further change and revision)

Epping Forest District Council



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DRAFT PROPOSED OUTLINE BUSINESS PLAN 2011 – 2012
As per EFDC Business Planning Guidance issued for 2011/12

PART A STRATEGIC OVERVIEW PLANNING & ECONOMIC DEVELOPMENT	
1.00	INTRODUCTION
2.00	DIRECTORATE SERVICE BACKGROUND Background Information (a) Title of Directorate/Service (b) Portfolio/Corporate Responsibilities (c) Date of commencement of the Business Plan
3.00	DIRECTORATE SERVICE SUMMARY (a) Service Overview and Specification (b) Customer Focus and Profile (c) Improvement Plan (d) Financial review 2010/11 (e) Financial estimate 2011/12 (Forward Look)
4.00	CORPORATE OBJECTIVES AND PRIORITIES (a) Key Objectives and Priorities (b) Risk Management (c) Crime and Disorder (d) Equality and Diversity (e) Value for Money (f) Resource Requirements (g) Workforce Planning and Development
PART B DIRECTORATE SERVICE PERFORMANCE AND DEVELOPMENT	
5.00	FORWARD PLANNING Key Functions Staffing Summary Key Objectives Performance Indicators Action Plan 2010/11 – Review Action Plan 2011/12 (Forward Look)
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8.00	COUNTRYCARE Key Functions Staffing Summary Key Objectives Performance Indicators Action Plan 2010/11 – Review Action Plan 2011/12 (Forward Look)

9.00	DEVELOPMENT CONTROL Key Functions Staffing Summary Key Objectives Performance Indicators Action Plan 2010/11 – Review Action Plan 2011/12 (Forward Look)
10.00	BUILDING CONTROL Key Functions Staffing Summary Key Objectives Performance Indicators Action Plan 2010/11 – Review Action Plan 2011/12 (Forward Look)
11.00	PLANNING SUPPORT TEAM Key Functions Staffing Summary Key Objectives Performance Indicators Action Plan 2010/11 – Review Action Plan 2011/12 (Forward Look)
APPENDICES	
Appendix 1	ORGANISATION OVERVIEW PLANNING & ECONOMIC DEVELOPMENT
Appendix 2	ORGANISATION CHART POLICY & CONSERVATION
Appendix 3	ORGANISATION CHART DEVELOPMENT CONTROL
Appendix 4	ORGANISATION CHART BUILDING CONTROL & PLANNING SUPPORT TEAM
Appendix 5	STAFF ESTABLISHMENT MATRIX
Appendix 6	DEVELOPMENT CONTROL APPLICANT FEEDBACK SUMMARY
Appendix 7	BUILDING CONTROL APPLICANT FEEDBACK SUMMARY
Appendix 8	DEVELOPMENT CONTROL NEIGHBOUR FEEDBACK SUMMARY
Appendix 9	RISK CAPTURE
Appendix 10	RISK MATRIX – PLANNING
Appendix 11	RISK REGISTER
Appendix 12	RISK ACTION PLAN
Appendix 13	SICKNESS ABSENCE SUMMARY OCTOBER 2009 – SEPTEMBER 2010
Appendix 14	FORWARD PLANNING EVIDENCE BASE UPDATE OCTOBER 2010

DRAFT BUSINESS PLAN

PART A STRATEGIC OVERVIEW-PLANNING & ECONOMIC DEVELOPMENT

SECTION 1

1. INTRODUCTION

The Council has introduced arrangements for the alignment of its business, budget and workforce planning and development processes into a clear framework to enable the authority to focus on key priorities, improve the way that performance is managed, and to improve communication and consultation on key priorities.

This Business Plan is an important part of Planning and Economic Directorates planning processes as part of its performance management framework to ensure that the directorate's activities and services complement the overall aims and objectives of the Council.

This Business Plan also provides in sections 1 – 5 strategic details about the directorate and council key priority objectives. Sections 6. (a) - (g) will show the section reviews, objectives and operational plans for;

- (a). Forward Planning
- (b). Conservation
- (c). Trees & Landscape
- (d). Countrycare
- (e). Development Control
- (f). Building Control
- (g). Support Team

This plan seeks to establish a link between the strategic directorate and corporate objectives, the operational plans and the individual personal development plans of staff (PDR's).

CHALLENGES AND CHANGE IN 2011/12

A number of important and far reaching changes are already taking place with further developments expected to continue into 2011/12. These changes will significantly affect areas of strategic management within the Directorate relating to the Localism and Place Shaping Agenda with increased influence expected from locally elected members and the public in shaping the provision and costs of planning services.

This will impact strategically on the formulation of local government planning policies as it is expected that the Department of Communities and Local Government will be arranging for the passing of legislation that will have far reaching effects on the Local Development Framework.

In addition with the disbandment of the Audit Commission including the abolition of the Comprehensive Area Assessment (CAA) and the suggested reduction of the National Indicator Sets (NIS) means that although we no longer have to report performance against defined sets of performance indicators to Central Government; there is still a need to ensure that performance reporting takes place that meets transparency and accountability standards.

These changes will also have a major impact on Planning Service Charges as the Department of Communities and Local Government have published a consultation paper regarding proposed changes to the planning application fees regime to allow for the setting of fees by local planning authorities by April 2012.

SECTION 2

2. DIRECTORATE SERVICE BACKGROUND

(a). Background And Structure

This is the Business Plan for the Directorate of Planning and Economic Development, comprising of 63.5 fulltime equivalent posts, supplemented on occasion, divided into three service areas managed by the Assistant Directors; Policy & Conservation, Development Control and Building Control. The organisation chart (Appendix XX) and staffing matrix (Appendix YY) detail the structure for the following three service areas;

- POLICY AND CONSERVATION consisting of four sections, Conservation, Countrycare, Trees and Landscape, Forward Planning and Economic Development.
- DEVELOPMENT CONTROL covering Development Control Applications Validation and Control as well as Enforcement.
- BUILDING CONTROL responsible for Building Control, Contaminated Land and the Planning Support Team (which manages all support functions within the Directorate).

This plan follows on from previous year's Business Plan 2010 – 11, including the general strategies of the 2006 - 2010 Council Plan, itself informed by the Community Strategy and the Essex Local Area Agreement 1 and 2.

(b). Portfolio and Corporate Responsibilities

The day-to-day regulatory activities of Development Control and Building Control are not, however, Cabinet functions. All the above functions are the responsibility of the Director of Planning and Economic Development (J. Preston).

- Building Control - Cllr Syd Stavrou
- Development Control - Cllr Syd Stavrou
- Enforcement - Cllr Lesley Wagland
- Conservation, Trees & Landscape and Countrycare - Cllr Penny Smith
- Forward Planning - Cllr Diana Collins
- Economic Development & Town Centres - Cllr Chris Whitbread
- Planning Services Scrutiny Standing Panel Chair – Cllr John Philip
- Performance Management – Cllr Richard Bassett

(c). Timescale

This plan is operational from April 2011 to March 2012.

SECTION 3

3. DIRECTORATE SUMMARY

(a). Overview, Functions & Vision

An overview of the Directorate's aims and purpose are summarised as;

We are working towards achieving simple, locality based effective and accessible planning services that promotes carbon friendly processes. In addition we seek to achieve further sustainable development in the context of evolving strategic plans for

the future. This is supported in the context of our responsibilities for Environmental Co-ordination and new Town Centre Enhancement projects.

Much of what the Directorate does is statutory, within the legislative framework set out in previous plans. We also provide care and advice on both the historic and natural environment of the district. In addition we remain committed to helping others to protect, enhance and manage the countryside; and operate the statutory controls over new development – its design, impact and construction.

We undertake our statutory Building Control responsibilities for the processing of building regulation applications and inspection of building work. This includes the enforcement of the Building Regulations and other relevant standards such as the investigation and removal of dangerous structures along with the provision of community building legislation advice.

Our Vision is as a Directorate we will seek to gain the respect and trust of our customers and the community by delivering a high quality service that is transparent and visible. We will do this by promoting courtesy, honesty, objectivity, professionalism and political impartiality.

We value our workforce and partners by working and learning from others. We will seek to protect and enhance the environment for future generations by integrating the social and economic issues with sustainable environmental objectives. We will also seek to be accountable, responsive to empower communities to support a sustainable prosperous community strategy.

(b). Customer Focus and Profile

The Directorate of Planning and Economic Development operates for the benefit of the entire population of the district, and for businesses within and visitors to the district.

However, more directly, the customers of the services provided are those who engage with the specific activities of the services, e.g. those who make application for planning permission or building regulation approval, those who object to planning applications or local plan alterations, those who seek advice about any aspect of the services, or those who benefit from countryside projects or heritage grants.

Generally, the Council has no control over the numbers or type of these direct customers, and the Directorate simply has to react to the size of the customer base, and the nature and complexity of the casework. A clear example of this is the level of public interest and concern raised by the consultation on increasing pitch provision for gypsies and travellers. The Council had previously been directed by the Secretary of State to prepare the relevant document as a matter of urgency, and before the preparation of the Core Strategy (the key document of the Local Development Framework).

Customer Feedback

Formal complaints and compliments about the service we offer are logged before investigation. For the year the number received are as below:

	2009/10 (Q4)	2010/11 (Q1)	2010/11 (Q2)	2010/11 (Q3)
Compliments	24	11	13	?
Complaints	3	10	11	?
NB these are figures for each quarter, they are not cumulative				

Development Control operates a system of agent panels to gain feedback directly from those who submit a large number of our applications. In addition the quality of Development Control service BVPI previously provided a very good indicator of performance, but at irregular intervals.

To gain more ongoing feedback, Customer Feedback is collected for a number of the key functions in the Planning Directorate. The full data for the first sampling period (January 2010) is appended to this business plan (appendices 1-3), but summary performance on what we consider to be the key questions is as follows:

QUESTION	RESPONSE	DC APPLICANT	BC APPLICANT
Overall Impression of Service	Positive	83.60%	83.96%
	Average	11.03%	14.7%
	Negative	5.37%	1.34%
How does this compare to previous experience	Better	26.3%	29.42%
	Same	66.8%	66.9%
	Worse	6.9%	3.68%

QUESTION	RESPONSE	DC NEIGHBOURS
How did you view the plans for this application	Planning Reception	24.64%
	EFDC Website	56.32%
Disregarding the decision taken in the case, do you feel your views were taken into account in the making of the decision?	Yes	71.02%
	Partially	14.94%
	No	14.04%
Based on your experience with this application, what is your overall impression of our service?	Positive	70.54%
	Average	17.03%
	Negative	12.43%

Customer Focus NI14 – Avoidable Contact

Work around NI14 Avoidable Contact continues to support the customer focus of the directorate in taking steps to reduce avoidable contact as part of improving customer service. We know that the web is potentially the cheapest way to provide services, and is already the preferred option for citizens with simple questions or straightforward business, such as finding out about Planning Applications in their local area. As a result we periodically measure 'avoidable contacts' for phone or face-to-face enquiries with our next sampling exercise due to take place in March 2011.

Previous NI 14 sampling exercises contained in our last Business Plan 2010-11, within one month suggested that nearly 22% of the 5439 contacts made with the Directorate were classified as Avoidable Contact. This is supported by data supplied by the Society for Information, Innovation and Improvement SOCITM, (an association of professional ICT managers, drawn primarily from local authorities that deliver public services) who in 2008 indicated that average 'Avoidable Contact' costs were; Face to face £6.56 per visitor, Phone £3.22 per visitor; and Website £0.27 per visitor

Current data shows that nearly 5000 persons per month are visiting the Planning Services and Building Control Corporate Website pages to access information they may well have obtained in previous years, by either visiting, telephoning or e-mailing us. ICT improvements have helped us to carry this out with a smaller support team.

(c). Improvement Plan - Planning and Economic Development.

In November 2008, the Overview and Scrutiny Committee agreed that the Planning and Economic Directorate would produce an Improvement Plan for the next eighteen months. This was produced to implement changes and improvement as part of the implementation of the Corporate Performance Management Framework for the Directorate. The Improvement Plan was updated in August 2010 with specific reference made to develop and promote a set of service standards for Planning and Economic Development, outlining the minimum levels of service that external and internal customers will receive.

The following table lists the Improvement requirements and actions taken to comply with the outcomes required of the Improvement Plan.

SECTION	REQUIREMENTS	OUTCOMES
<p>Item One. Develop and promote a set of service standards for Planning and Economic Development, outlining the minimum levels of service that external and internal customers will receive.</p>	<p>Implement a draft set of service standards for planning and economic development be forwarded to members at the earliest opportunity.</p>	<p>Partly completed, draft Neighbourhood Consultation and Service standards have been developed with progress on this expected in early 2011. Development Control and Enforcement service standards drafted and to be presented to Planning Services Scrutiny Standing Panel 02 December 2010.</p>
<p>Item Two Improving procedures For example; increasing the amount of information being held on i-Plan, so that more information is held electronically and is more accessible, otherwise bringing forward initiatives to reduce the costs of dealing with queries, by providing more information on the website, rather than via individual letters, or individual meetings, and by doing things right first time.</p>	<p>Improving Procedures specifically ICT and iPlan That a programme of works undertaken and to be carried out on I-Plan be submitted to the panel.</p>	<p><u>Phase 1 Completed by December 2010</u> Scanning old DC property files (21 000), all DC application files (10 000) and Enforcement files as well as old TPO's along with ongoing scanning of DC applications, enforcement files and current TPO's.</p> <p><u>Phase 2 completed by 31 March 2011</u> Back scan Large Site Files, Decision Registers, and Conservation Files</p> <p><u>Phase 3 to be completed after 01 April 2011</u> Back Scanning Contaminated Land files, Trees and Landscape misc files, Forward Planning & Area Plans</p> <p><u>Phase 4 to be completed in 2011-12</u> Set up Project to scan all Building Control Records</p> <p><u>Phase 5 to be investigated in 2011-12</u> Investigate the possibility of scanning all Microfiche records over a three to five year period due to high costs involved.</p>
<p>Item Three Create a Business Plan for 2011-2012, which meets Corporate requirements yet clearly indicates the future direction for the Directorate, in particular recognising the revised local focus of the new Government.</p>	<p>Submit a draft of the Business Plan 2011-12 be submitted to the panel in December 2010.</p>	<p>Draft scheduled for presentation to the Planning Services Scrutiny Panel 02 December 2010</p>

SECTION	REQUIREMENTS	OUTCOMES
<p>Item Four Implement practical measures to improve the public perception and reputation of the Council's Planning Service, particularly with respect to high profile/controversial applications and enforcement action.</p>	<p>Implement measures to improve the Public Perception of Planning Services and address member concerns regarding enforcement action decisions. That the Planning Protocols be submitted to the panel for review</p>	<p>Choice of controversial sites agreed and site visit to be arranged with Members.</p> <p>Enforcement route flow-chart to be finalised at 02 December 2010 meeting of Planning Services Scrutiny Standing Panel</p>
<p>Item Five Green Issues. In parallel with work being undertaken by the Green Corporate Working Party to replace the Climate Change Strategy with a Carbon Management Strategy, make clearer what the different sections of the Directorate are doing to promote sustainable development.</p>	<p>Green Issues Policy & Conservation to provide information and updates on the activities of the Corporate Green Working Party</p>	<p>Policy & Conservation to provide an update for information on the activities of the Corporate Green Working Party to;</p> <p>(a). Planning Services Scrutiny Standing Panel.</p> <p>(b). Safer, Cleaner Greener Scrutiny Standing Panel</p>

A summary of the updated Directorate Business Plan Milestones of the Improvement Plan are shown in Appendix 11.

(d). Financial review 2010/11

To follow

(e). Financial estimate 2011/12 (Forward Look)

To follow

SECTION 4

4. CORPORATE OBJECTIVES AND PRIORITIES

(a). Review Key Cabinet Objectives 2010/11.

The following review of the Cabinet Key Objectives 2010/11 for Planning and Economic Development are set out below. Included in this are links, where applicable to the Medium Term Aims for 2010/11 to 2013/14. These outline the comments on how the services offered by the directorate contribute to them being met during the course of 2010/11.

CABINET CORPORATE KEY OBJECTIVES 2010/11	ACTIONS	LINKS TO MEDIUM-TERM AIMS AND OTHER CORPORATE PLANS/DOCUMENTS	CONTRIBUTION OF DIRECTORATE
(1) To deliver a Sound Core Strategy of the Local Development Framework;	To publish an issues and options consultation for the Core Strategy,	<p>Medium-Term Aims Aim 1 – Safeguarding frontline services; Aim 2 – Have the lowest Council Tax in Essex; Aim 3 – Be an innovative and a top performing Council in Essex; Aim 4 – Improve efficiency through partnership working and use of assets; Aim 5 – Community Leadership and Advocacy;</p> <p>The Local Development Framework links directly to the Sustainable Community Strategy for the district and informs other corporate plans and strategies including the Biodiversity Strategy, the Climate Change Strategy, the Safer, Cleaner, Greener Strategy and the Council's approach to the reduction of its use of natural resources.</p>	<p>Continuing priority from 2008/09 and 09/10 It is intended that, in co-ordination with East Herts and Harlow Councils, consultation on Issues and Options for the Core Strategy will take place in the summer of 2010. This was delayed due to the change in government.</p> <p>There needs to be Member and CEO level discussions about coordinated working with East Herts and Harlow in the likely absence of the Regional Spatial Strategy (that is to be formally abolished by the publication of a White Paper)</p> <p>The 1st stage consultation for LDF commenced in November 2010 with the anticipated 2nd</p>
(2) To help mitigate the impact of the current economic conditions on local people and businesses,	<ul style="list-style-type: none"> To continue to pay undisputed local supplier invoices within twenty days; To better publicise the contracts or opportunities 	<p>Medium-Term Aims Aim 1 – Safeguarding frontline services; Aim 2 – Have the lowest Council Tax in Essex;</p>	<p>The Council has identified a number of initiatives to support the local economy, including the continued faster payment of local supplier invoices and, once again, opting not to increase parking charges. The coalition Government has introduced Local Enterprise Partnerships in place of the</p>

CABINET CORPORATE KEY OBJECTIVES 2010/11	ACTIONS	LINKS TO MEDIUM-TERM AIMS AND OTHER CORPORATE PLANS/DOCUMENTS	CONTRIBUTION OF DIRECTORATE
through the development and implementation of appropriate initiatives;	<p>available for the supply of goods and services to the Council;</p> <ul style="list-style-type: none"> To continue to work towards the future development of key retail sites in the district, in particular the St. John's Road area of Epping; To consult upon and agree a Development Brief for the St. John's Road area of Epping; To introduce other measures introduced to lessen the impacts of the economic recession, which various panels of the Council, or the Local Strategic Partnership, have supported; 	<p>Aim 3 – Be an innovative and a top performing Council in Essex; Aim 4 – Improve efficiency through partnership working and use of assets; Aim 5 – Community Leadership and Advocacy;</p> <p>Budget 2010/11, and other corporate plans or documents relevant corporate plans and strategies or assessment reports Housing Strategy 2009-2013; Homelessness Strategy 2009-2012; Specific budgetary provision has been made for the preparation of the Development Brief for the St. John's Road area of Epping;</p>	<p>recently abolished Regional Development Agencies. It is envisaged that LEPs will play a key role in promoting economic development and take on a variety of roles including, assisting in the development of national planning policy, working with planning authorities to develop strategic planning frameworks and potentially even taking on other planning related activities including 'enabling' the timely processing of applications for strategic development and infrastructure. Our district belongs to the East Sussex and Kent Essex LEP. The Directorate has agreed a programme of business events with partners for 2010/11, and is co-ordinating business survey work to better understand the needs and issues of the business community. There are ongoing projects such as St John's Epping Development brief and the Lee Valley White Water Centre Economic Development Study, which will aid economic development and aim to boosting local economies. The Directorate will continue to play an active role in the Sustainable Communities Group of the LSP.</p> <p>Continuing priority from 2008/09 and 09/10. The development brief for The Broadway was approved in September 2008. Although the economic recession has meant such major developments are treated with caution there are ongoing discussions with interested parties. The Directorate is leading on the preparation of the development brief for the St John's Road area of Epping. Work paused for a period in 2009 recognising the need to ensure integration with the Town Centres Study. Whilst there is a strong appreciation of the drivers to ensure swift progress, this must be balanced against the importance of this area to the town's future. Consultation strategy approved in Oct 2010. 1st stage consultation on options to be launched in Q1 10/11</p>
(3) To further improve the Council's corporate procedures for safeguarding local children and young people as part of Essex County Council's Children's Trust arrangements;	To ensure that all appropriate members and officers of the Council are appropriately trained and aware of safeguarding responsibilities;	<p>Medium-Term Aims Aim 3 – Aspire to be a top performing Council in Essex; Aim 4 – Improve efficiency through partnership working and use of assets;</p>	<p>The Council has a responsibility to safeguard the welfare of children and young people under section 11 of the Children Act 2004. The duty to participate in the safeguarding and promote welfare is part of the programme of Change for Children, which began with the publication of the Every Child Matters Green Paper in September 2003. At an organisational level, the key features of this duty of care are;</p> <ul style="list-style-type: none"> A commitment by Senior Management to safeguard and promote the welfare of children and young people.

CABINET CORPORATE KEY OBJECTIVES 2010/11	ACTIONS	LINKS TO MEDIUM-TERM AIMS AND OTHER CORPORATE PLANS/DOCUMENTS	CONTRIBUTION OF DIRECTORATE
			<ul style="list-style-type: none"> • A clear statement of responsibilities towards children and young people is available to all staff combined with appropriate training to promote the welfare of children and young people. • Effective inter-agency working and information sharing to safeguard the welfare of children and young people.
(5) To maintain the Council's sound financial position;	<ul style="list-style-type: none"> • To increase the Council Tax for 2010/11 by no more than 2.5%; • To ensure that the Medium-Term Financial Strategy delivers a balanced budget in its final year; 	Medium-Term Aims Aim 1 – Safeguarding frontline services; Aim 2 – Have the lowest Council Tax in Essex;	The Council undertook a detailed corporate 'Value For Money Review' in 2008/09 order to explore the facts that underlie the views previously expressed by the Audit Commission on the authority's provision of value for money. A thorough review and updating of the Council's existing Value for Money Strategy is being progressed as part of this ongoing value for money process.
(6) To achieve the level of savings identified within the Council's Medium-Term Financial Strategy;	<ul style="list-style-type: none"> • To develop savings projects and an overall strategy for the achievement of the level of savings identified within the Medium-Term Financial Strategy; • To achieve efficiency savings of £600,000 for 2011/12; • To identify and develop mutually beneficial partnerships with external organisations; (Target/performance measure required) 	Medium-Term Aims Aim 1 – Safeguarding frontline services; Aim 2 – Have the lowest Council Tax in Essex; Aim 3 – Aspire to be a top performing Council in Essex; Aim 4 – Improve efficiency through partnership working and use of assets; These are expressed as net savings as they can be achieved through either reducing costs or increasing income.	<p>The Comprehensive Spending Review clearly highlights a tougher financial climate over the next four years, although the exact impact is not yet clear.</p> <p>The Council and the Directorate have been making savings and efficiencies for several years already and will continue to do so.</p> <p>The recovery of costs of operating by the charges levied and other new initiatives will play an increasingly important role in future financial stability.</p>
(8) To seek continuous performance improvement and the best use of resources;	<p>(a). To achieve an overall score of 3 (Performing Well) in the CAA Organisational Assessment for 2009/10 (to be undertaken in 2010/11);</p> <p>(b). To achieve overall improvement in respect of the Council's Key Performance Indicators for each of the four</p>	Medium-Term Aims Aim 1 – Safeguarding frontline services; Aim 3 – Aspire to be a top performing Council in Essex; Aim 4 – Improve efficiency through partnership working and use of assets; Budget 2010/11, and other corporate plans or	Performance on the processing of planning applications, as measured by National Indicator 157, is behind target, in two out of three further categories as at the third quarter of 2009/10. Investigation of further means to improve performance is underway, but improvements is dependent on changes to the current scheme of delegation, which have been suggested such as tightening of the monitoring of caseloads and targeting committees.

CABINET CORPORATE KEY OBJECTIVES 2010/11	ACTIONS	LINKS TO MEDIUM-TERM AIMS AND OTHER CORPORATE PLANS/DOCUMENTS	CONTRIBUTION OF DIRECTORATE
	years from 2010/11 to 2013/14; (c). To continue to improve performance on the processing times of all categories of planning applications, as measured by National Indicator 157;	documents The processing of planning applications is a statutory service, and is funded by the Continuing Service Budget;	
(10) To continue the improvement in the benefit the Council receives from its investment in information and communications technology;	To increase the use of the corporate document management system in order to improve administrative processes.	Medium-Term Aims Aim 1 – Safeguarding frontline services; Aim 2 – Have the lowest Council Tax in Essex; Aim 5 – Community Leadership and Advocacy;	Building on the initial feasibility work undertaken in 2005, the Customer Transformation Task and Finish Panel have developed a number of practical proposals to improve access to information and improve the customer experience when visiting the Civic Offices. In addition, the development of a Customer Relationship Management system will assist in the identification of areas for further improvement arising from National Indicator 14 (Avoidable Contact).

(b). On the Horizon –Key Objectives for Planning and Economic Development 2011/12

The following is the strategic action plan for 2011/12

PLANNING & ECONOMIC DEVELOPMENT OBJECTIVES	KEY CORPORATE OBJECTIVE	WHAT ACTIONS WILL WE TAKE TO ACHIEVE THIS OBJECTIVE?	INDICATIONS FOR SUCCESS
Responding to the Recession	As per KCO (1) & (2)	LEPs: What role will they play in informing local priorities and promoting local economy Economic Development and Town Centre projects	Revised Performance Measures
Economic Development	As per KCO (1) & (2)	Economic Development and Town Centre projects West Essex/M11 corridor economic Partnership/subregional LEP	Completion of Projects to timescales
Planning For Growth • Local Development	As per KCO (1) & (2)	Continue to deliver on the Core Strategy	Achieving milestones

PLANNING & ECONOMIC DEVELOPMENT OBJECTIVES	KEY CORPORATE OBJECTIVE	WHAT ACTIONS WILL WE TAKE TO ACHIEVE THIS OBJECTIVE?	INDICATIONS FOR SUCCESS
Framework <ul style="list-style-type: none"> Affordable Housing Regeneration/Town Centres 		Promote regeneration opportunities in Town Centres and wider District	
<ul style="list-style-type: none"> Review of Shared Service Opportunities 	As per KCO (5), (6) & (8) Medium Term Aims 2010-2014 (1) & (4)	The Directorate already participates in shared services in some areas. We are receptive to considering shared services with other Local Authorities; however the overarching criteria is ensuring that this will produce real savings and/or efficiencies.	Achieving milestones in the Improvement Plan
The Environment <ul style="list-style-type: none"> Climate Change Agenda 	As per the KCO doc	Complete the Corporate Climate Strategy and pursue energy efficiency improvements to Council stock	Complete the Corporate Climate Strategy
Value For Money	As per KCO (6)	Ongoing VFM (efficiency) Improvements and CIPFA Benchmarking	Minimise expenditure and maximise income
Performance/Efficiency Improvements <ul style="list-style-type: none"> Coordinate Admin Support across the Directorate Promote VFM in procurement Consolidate ERDMS Programme 	As per KCO (8) As per KCO (10)	Meet Improvement Plan Objectives	Meet Improvement Plan Criteria
To improve access to and information and customer service	As per KCO (8)	Customer Response times Comms Strategy (LDF) Website and ERDMS Improvements	Meet Improvement Plan Criteria
Continue improvement of processing planning applications	As per KCO (8)	Ongoing. Likely that NI 157 will be retained as a LI once the NI's are abolished.	Revised Performance Measures

(b). Risk Management

Risks that arise in the Directorate fall broadly within three categories – risk to accommodation and records, risks to personnel and risks to service delivery. The full risk register is shown in Appendix 7.

Appendix 5 is the Risk Capture Analysis identifying vulnerability, triggers and consequences of the main risks, together with a Risk Matrix (Appendix 6) plotting Impact against Likelihood.

It can be seen that a number of risks to service delivery are identified but only nine are above the 'tolerance' line. All others are considered to be either low probability or of low consequence. It is only necessary therefore to include management plans for those nine risks and these risks are identified and managed by the Risk Action Plan – Appendix 8.

RISK NO	CURRENT RISK SCORE	TARGET RISK SCORE	DESCRIPTION
8	B3	C3	Loss of budget and/or income DC, BC & P & C
12	B2	C2	Potential need to address Gypsy, Roma and Traveller incidents
14	B2	C2	Failure to attract sufficient community gains from s106 procedures
15	B2	C2	Fall in appeal success rate
24	B3	C3	Need to make B. Regs files available for public
33	B3	D3	Inability to 'backscan' additional files including secure destruction along with quality control processes due to insufficient funding
10	B3	D3	Lack of funding for Town Centre Officer
28	B3	D3	Lack of admin support for Trees and Landscape Team
30	B3	D3	Lack of admin support for Conservation team
RISK NO	CURRENT RISK SCORE	TARGET RISK SCORE	DESCRIPTION

(b). Business Continuity

Business Continuity Planning is progressing with measures in place to cover the first main area of risk – the protection and recovery of records and working files lost through fire or other impact upon accommodation. Copies, including computer records, exist of much of the resources, though some current working file papers are at risk. Electronic copying of archived records is now well underway and further work in relation to e-government initiatives will significantly aid the storing and recovering of working files.

Work continues on the preparation of the formal Business Continuity Plan.

(b). Crime and Disorder

The duty to have regard to crime and disorder is continuing to be addressed. Various policies of the Local Plan relate to safety; new developments may have regard to crime prevention in their layout and design.

The advisory leaflet: Designing Out Crime, produced by the Directorate is in the process of being reviewed, and the Town Centre Officer role includes crime prevention in broad terms within town centres.

(b). Equality and Diversity

A Corporate Equalities Working Group is leading on this subject and Planning and Economic Development is represented by the Assistant Director (Building). The Directorate initially undertook Impact Assessments during 2005 with action plans being produced from the assessments. The plans are now being updated. In January 2010 the Directorate undertook an Equalities Impact Assessment Screening exercise which reviewed its policies, strategies and plans associated with the provision of its services from this was produced a new framework of assessments which is currently being carried out. This is scheduled over a period of the next three years, which will aid the development and adoption of the Council's new Equality Strategy. As part of the Corporate Equalities Working Group we are investigating the practicality of including equality monitoring questions as part of our satisfaction surveys. If this is possible, we will analyse the outcome of this survey to see if there are significant differences in perception of the service by different groups of users.

(b). Value for Money:

Current arrangements

BENCHMARK OR COMPARATOR SOURCE	COMPARATOR GROUP	COMMENTARY
<p>Planning Services & Economic Development Department recognises the importance of Value for Money and is currently implementing measures to utilise CIPFA VFM data to monitor performance. Further work will be carried out to identify areas of under performance.</p>	<p>CIPFA closest fifteen authorities as generated by the new nearest neighbour model</p>	<p>DEVELOPMENT CONTROL: Since 2008-09, the data for planning appeals has not been recorded as value for money comparison, given it is no longer a national performance indicator, but a benchmarking snapshot in 2009 from data collected revealed appeal performance to be just above average and the 3rd best in Essex. The number of appeals received has fallen, which in value for money terms means less expenditure on external consultants and planning officers gaining further experience and knowledge within own budget.</p> <p>Authority dealt with a substantial number of planning related applications compared with others, using very limited outside resources and therefore relying on core staff. Major applications are dealt with by the most senior officers and administration support deal with many certificates of lawful development applications which represents good value for money. Customer views have generally been satisfied and performance measures were achieved in one category of application types. There is a current CIPFA benchmarking exercise underway looking at service charges and may offer the opportunity for planning fees to be set at a local rather than a national level.</p> <p>To the customer generally, there is a substantial amount of document records available on-line that has been added to in 2009-10 and is aiming to be completed in 2011 in respect of</p>

BENCHMARK OR COMPARATOR SOURCE	COMPARATOR GROUP	COMMENTARY
		<p>Development Control. In terms of value for money, this has allowed for a more effective and efficient service, saving on officer time, paper and promoting avoidable contact.</p> <p><u>FORWARD PLANNING, TREES & CONSERVATION</u> In order to achieve value for money the sections ensure they follow EFDC's adopted procurement policies which are reviewed and benchmarked to industry standards. Officer performance on planning applications in target time is measured as part of collated DC data as stated above. Current CIPFA (Nov 2010) benchmarking exercise will provide more information on level/quality of service delivery in relation to current service charges</p> <p><u>BUILDING CONTROL</u> In order to achieve value for money the section makes sure that it is delivering cost effective services. It is recognised that, over time, people's needs and expectations change, therefore it is necessary to constantly review how services are provided by consulting with stakeholders and the local community, and to compare performance against other Essex Authorities. The section has local performance indicators to aid this comparison and reviews help improvement by setting new performance targets, together with the identification of financial savings, and comparing the cost of ways in which the service is delivered with other organisations in both the public and private sectors. Training and developing of the staff provides efficient and effective services and the section have upgraded their accreditation to the prestigious Quality Assured ISO 9001: 2008 standard.</p>

Outlook

Local Authorities have in the past been subject to annual assessment of their arrangements for ensuring the provision of Value for Money (VFM) services by the Audit Commission. As the Audit Commission is now being abolished there is a need to establish different ways of establishing Value for Money principles. This is now being progressively replaced by a greater emphasis on Localism, where benchmarking is being considered to assist in the setting of fair charges by calculating local unit process costs. In this way a link will be able to be established with unit costs and fees charged by examining how this compares with fees charged. The Planning and Economic Development Directorate supports the enabling of local authorities to set their own fees that reflect local costs.

This is in line with the Corporate Plan Medium Term Aims 2010/11 to 2013/14 which requires that the council works towards having the lowest District Council Tax in Essex (section 2) and continuously improves efficiency by adopting new ways of working with our partners (section 4).

A Planning Services Benchmarking exercise is presently being conducted from 1st to 26th November 2010. It has been set up to help establish useful, comparable information about the real costs of providing services. Part of this is the exchanging of information and ideas between 'like for like' authorities who experience similarities in service provision and standards and is a key element of informed performance management decision making. Planning and Economic Development has recently joined the CIPFA Benchmarking Club to target key areas of management information such as;

- Establishing the true costs of Planning services, particularly unit process costs and how this compares with the fees we charge.
- How our Planning Services productivity and performance compare with similar local authorities.
- Identify possible areas where it is strategically viable to work in partnership with other local authorities.

(c). Resource Requirements

A number of factors including the economic recession, IT Development and staffing developments have combined to create challenging issues significantly impacting on resource availability for Planning and Economic Development.

A key element in the adoption of Electronic Documents Records Management System (EDRMS) is the enabling of long term resilient electronic framework for electronic records. The aim is to provide easy access for the residents of Epping Forest District Council and other users of Planning and Economic Directorate services. This will enable the Directorate to move over a period of time towards a "Paperless" office environment. However the short term costs in fully implementing this may well mean that ICT and records scanning will be high with significant savings not immediately apparent. Clearly linked to ICT developments is the streamlining of the Planning Support Team with the proposed review of the administration support due to be implemented from 1st April 2011. Due to these changes, there will be a need to provide effective and efficient cross team support. Accordingly there will be a need for regular reviews to promote resilience and Value for Money at the same or less net cost to the Directorate.

Work continues in implementing efficiency savings, in reducing the use of paper by actively promoting the placing of electronic planning records on the Corporate Website, in restructuring the Countrycare Team and promoting self sufficiency within Building Control. Challenges that we wish to overcome are the issues of support for the Town Centre Partnership especially the ongoing funding of the Town Centre Officer post along with the benchmarking of Planning Services to aid in the charging of economic fees.

(d). Workforce Planning and Development

The Directorate has a clear program of staff development with a number of staff attending external training. The directorate considers that its staff development programme has contributed to the improved staffing position with a number of staff members qualified at Masters Degree level or above.

Continued Professional Development for professional staff is also supported. The combination of external development has helped staff in terms of their CPD and membership of professional bodies.

94% of the Directorate Personal Development Reviews were completed by 1st April 2010, with the percentage increasing to 96% by 1st May 2010. As in previous years arrangements are in place to ensure that all managers who conduct PDR's, do not exceed the limit of six.

A strategy for absence monitoring is in place with absence reported regularly to Directorate Management Team Meetings. A table summarising absence levels for the period October 2009 to September 2010 is contained in Appendix **XX**.

In the period under review September 2009 to October 2010, the directorate lost 164 days due to short term sickness, and 142 days due to long term sickness, totalling 296 lost days. This equates to just under 2% of work days being lost due to all types of sickness absence. The average sickness absence per staff member has been maintained at 4.68 days which compares favourably with a similar period last year of 5.6 days per member.

Detailed Workforce Planning Information is contained in **Appendix WW** attached.

PART B DIRECTORATE SERVICE PERFORMANCE AND DEVELOPMENT

SECTION 6 FORWARD PLANNING

5.1 KEY FUNCTIONS

Issues and Options consultation (summer 2011) on the Core Planning Strategy of the Local Development Framework

Annual Monitoring Report – key requirement of the new development planning

Climate Change Strategy (incorporating NI 185, 186, 188 and 194, and Green Travel Plan)

Fuel Poverty Outreach Referral and the London Commuter Belt Energy Efficiency and Fuel Poverty Initiative (incorporating NI187)

Promotion of sustainable economic development and tourism

Partnership working to secure the future viability and vitality of the district's town centres

Engagement with the Local Enterprise Partnership.

Continued input and involvement with the Joint Investment Plan and Local Enterprise

Partnerships (LEPs)

5.2 STAFFING SUMMARY

Planning Policy includes Forward Planning, Economic Development and Environmental Co-ordination. The Forward Planning team comprises 5 permanent professional posts (FP Manager, Principal Planning Officer, Senior PO, PO and Information and Technical Officer) supported by a Forward Planning Assistant. Due to resignation the Senior PO post is currently vacant. There is also a Senior PO/Consultation post on a 2-year contract which started in May 2010.

Economic Development has 2 professional staff, one concentrating on town centres. The EDO will be on maternity leave from late 2011. The TCO is funded for 3 years (from October 2008), but the current budget will be spent by the end of July 2011 because the post-holder, who is agency, is on a slightly higher rate of pay than that established for the post. It is intended that the TCO will take over the EDO's role for the period at least until July, but this will mean that some EDO and TCO projects will have to be given lower priority.

5.3 KEY OBJECTIVES

Priority Service Objectives

This area of the Planning Directorate has identified the following priority service objectives for this business plan:

Presume relating to existing corp plan as 2011-15 not scoped sufficiently?

Objective	Council plan or other ref	Background
2 Core Planning Strategy	Cabinet Key Objectives 1 and 9; Council Plan GU1, GU4, HN1, EP3, EP5 LAA2 Priority 2, 5, 8, 9, 10	The Core Planning Strategy is a key part of the Local Development Framework, and will set the objectives and strategic directions for growth in the district up to 2031. There may be a need to consider co-ordinated working arrangements with neighbouring authorities to deliver aspirations for regeneration and growth.
3 Annual Monitoring Report	GU4; EP3	Key requirement of the new development planning system. Must be completed by December each year for the preceding financial year. Will be considered by the

		Local Development Framework Cabinet Committee.
6 Climate Change Strategy	Housing KPO 13; Council Plan GU1, GU2 LAA2 Priority 9	National Indicators 185, 186, 188 and 194
7 Fuel Poverty	Council Plan EP5	National Indicator 187
8 Promotion of sustainable economic development and tourism VW to provide an update	Cabinet Key Objective 5; Council Plan SC1, EP2; EP3, EP5, EP6 LAA2 Priority 8	The Council's commitment to economic development is set out in the Economic Prosperity theme of the Council Plan and is also evident in the recently approved KPOs. Beyond this, the Council will need to engage with the government's new Local Enterprise Partnership (LEP) structure on economic development matters and is likely to formalise sub-regional partnership working at the M11/West Essex level in order to fully input into the broader LEP (which is currently set to cover Kent, Greater Essex and East Sussex).
9 Partnership working to help secure the future viability and vitality of the district's town centres. VW to provide an update	Cabinet Key Objective 5; Corporate KPO 1;? Planning KPO14;? Council Plan SC1; EP2; EP3; EP5; EP6 LAA2 Priority 8	Objective 8 is intrinsically linked to this objective and vice-versa. The Council supported and promoted the establishment of Town Centre Partnerships in the late 1990s and remains committed to further developing them to continue to play a strong role in helping to address the challenges being faced by the district's centres (see EP6).
10.Engagement with the Local Enterprise Partnership.		The mechanism for this is currently being assessed. It is likely that there will be a sub regional West Essex LEP

The actions (and relevant targets) for achieving these objectives are detailed in section (d) of this part of the business plan.

5.4 CHALLENGES AND ISSUES LIKELY TO BE FACED IN 2010/11 and 2011/12

(a). Core Strategy:

- Should be prepared taking into account the Key Objectives of the Sustainable Community Strategy published by the Local Strategic Partnership;
- Corporate recognition of, and contribution to, the LDF, and support for the establishment of the Evidence Base;
- Partnership working with other public sector organisations is required in the preparation and adoption of the Core Planning Strategy;
- The coalition government's emphasis on community engagement needs to be taken into account in the review of the Local Development Scheme;
- The East of England Plan has not yet been formally revoked (following the Cala Homes judgement of 10th November 2010). The government has stated that, despite this decision, it will revoke Regional Spatial Strategies as soon as possible after the enactment of the Decentralism and Localism Bill;
- LDF budget – given the number of changes that have occurred since the budget was allocated (eg all the work on the Gypsy and Traveller DPD, the change in government and the introduction of the "Big Society" agenda), it will be important to continue to monitor and review the budget, and the timescale;
- Reliance on consultants to prepare much of the evidence base;
- Public engagement – a Communications Strategy has been agreed by the LDF Cabinet Committee and this will form the basis for community engagement in the preparation of

the Core Planning Strategy. There are concerns that the Issues and Options consultation for the Gypsy and Traveller DPD has had long-term negative consequences for the Council's relationship with the local community. It is hoped that the Communications Strategy will start to repair these relations.

(b). Climate Change Strategy **see Sarah's e-mail**

- corporate so requiring input from, and implementation by, all Directorates
- limited officer resource within Planning Directorate – four National Indicators deal with this issue (185, 186, 188 and 194)
- funding not yet secured for a wide range of projects and initiatives

(c). Fuel Poverty **see Sarah's e-mail**

- limited officer resource and budget – one National Indicator applies (NI 187)
- implementation and completion of London Commuter Belt Energy Efficiency and Fuel Poverty Initiative

(d). Sustainable economic development and tourism:

- limited officer resource and budgets
- challenge in formalising sub-regional (M11/West Essex) working and in the establishment and effective operation of the new LEP structure
- Challenge in ensuring that the local area captures optimum benefit from the London 2012 Games and most significantly the legacy operation of the Lee Valley White Water Centre.

(e). Town centres

- limited officer resource to work across the six centres to deliver initiatives and to help build capacity in the Town Centre Partnerships
- time-limited funding of both the Town Centre Officer post and of the current increased Council contributions to the Town Centre Partnerships
- general lack of external funding available for local authorities/private sector partnerships to deliver/sustain projects and activities
- work required to improve or gain the right representation on some Town Centre Partnerships
- implementation of briefs for Debden Broadway and St John's Road, Epping could be affected by current economic climate, and limitations of influence on the private sector. St John's Road work is yet to proceed through broader stakeholder and public consultation phases and formal Council approval procedures.

(f). Engagement with Local Enterprise Partnerships

- The LEP for this area includes Essex, Kent and East Sussex – there is real concern that the needs of the M11 corridor, including this Council, will be lost or overshadowed by other major issues – eg Thames Gateway, a new Thames crossing, the Haven Gateway, coastal towns etc;
- Need to engage with LEPs covering north London and Hertfordshire, latter because of links with Harlow's potential growth;
- A "sub-regional" LEP including this Council, Harlow and Uttlesford should continue to meet to ensure that key priorities are identified and delivered;
- Monitor progress and status of Integrated County Strategy and its input to the LEP

(g). Strengths and Weaknesses

In the formulation of this Business Plan, a SWOT Analysis has been carried out to examine how the challenges and issues could be managed by the Forward Planning Team

STRENGTHS	WEAKNESSES
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TBA	TBA
OPPORTUNITIES	THREATS
TBA	TBA

5.5 PERFORMANCE INDICATORS

(a). National & Local Indicators

As the preparation of Business Plans for 2010/12 needs to be commenced before the end of 2010, performance against relevant indicators for the final quarter of the year cannot be reported, and will therefore be carried forward for inclusion in the review of the Business Plan in early 2011.

PERFORMANCE INDICATOR	TARGET 2009/10	PERFORMANCE			
		2008/09 (Q4 & OUTTURN)	2009/10 (Q1)	2009/10 (Q2)	2009/10 (Q3)
NI151* – overall employment rate. VW to provide an update	2010/11 target 2.9% above England	Annual figure only 2009/10 – 73.3			
NI154 – Net additional homes provided (need to speak to SK about this – the first column last time round was the residual annual number, while the 4 performance columns are cumulative – the table might need to make this clearer)	Still being discussed – SK will advise by the end of the week	157	33	61	93
NI159 – Supply of ready to develop housing sites	100%	212.39%	Annual Figure only		
NI163* – Proportion of population aged 19–64 for males and 19-59 for females qualified to at least Level 2 or higher VW to provide an update	2011/12 target 63.8	Annual figure only 2009/10 result – 65.8%			
NI164* – Proportion of population aged 19-64 for males and 19-59 for females qualified to at least Level 3 or higher VW to provide an update	2011/12 target 39.6	Annual figure only 2009/10 result – 40.3			
NI165* – Proportion of population aged 19-64 for males and 19-59 for females qualified to at least Level 4 or higher (Local indicator) VW to provide an update	2011/12 target 22.3	Annual figure only 2009/10 result 29.8			
NI166 – Median earnings of employees in the area (Essex	District data not available due to low	County 2010/11 target is £504.19/week			

PERFORMANCE INDICATOR	TARGET 2009/10	PERFORMANCE	2009/10 (Q1)	2009/10 (Q2)	2009/10 (Q3)
		2008/09 (Q4 & OUTTURN)			
only target) VW to provide an update	confidence at this level.	(2009/10 result was £491.90/week)			
NI170 – (Percent of) Previously developed land that has been vacant or derelict for more than 5 years	No more than 1.0%	Not yet available	Annual Figure only		
NI171 – New business registration rate VW to provide an update	2010/11 target is 90 per 10,000 adult population	2009/10 result available Jan 11/ 2008/09 result 95.6			
NI185 - % CO2 reduction from local authority operations	Not set				
NI186 – per capita CO2 emissions from the local authority area	3.0%				
NI187 – tackling fuel poverty - % people receiving income-based benefits living in homes with a low and high energy efficiency rating	11.5%	Annual figure only (2008/9) – 12.0%			
NI188 – Planning to adapt to climate change	Level 2	Annual measurement only (2008/9) – Level 1			
NI194 - % reduction in NOx and primary PM10 emissions through local authority's estate and operations	Not set				
LPI143 Completion of Local Development Scheme	Delayed by factors outside the control of the Council				
LPI144 Achievement of Milestones in Local Development scheme	Not set				

Indicators that do not have information will be updated as that information becomes available.

Asterisks after the NI number indicate targets set by Essex Partnership/LAA2 for each Essex local authority in order to meet county-wide 2010/11 targets. Appear to exceed in 2008/9 but seek to maintain/improve – the Council has committed itself to “have regard” to these indicators.

(c). **Internal Indicators** No Internal Performance Indicators relate to this area of the directorate.

5.6 ACTION PLANS

(a). **Action Plan 2010/11 - Review**

Performance against previous Business Plan targets from the 2009/10 business plan shown below:

ACTION	SOURCE	TARGET	PROGRESS/ PERFORMANCE
Review and maintain Local Development Scheme	Requirement of PPS12 and Regulations	Review delayed until completion of Harlow Options Appraisal (January 2010).	Meeting with GO-East and East Herts and Harlow Councils programmed for late February 2010 to discuss co-ordinated new LDSs.
Meet milestones in current LDS	GU4	No targets as there is not a current or valid LDS	
Publish Annual Monitoring Report	GU4	31/12/09	Achieved
Prepare and co-ordinate Evidence Base studies (Please see Appendix XX attached)	GU1; GU4; HN1; EP3	May 2009	Strategic Housing Market Assessment completed January 2010. Landscape Character Assessment, Landscape Sensitivity Analysis and Local Wildlife Sites Review completed late 2009. Town Centres Study and PPG17 Open Spaces Audit nearing completion. Employment Land Review and Viability Study for SHMA programmed to be completed by end of March 2010. Work on Strategic Flood Risk Assessment continues, hoping for completion by end of March. Consideration needs to be given to commissioning the Strategic Housing Land Availability Assessment and an updated study of the glasshouse industry.
Assess implications of EEP review..	GU1; GU4; HN1	Consultation anticipated spring 2010	Meeting the consultation deadline (a period of 12 weeks is expected). This could be significantly affected by a change of government.
Promotion of the Vision and Development Brief for Debden	EP2; EP3; EP5; EP6	Ongoing	Subject of ongoing work between the Council and various stakeholders. Forward Planning to continue to liaise externally and assist other Council offices (i.e. Estates, Development Control) & ensure proposals recognised in emerging LDF documents.
Preparation of the Design and Development Brief for the St John's	SC3; EP3; EP6	Spring/Summer 2011	Work on Brief has progressed during 2010 with a period of public consultation on work and emerging development options

ACTION	SOURCE	TARGET	PROGRESS/ PERFORMANCE
Road area, Epping			expected to be undertaken from January 2011. WISE TO REVISIT WORDING IN LATER DRAFT – THINGS CHANGE!
Publish combined Local Plan and Alterations document and revised Proposals Map	GU1	July 2008	Combined policies document published February 2008. Publication of amended Proposals Map delayed by other work priorities, but intend completion by summer 2010.
Member training on LDF issues	GU4	Ongoing	Take up of PAS and other appropriate courses, although again could be affected by change of government.

(b). Action Plan 2011/12 (Forward Look)

The action plan below sets out the actions to be carried out in this service area to meet:

- The Key Objectives set out in section (a) of this section of the Business Plan.
- Any recommendations made in internal audit or external inspection reports.
- The actions required to improve performance against indicators.
- Actions carried forward from the last plan.

This action plan will be reviewed and updated during January to March 2011, as part of the process for updating this plan for 2011/12.

ACTION OBJECTIVE	COUNCIL PLAN OR OTHER REF	RESPONSIBLE OFFICER	TARGET DATE	RESOURCES / BUDGET
Gypsy and Traveller DPD	HN2	IW	Dependent on outcome of proposed Ministerial meeting, and of any legislative changes after the general election.	Local Development Framework Budget
Agree new Local Development Scheme with GO-East, East Herts and Harlow	GU4; EP3; LAA2 Priority 2	IW/AW	June 2010	Existing staff
Core Strategy Issues and Options consultation	GU1; GU4; HN1; EP3	AW/IW	Late summer 2010	LDF budget
Harlow Options Appraisal	GU1; GU4	IW/AW	Completed January 2010. To be reported to March Committee cycle.	GAF
Review of East of England	GU1;	IW/AW	2011, but	Existing staff

ACTION OBJECTIVE	COUNCIL PLAN OR OTHER REF	RESPONSIBLE OFFICER	TARGET DATE	RESOURCES / BUDGET
Plan	GU4; HN1; EP3		dependent on outcome of general election.	
Stansted G2 Public Inquiry	EP3; EP5	JP/IW	2010	External consultants
Revise draft Statement of Community Involvement	GU4	IW	Summer 2010	LDF budget
Strategic Housing Market Assessment (part of Core Strategy evidence base)	GU1; GU4; EP3 LAA2 Priority 2	AW	Completed January 2010. Viability study should be completed March 2010.	LDF budget
Strategic Housing Land Availability Assessment (CS evidence base)	GU1; GU4; EP3; LAA2 Priority 2	AW/KW	To be commissioned early 2010	LDF budget
Strategic Flood Risk Assessment (CS evidence base)	GU4	IW	May 2010	Existing staff
Town Centres Study (CS evidence base)	GU4; LAA2 Priority 8	KW	March 2010	LDF budget
Landscape Character and Sensitivity Analysis (CS evidence base)	GU4; LAA2 Priority 10	IW/ C Neilan	Completed end 2009	LDF budget
Review of County Wildlife sites (CS evidence base)	GU4	IW/ P Hewitt	Completed end 2009	LDF budget
PPG17 Open Spaces Audit (CS evidence base)	GU4; LAA2 Priority 10	AW/LM	March 2010	Existing staff and LDF budget
Employment Land Review (CS evidence base)	GU4; LAA2 Priority 8	IW/AW/KW/SK	March 2010	LDF budget
Updated glasshouse industry study	GU4; EP3	IW/AW	TBC	LDF budget
Annual Monitoring Report	GU4	SK	December 2010	Existing staff
Completion of (i) strategic, (ii) planning, (iii) housing (private and social) and (iv) waste and recycling tasks in Climate Change Strategy (CCS). This includes cutting the Council's carbon footprint (from buildings and transport), and those tasks which will enable adaptation to climate change.	GU1; GU2; LAA2 Priority 9	SC	March 2011	Existing staff, but funding not secured for many projects/initiatives
Community engagement tasks in the CCS	GU1; GU2; LAA2	SC	On-going	Funding not secured

ACTION OBJECTIVE	COUNCIL PLAN OR OTHER REF	RESPONSIBLE OFFICER	TARGET DATE	RESOURCES / BUDGET
	Priority 9			
Completion of London Commuter Belt Energy Efficiency and Fuel Poverty Scheme	EP5; LAA2 Priority 9	SC/Lyndsay Swan	March 2011	Funding secured
Response to Audit Commission Key Line of Enquiry on Use of Natural Resources	GU2; HN5; IP5	SC	To meet Audit Commission deadlines	Corporate input and support
Finalising of St John's Brief		Economic Development Officer	Autumn 2011	LDF budget, Corporate input and support
Town Centre Improvement projects/business engagement		Town Centre Officer	Ongoing	Corporate input and support/LABG I
Olympics		Economic Development Officer/Town Centre officer	Summer 2012 and legacy work beyond	Corporate input and support and cross Council partnership working
Kent/East Sussex and Essex LEP including sub-regional M11/West Essex LEP working group		Economic Development Officer/Town Centre officer	Ongoing	Corporate input and support and cross Council and business partnership working

SECTION 6. CONSERVATION

6.1 KEY FUNCTIONS

- Give information and advice on new development in relation to historic buildings and conservation areas to development control
- Produce up to date character appraisals and management plans, including review of boundaries for our 25 conservation areas.
- Enable enhancement and joint grant schemes
- Maintain Local List initiative
- Enable Historic Buildings grants (EFDC)
- Provide advice on maintenance and repairs of historic buildings and buildings within conservation areas
- Advise on “curtilage” development in relation to historic buildings
- Advise members of the public on development in relation to historic buildings and conservation areas and FOI requests relating to same
- Produce and distribute up to date advisory leaflets and articles
- Issue urgent works and repairs notices and Building Preservation Notices
- Monitor Buildings at Risk Register
- Carry out Listed Building and Conservation Area prosecutions & enforcements
- Urban design advice

6.2 STAFFING SUMMARY

- (a). The conservation section consists of one Conservation Officer (PPC 13) although a Technical support officer for Conservation (PPC18C) has been in post since July 2010. This is a one year fixed term post. There is also temporary administrative assistance in the Conservation team from September 2010 to January 2011
- (b). Essex County Council (ECC) provides advice on most applications for Listed Building Consent and all matters relating to archaeology and Scheduled Ancient Monuments under a service level agreement set up in 2008 (for period 2008/2011). The staffing resulting from this service level agreement is:
- 1 x Senior Historic Building Adviser (p/t)
 - 1 x Archaeologist (p/t)

Following discussions with ECC it is likely that a service level agreement will be agreed for 11/12 but not for a three year period. This is due to the fact that ECC and District Councils are in discussions over alternative service delivery options including joint working from 2012

6.3 KEY OBJECTIVES

(a). **Priority Service Objectives**

This area of the Planning Directorate has identified the following priority service objectives for this business plan:

Objective	Council plan or other ref	Background
1. Protect and manage the character and appearance of our conservation areas.	Local Plan	<ul style="list-style-type: none"> • The Council is planning to publish management plans and character appraisals for Staples Road, Baldwins Hill and York Hill Conservation Areas in 2010. • Work is underway on the character appraisal and management plan for

Objective	Council plan or other ref	Background
		Copped Hall
2. Enhance the character of our conservation areas via minor enhancement schemes.	Local Plan	<ul style="list-style-type: none"> Enhancement scheme for Epping (installation of benches) has been achieved. Other projects will be brought forward as the character appraisals are completed.
3. Protect the built heritage of the district	Local Plan	<ul style="list-style-type: none"> The successful Local List project will be continued The Conservation team will also assist property owners or other interested parties who are interested in getting buildings formally listed in conjunction with English Heritage. Continue Historic Buildings Grants Scheme – specifically targeting Buildings at Risk and Commercial buildings. One formal application has been received
4. Ensuring ECC responses are timely and accurate, and that the service given is cost effective.		Owing to the pressure on meeting performance targets it is essential to monitor the speed of ECC responses. This will be done through regular officer meetings and quarterly management meetings with ECC. The quality of service is also to be considered as this is equally as important as the speed of service.
5. Ensure internal responses to DC consultations are timely.		Owing to the pressure on meeting performance targets it is essential to monitor all DC consultations and ensure a timely response.

The actions (and relevant targets) for achieving these objectives are detailed in section (d) of this part of the business plan.

6.4 CHALLENGES AND ISSUES LIKELY TO BE FACED IN 2010/2011 AND 2011/12

(a). Character Appraisals and Management Plans.

Some of the backlog of work has been cleared by the Conservation Officer. The most significant area that remains outstanding is the production of Character Appraisals and Management Plans. A one year fixed term technical support officer post was created and filled in July 2010. This post has expedited the production of some of the character appraisals and management plans. However, the lack of a permanent Assistant Conservation Officer has an impact on the ability to meet targets, in the longer term.

(b). Strengths and Weaknesses

In the formulation of this business plan a SWOT analysis was carried out, the results of which are shown below

STRENGTHS	WEAKNESSES
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<p>Staff resource providing quality service to Development Control and general public Ability to respond to existing and future National Policy and Guidance Local Knowledge Dedicated team Familiarity with Council Aims and Objectives Availability of County support</p>	<p>Lack of staff resources No long term arrangement for staff coverage for absences from the office including annual leave and sickness (this is currently not an issue) Reliance on County support Lack of Urban Design expertise Reliance on intermittent temporary staff impedes forward planning</p>
OPPORTUNITIES	THREATS
<p>E-Government Develop in house skills Continuing Professional Development Develop Urban Design expertise Including up to date information on GIS layers and on website Opportunity for succession planning</p>	<p>Reduced resources to achieve targets, including delivery of up to date Character Appraisal and Management Plans and updating Conservation Area leaflets and website Growth of discharge of condition applications Increase in applications workload Conservation is unrecognized as a key issue and statutory duty with Members Increase in number of pre-application discussions</p>

(c). Service reviews, and issues arising from them

This area of the service has not been the subject recent internal or external review.

6.5 PERFORMANCE INDICATORS

(a). National & Local Indicators

There will be a general comment re National Indicators being abolished.

(b). Insertion of Performance Management Information in this Business Plan.

As the preparation of Business Plans for 2009/10-2010/11 needs to be commenced before the end of 2010/11, performance against relevant indicators for the final quarter of the year cannot be reported, and will therefore be carried forward for inclusion in the review of the Business Plan in early 2011. Targets have been underachieved due to the intermittent nature of temporary staff.

6.6 ACTION PLANS

(a). Action Plan 2010/11 - Review

Performance against previous Business Plan targets from the 2009/10 business plan is as shown below:

Action	Source	Target	Progress/ Performance
Complete Character Appraisal and Management plan for York Hill	GU3	Q3 2009/10	York Hill currently in progress – Completion anticipated Q4

Complete Character Appraisal and Management plan for Staples Road	GU3	Q3 2009/10	Staples Road currently in progress – Completion anticipated Q4
Complete Character Appraisal and Management plan for Baldwins Hill	GU3	Q3 2009/10	Baldwins Hill currently in progress – Completion anticipated Q4
Complete Character Appraisal and Management plan for Waltham Abbey	GU3	Q4 2009/10	Held in abeyance due to lack of resources
Publish Character Appraisal and Management plan for Epping	GU3	Q1 2009/10	Published in November 2009
Publish Character Appraisal and Management plan for Bell Common	GU3	Q2 2009/10	Published in February 2010
Identify priorities for future Character Appraisal and Management plan	GU3	Q3 2009/10	Identification carried out in Q4 of 2008/09
Next tranche of Character Appraisal and Management plans	GU3	Q3 2010/11	3 Loughton Conservation Area Character Appraisals and Management plan being worked on – Q4
Epping Conservation Area Enhancements	EP2	Q3 2009/10	Completed Q3
Identify priorities for future enhancements from Character Appraisals	EP2	Q4 2009/10	In progress
Monitoring of ECC Specialist advice	PO16	Quarterly Ongoing	Ongoing
Establish system for prioritising and monitoring DC consultations	IP3 PO16	Q1 2009/10	Ongoing
Carry out ongoing monitoring of workload and performance	IP3 PO16	Q2 2009/10	
Investigate Development M3 enquiry system (or other) for recording pre-application discussion		Quarterly Ongoing	

(b). Action Plan 2011/12 (Forward Look)

The action plan below sets out the actions to be carried out in this service area to meet the Key Objectives set out in section (a) of this section of the Business Plan.
Any recommendations made in internal audit or external inspection reports.
The actions required to improve performance against indicators.
Actions carried forward from the last plan.

This action plan will be reviewed and updated during January to March 2011, as part of the process for updating this plan for 2011/12.

Action/Objective	Council Plan Or Other Ref	Responsible Officer	Target Date	Resources/ Budget
Complete Character Appraisal and Management plan for York Hill*		EH	Q4 2010/11	Existing Internal + temporary staff when available
Complete Character Appraisal and Management plan for Staples Road*		EH	Q4 2010/11	Existing Internal + temporary staff when available
Complete Character Appraisal and Management plan for Baldwins Hill*		EH	Q4 2010/11	Existing Internal + temporary staff when available
Identify Next tranche of Character Appraisals and Management plans		EH	Q4 2010/11	TBC
Epping Conservation Area Enhancements	EP2	EH	Q3 2009/10	Existing resource + Epping Town Council
Identify priorities for future enhancements from Character Appraisals	EP2	EH	Q4 2009/10	Existing resource
Monitoring of ECC Specialist advice	PO16	EH + AD (Development)	Quarterly Ongoing	Existing resource
Carry out ongoing monitoring of workload and performance	PO16	EH + AD (Environment)	Monthly ongoing	Ongoing
Update existing Conservation Area leaflets and publish on the website*		EH	Q4 2010/11	Temporary staff when available
Complete character appraisal for Copped Hall		EH	Q4 2010/11	Help from Copped Hall Trust

*These will only be achieved by employing an extra member of staff to carry out the necessary work

SECTION 7. TREES & LANDSCAPE

7.1 KEY FUNCTIONS

- Influence the strategic framework potentially affecting the future landscape of the District, through e.g. The Green Arc; The Harlow and Environs Green Infrastructure Plan;
- Generate Tree and Landscape policy;
- Protect trees, using Tree Preservation Orders (TPO's) where necessary;
- Administer the making and confirmation of TPO's;
- Advise on the range of tree and landscape issues in relation to development;
- Deal with requests for works to protected trees, in Conservation Areas and where TPO's apply;
- Develop community engagement in Tree and Landscape initiatives, including the production of Tree Strategies; and (with Countrycare) direct the Community Tree Warden Scheme
- Deal with hedgerow cases, under the countryside Hedgerow Regulations and the High Hedge legislation;
- Deal with breaches of TPO, Conservation Area or Hedgerow Protection legislation, including prosecutions where necessary and appropriate.

7.2 STAFFING SUMMARY

The team comprises 1 Principal Officer, 2 professional Tree and Landscape Officers, 1 Technical Officer. Future Jobs Fund (work experience) post to March 2010.

7.3 KEY OBJECTIVES

(a). **Priority Service Objectives**

This area of the Planning Directorate has identified the following priority service objectives for this business plan:

Objective	Council plan or other ref	Background
1 Complete a Green Infrastructure Plan for the District	GU4	Essential for the LDF core strategy.
2 Protect landscape character within the District	EFDC Combined Policies Feb 2008, Land & Landscape	Landscape protection given high priority in the LDF.
3 Protect trees within the District	EFDC Combined Policies Feb 2008, Land & Landscape; &Tree Strategy, 2008	Landscape protection given high priority in the LDF, and a duty under S198 of The Town & Country Planning Act 1990.
4 Maintain public support for and involvement with the objectives of the team	IP4	Ensure delivery of customer focused service

The actions (and relevant targets) for achieving these objectives are detailed in section (d) of this part of the business plan.

7.4 CHALLENGES, TARGETS AND ISSUES LIKELY TO BE FACED IN 2011/12

(a). **Green Infrastructure Plan**

Work is continuing on the development of a Green Infrastructure Plan. Identifying and recognizing the special place of landscape in the identity of the district, within the LDF core

strategy continues to be a major challenge. The team has also absorbed a major element of new workload, as a result of the revocation of all Essex County TPO's in 2010. The major weakness within the team is the lack of any dedicated admin support. Up to March 2010 there is a FJF post assisting with work in both the Trees & Landscape and Conservation team.

(b). Strengths and Weaknesses of the Team

In the formulation of this business plan the existing SWOT analysis has been updated, as shown below

STRENGTHS	WEAKNESSES
<p>Strong Investment in development of team members, leading to retention of staff. Excellent team skills. Strong team identity and positive approach. Positive relationships with other teams. Good support for CPD. Ability to undertake strong community based initiatives, eg Tree Strategies; landmark trees, with Countrycare involvement and support. IT systems now embedded in procedures</p>	<p>Not resourced to be pro-active in relation to implementation of landscape schemes/ tree protection plans No dedicated administrative support. Not resourced to take on all enforcement cases without impact on other areas of work Out of date and limited Tree strategy for the District, not fully taking account of Planning issues Highway constraints have resulted in limited involvement in Town centre Enhancement schemes.</p>
OPPORTUNITIES	THREATS
<p>Development of new District Tree Strategy could integrate planning priorities for trees and landscape into the wider strategic framework. Discharges of conditions applications allow impact on greater number of sites. Continuing program of Community Tree Strategies could extend effectiveness of work of the team, and degree of public involvement. Involvement in Safer Cleaner Greener initiatives could link team to wider agenda. Further development of 50 Favourite Trees database can support tree protection. Further development of ICT capabilities Develop involvement in Town Centre strategies by developing approaches that address concerns of Highways.</p>	<p>Inability to recruit new staff to react to increases in workloads. Not fully resourced to react adequately to new demands such as new discharge of conditions applications. Not fully resourced for increased workload of applications arising from increased number of TPOs. Not fully resourced for workload of Major applications, arising from the government's growth agenda. Changes to Permitted Development rights increasing threats to trees Hot and dry summer, leading to increased compensation claims for TPO tree decisions.</p>

(c). Service reviews, and issues arising from them

This area of the service has not been the subject recent internal or external review.

7.5 PERFORMANCE INDICATORS

(a). National Indicators

As the preparation of Business Plans for 2011/12 needs to be commenced before the end of 2010/11, performance against relevant indicators for the final quarter of the year cannot be reported, and will therefore be carried forward for inclusion in the review of the Business Plan for 2011/12

(b). Local Indicators

No Internal Performance Indicators relate to this area of the directorate.

7.6 ACTION PLANS

(a). Action Plan 2010/2011 - Review

Performance against previous Business Plan targets from the 2009/10 business plan is as shown below:

Action	Source	Target	Progress/ Performance
Identify partners and funding for a further series of Community Tree Strategies		March 2010	Not achieved; deferred to allow completion of Essex TPO re-protection program by earlier deadline of March 2010
Implement and monitor review of all ECC TPO's, prioritising most urgent cases		Revised target of March 2010	On target as at February 2010. Likely to be achieved
Monitor all TPX applications to ensure response on 90% within 6 weeks	IP3	Monthly monitor	Ongoing
Ensure that all TPO and High Hedge applications (exc. Subsidence cases) are dealt with within 8 or 12 weeks respectively	IP3	Monthly monitor	Ongoing
Continue to monitor all DC consultations and ensure response on 90% within 14 days	IP3	Monthly monitor	Ongoing
Ensure that results of veteran tree hunt are shown as constraints in relation to DC applications		March 2010	In hand as of Feb 10, and likely to be achieved

(b). Action Plan 2011/12 (Forward Look)

The action plan below sets out the actions to be carried out in this service area to meet:

- The Key Objectives set out in section (a) of this section of the Business Plan.
- Any recommendations made in internal audit or external inspection reports
- The actions required to improve performance against indicators
- Actions carried forward from the last plan

This action plan will be reviewed and updated during January to March 2011, as part of the process for updating this plan for 2011/12.

Action/Objective	Council Plan Or Other Ref	Responsible Officer	Target Date	Resources/ Budget
Identify partners and funding for a further series of Community Tree Strategies		C Neilan	March 2011	From existing
Continue to monitor DC consultations and ensure response on 90% within 14 days	IP3	C Neilan	Ongoing	Conservation policy budget PP 100 3380
Monitor all TPX applications and ensure response on 90% within 6 weeks		C Neilan	Ongoing	Conservation policy budget PP 100 3380
Ensure that all TPO applications and High Hedge applications (exc. Subsidence cases) are dealt with within 8 and 12 weeks respectively.		C Neilan	Ongoing	Conservation policy budget PP 100 3380
Contribute to revised Tree Strategy for the District		C Neilan	March 2011	From existing
Green Infrastructure Plan for the District	GU4 LAA2 Priority 10	C Neilan	March 2011	Existing DDF budget

SECTION 8. COUNTRYCARE

8.1 KEY FUNCTIONS

- To conserve and promote the landscape and biodiversity value of the Epping Forest District
- To improve public access to the countryside and provide for informal recreation
- To promote a greater understanding and respect for the countryside
- To involve and educate local communities and schools in all aspects of the Service's work
- To manage and guide the maintenance of the District's 9 Local Nature Reserves
- To promote and support the designation of new Local Nature Reserves and the Local Wildlife Sites network across the district
- To implement the goals of the Council's Community Plan
- To provide Development Control planning application advice
- To implement the targets set out in the Epping Forest Biodiversity Action Plan
- To co-ordinate the Epping Forest Tree Wardens Scheme

8.2 STAFFING SUMMARY

There are four permanent members of staff within Countrycare. Throughout the year Countrycare is supported by a range of volunteers. These include tree wardens, work placement students, practical conservation volunteers. Their support is fundamental to the service achieving many of its objectives. Two short-term contractors are working as Countryside Assistants until March 2011. In addition a Tree and Woodland Officer is in post until March 2011. Countrycare is also bidding for a post of Trainee Countryside Assistant in November 2010.

8.3 KEY OBJECTIVES

(a). **Priority Service Objectives**

This area of the Planning Directorate has identified the following priority service objectives for this business plan:

OBJECTIVE	COUNCIL PLAN OR OTHER REF	BACKGROUND
1. Continue to produce an Annual Report highlighting the achievements of the service.	SC3, FL3	The annual review of the Services achievements will be posted on the Council's website. Celebrate 25 years of Countrycare.
2. Co-ordinate a review of Local Wildlife Sites (to form part of Local Development Framework Evidence Base).	GU4 LAA2 Priority 10	Essex Ecological Services (EECOS) has undertaken the review.

OBJECTIVE	COUNCIL PLAN OR OTHER REF	BACKGROUND
3. Obtain consent from Natural England for designation of Norton Heath Common as a Local Nature Reserve.	GU3	A LNR can only be declared with Natural England's (NE) consent. Following initial consultation with NE in August 2007, Countrycare was advised to undertake a number of actions and management works to the site before NE felt the site was suitable for declaration. These works have now been implemented. LNR status was applied for in September 2010.
4. Continue the veteran tree survey of the District. Record a further 1,000 trees.	GU3	It is Countrycare's aim to record all the veteran trees across the Epping Forest District. This is being undertaken on a parish by parish basis. As of November 2010 a total of 3,149 ancient, veteran and notable trees have been recorded.
5. Work towards the achieving the targets of NI 197 improving biodiversity.	GU3 LAA2 Priority 10	This National Indicator was adopted by EFDC in March 2008. However, a system for progressing this indicator on a County level was only finalised in February 2009. EFDC is on target for March 2011.
6. Work towards the achieving the targets of Epping Forest Biodiversity Action Plan (EFBAP).	GU3	The EFBAP was adopted in March 2008. The Countryside Manager and Environmental Coordinator have established a Steering Group of partners' organisations and progress is being made towards achieving the plans objectives.
9. Continue to assist with the creation of a pocket park on Bobbingworth Former Landfill site.	GU3, SC3, FL2, FL3	The construction phase is completed and we are entering the maintenance period.
10. Secure a minimum of £40k in external grant funding for biodiversity projects across the district in the next two years?	GU3, SC3, FL2, FL3	£20,000 secured from ECC in April 2010 for works on Multifor Project and Lambourne Woods.

- (b). The actions (and relevant targets) for achieving these objectives are detailed in section (d) of this part of the business plan.

8.4 CHALLENGES, TARGETS AND ISSUES LIKELY TO BE FACED IN 2011/12:

- (a). The economic slow down will be a challenge to everyone and it is likely to affect the service in different ways.
- (b). One negative impact on the service could be the securing of certain types of external funding. Many funding bodies are finding their budgets squeezed and large grants may be limited or be more competitive. Historically, the service has relied on securing large external grants for extra "one off" projects to enhance sites e.g. pathways or major habitat enhancement. However, Essex County Council are apparently still offering a range of smaller grants which the service may be able to access over the next two years. Working in partnership with parish and town councils they may be able to access further grants e.g. lottery. Overall, external funding will be a priority amongst the whole team.

(c). A positive for the service, but not necessarily for the individuals concerned, is the rise in unemployment. Countrycare is well placed to offer volunteering opportunities for people looking to change careers or trying to get back into full time employment. With increased volunteer support the service is able to achieve more practical conservation management on the sites in its care. It will also enable the service to assist landowners with the management of Local Wildlife Sites. This will be crucial if NI 197 is to be achieved.

(d). Service reviews, and issues arising from them

This area of the service has been subject to the review(s) shown below, which made the recommendations shown. These recommendations are reflected in the action plan in section (d) of this part of the business plan.

Review Date	Carried out by	Recommendations set
Sept 2008	Lena Chan Internal Audit	Identification and application for external funding Review its approach to the identifying and pursuit of external funding opportunities, and increase awareness of the external funding strategy and tool kit amongst relevant staff.

The Countrycare structure was reviewed following the departure of the Countryside Manager. Cabinet determined that the most efficient structure for the team was:

Countryside Manager x 1
Assistant Countryside Manager x 1
Countryside Assistant x 2

(e). Strengths and Weaknesses

A SWOT Analysis has been undertaken with the results as follows;

STRENGTHS	WEAKNESSES
TBA	TBA
OPPORTUNITIES	THREATS

TBA	TBA
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8.5 PERFORMANCE INDICATORS

(a). National Indicators

The preparation of Business Plans for 2011 - 12 needs to be commenced before the end of 2010, performance against relevant indicators for the final quarter of 10/11 were not included It is important to note that NI 197 data became available from Q4 09.

Performance Indicator	Target 2008/09	Performance			
		2007/08 (Q4 & Outturn)	2008/09 (Q1)	2008/09 (Q2)	2008/09 (Q3)
NI 197 Improved local biodiversity – active management of local sites.	46 LoWS in positive conservation management	New NI - Data not available process due to begin March 2009.	New NI - Data not available process due to begin March 2009	New NI - Data not available process due to begin March 2009	New NI - Data not available process due to begin March 2009
LIB094 – in respect of Local Nature Reserves (LNR)	1ha of LNR per 1,000 of population	1ha LNR per 1,325 population. (90.55ha total LNR to 120,000 population)	1ha LNR per 1,325 population. (90.55ha total LNR to 120,000 population)	1ha LNR per 1,325 population. (90.55ha total LNR to 120,000 population)	1ha LNR per 1,325 population. (90.55ha total LNR to 120,000 population)
PERFORMANCE	TARGET	PERFORMANCE			

INDICATOR	2010/11	2008/9(Q4 & OUTTURN)	2009/10	2010/11	
NI 197 Improved local biodiversity – active management of local wildlife sites (LoWS) by achieving positive conservation management (PCM).	73 LoWS to be in PCM by 31 March 2011 (this is the target we are required to meet)	6 LoWS in Baseline	46 LoWS achieved PCM (total 52)	14 LoWS achieved PCM (total 66 to date)	
LIB094 – in respect of Local Nature Reserves (LNR)	1ha of LNR per 1,000 of population	1ha LNR per 1,325 population. (90.55ha total LNR to 120,000 population)	1ha LNR per 1,325 population. (90.55ha total LNR to 120,000 population)	1ha LNR per 1,325 population. (90.55ha total LNR to 120,000 population)	This means what?

It is important to note that by Q3 10/11 66 LoWS are in PCM. It is anticipated that the target of 73 will be met by Q4 10/11

(b). No Internal Performance Indicators relate to this area of the directorate.

8.6 ACTION PLANS

(a). Action Plan 2010/11 - Review

Performance against previous Business Plan targets from the 2008/09 business plan is as shown below:

Action/Objective	Council Plan Or Other Ref	Responsible Officer	Target Date	Progress/Performance
1. Produce an Annual Report highlighting the achievements of the service 2008/09	SC3, FL3	PH	September 2009	Achieved
2. Investigate the possibility of the Service taking on the management of Essex County Council owned woodlands on the Lambourne Estate, Abridge.	GU3	PH	September 2009	November 2010 negotiations in progress over LNR designation and Management Agreement between Countrycare and ECC

Action/Objective	Council Plan Or Other Ref	Responsible Officer	Target Date	Progress/Performance
3. Co-ordinate a review of Local Wildlife Sites (to form part of Local Development Framework Evidence Base)	GU4	PH/AO/IGW	December 2009	Achieved
4. Obtain consent from Natural England for designation of Norton Heath Common as a Local Nature Reserve	GU3	PH	March 2010	Phase 1 completed
5. Continue veteran tree survey of the District. Record a further 1,000 trees. (Baseline – Feb 09 = 1934 trees)	GU3	PH/AO	March 2010	November 2010 Achieved 3149 trees
6. Work towards the achieving the targets of NI 197 improving biodiversity – Ensure 29 Local Wildlife Sites (LoWS) are bought into positive conservation management (pcm).	GU3	PH/AO	March 2010	31 March 2010 – 52 LoWS achieved pcm.
7. Review funding opportunities and secure a minimum of £20k in external grant funding for biodiversity projects across the district.	GU3, SC3, FL2, FL3	PH	March 2010	1 March 2010 – Achieved - £21,903 in external funding
8. Work towards achieving the targets of Epping Forest Biodiversity Action Plan.	GU3	AO/SC	Review March 2010 and March 2011	Revised Action Plan produced July 2010.

Action/Objective	Council Plan Or Other Ref	Responsible Officer	Target Date	Progress/Performance
9. Produce an Annual Report highlighting the achievements of the service 2009/10	SC3, FL3	PH	September 2010	Achieved
10. Work towards the achieving the targets of NI 197 improving biodiversity – Ensure a further 23 Local Wildlife Sites are bought into positive conservation management.	GU3	AO	March 2011	November 2010 66 LoWS in PCM. On target for final 7.
11. Designate Norton Heath Common as a Local Nature Reserve	GU3	AO	March 2011	Application submitted to Natural England September 2010
12. Continue to assist with the creation of a pocket park on Bobbingworth Former Landfill site.	GU3, SC3, FL2, FL3	AO	March 2011	Construction phase completed. Discussions re maintenance phase have begun. Liaison group starting up December 2010.
13. Review funding opportunities and secure a minimum of £20k in external grant funding for biodiversity projects across the district.	GU3, SC3, FL2, FL3	PH	March 2011	£20,000 already secured for 2010/11

(b). Action Plan 2011/12 (Forward Look)

The action plan below sets out the actions to be carried out in this service area to meet:

- The Key Objectives set out in section (a) of this section of the Business Plan.
- Any recommendations made in internal audit or external inspection reports
- The actions required to improve performance against indicators
- Actions carried forward from the last plan

This action plan will be reviewed and updated during January to March 2012, as part of the process for updating this plan for 2012/13.

Action/Objective	Council Plan Or Other Ref	Responsible Officer	Target Date	Progress/Performance
1. Produce an Annual Report	SC3, FL3		May 2011	

highlighting the achievements of the service 2010/11				
2. Continue Investigating the possibility of the Service taking on the management of Essex County Council owned woodlands on the Lambourne Estate, Abridge.	GU3		March 2012	November 2010 negotiations in progress over LNR designation and Management Agreement between Countrycare and ECC
3. Obtain consent from Natural England for designation of Norton Heath Common as a Local Nature Reserve	GU3		April 2011	Application submitted to Natural England September 2010
4. Continue veteran tree survey of the District. Record a further 1,000 trees. (Baseline – Nov 2010, 3149 trees recorded)	GU3		March 2012	
5. Review funding opportunities and secure a minimum of £20k in external grant funding for biodiversity projects across the district.	GU3, SC3, FL2, FL3		March 2012	
6. Work towards achieving the targets of Epping Forest Biodiversity Action Plan.	GU3		March 2012	
10. Continue to assist with the creation of a pocket park on Bobbingworth Former Landfill site.	GU3, SC3, FL2, FL3		March 2012	
9. Produce an Annual Report highlighting the	SC3, FL3		March 2012	

achievements of the service 2011/12				
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SECTION 9. DEVELOPMENT CONTROL

9.1 KEY FUNCTIONS:

- Regulate and manage development and use of land in the district
- Consider planning applications against the development plan and any other material planning considerations.
- Monitor development as it takes place.
- Take enforcement action against breaches of development or uses.
- Provide information and advice about development control system and proposals.
- Defend appeals against planning decisions made by the Council.

9.2 STAFFING SUMMARY

- (a). The Development Control team consists of professional officers only, apart from one exception, which is that the enforcement team has a dedicated administration support officer. The rest of the administrative support officers were separated off in April 2006 to form part of the Planning Support team under the Planning Business Manager, though the planning application registration team (2 officers), appeal administration officer (1 officer), technical officer, and two administration support staff involved with finalising decisions, committee reports and dealing with general planning enquiries etc are located within the working area of the professional officers.
- (b). There are 18 permanent posts within Development Control (see table 3.4.3 below) – 10 application case officers, two of which are effectively team leaders of a North and South Area teams and 5 enforcement officers with 1 Planner overseeing that service plus one dedicated enforcement support officer – all under the leadership of the Assistant Director (Development).
- (c). In addition, a budget for consultant and agency staff permits additional staff resources to cover some appeal work and workload. Agency planners finished working with us in May 2009, having been covering planning application workload and staff vacancies throughout 2008/09.
- (d). **Staffing Profile**
Following the retirement of Barry Land from the post of Assistant Director (Development) in May 2009, Nigel Richardson was promoted to this position in July 2009, followed by further internal re-shuffle resulting in Stephan Solon moving across as Principal Planning Officer from Enforcement to lead the Development Control South Team, and Jerry Godden promoted from Senior Planning Officer to Principal Planning Officer (Enforcement). Paula Onyia was promoted to Senior Planning Officer post in April 2010, following a year long stint in Policy and Forward Plan. Lindsay Trevillian, who had been an agency planner for 4 years, became a permanent planning officer in June 2010. The Development Control is therefore fully staffed after the previous couple of years of upheaval as a result of Barry Land's long-term illness and internal promotions that did leave some gaps at times in the structure. A new Senior Enforcement Officer post was agreed at the end of 2009 but has not been filled as the post has been used to budget part of the administration support staff for development control. It is hopeful this arrangement be made permanent as the need for the senior enforcement officer is a lower priority. The profile of Development Control for 2011/12 is as follows:

9.3 KEY OBJECTIVES

- (a). **Priority Service Objectives**
This area of the Planning Directorate identified the following priority service objectives for the 2010/11 business plan and these remain still the objectives for 2011/12, but with the addition of objective 8, as services increasingly look to new income streams.

Objective	Council plan or other ref	Background
1. Refine and maintain the efficient and customer centred performance of the service through use of up-to-date technology and best practice.	IP3 & IP4	To increase accessibility and information for the general public and other users to planning applications, appeals and general development control held information/ guidance.
2. Improve planning application turnaround times	IP3 NI157a), b) & c) LAA2 Priority 2	Council set target of achieving upper quartile performance and likely to require this in this Business Plan year.
3. Return to high appeal success rate of previous years.	GU1 & LPI45	25% set in 2009/10 was not achieved and need to return to good decision-making and thus maintain and enhance the quality of the environment. A figure of 28% is the target for 2010/11.
4. Operate an efficient and responsive enforcement service	GU1, IP3 & IP4	To maintain and enhance the quality of the environment. If the council fails to take appropriate and timely enforcement action where it is expedient to do so, it could be found guilty of maladministration by the local government ombudsman and required to compensate members of the public.
5. To secure appropriate levels of community benefit through the use of Section 106 agreements and other means.	GU1, HN1, SC1. LAA2 Priority 2/5	Community benefits related to planning applications, although the economic downturn has limited such benefits since 2009 and there has only been a small improvement in 2010/11 as the impact of the recession still lingers on with a lack of major application submissions.
6. Maintain staff development to ensure the most proficient provision of the service to its customers	IP1, IP3	Training and development of staff to ensure IIP accreditation and improved staff experience and knowledge.
7. To provide improved communication with the public	IP4	Collection of Development control feedback will allow us to target how to use our limited resources effectively and deliver a more customer focused service. An annual agents/amenity group forum will also feed into this.

<p>8. To explore ways of generating increased income</p>		<p>Planning application fee income is affected by submission of major type developments in particular, which is lower at present due to the economic climate, and we are likely to find other income streams to offset future potential spending cuts</p>
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- (b). The actions (and relevant targets) for achieving these objectives are detailed in section 9 (b) of this part of the business plan.

9.4 CHALLENGES, TARGETS AND ISSUES LIKELY TO BE FACED IN 2011/12

- (a). Performance targets, despite the recent announcement of their abolition as National indicators, have been the main focus of the Development Control team in recent years in respect of turnaround times of the 3 category of planning applications as the Council aims for top quartile performance across all district authorities. One of these, the “Other” category (NI 157c), was achieved in 2009/10 and therefore the Council priority regards performance for 2010/11 as focused on the two remaining planning application categories - “Major” and “Minor”, (NI 157a and NI 157b). The targets for these have proved hard to achieve, predominantly because these are the more likely applications to be reported to planning committees who meet on a three week cycle and particularly in the case of the “Major” category, can be subject to Section 106 planning obligations, which both delay the issue of the decision notice. At quarter 2, both categories are on target and if achieved by the end of the financial year, will represent an outstanding achievement by the team, who have daily deadlines for report writing and issuing the decision on applications. The challenge ahead will be how to maintain this, as well as secure community benefits through section 106 agreements where there is limited evidence base until the Local Development Framework is delivered, and improve communication with our clients and audience. Individual performance improvement plans have been drawn up for NI 157a, b and c and suggested changes to the service are being adhered to.
- (b). There is still a need to return to previous years good appeal performance. The target is more generous for 2009/10 (no more than 28% of appeals be allowed) and at Quarter 2 this is just about being achieved. Less officer recommendations being overturned by Members at planning committees would improve performance judging from the assessment of appeal decisions made over the last few years. Members have previously been presented with a summary of why decisions are allowed, but it is difficult to draw conclusions, other than this. Costs awarded against the Council for being unreasonable in refusing planning applications have been a little higher (3 examples) and there needs to be greater awareness at planning committees of this threat, particularly as costs can be made now at any appeal level.
- (c). The economic downturn has hit harder in 2010, compared with the previous year, because a lower number of fee generating major planning applications have been submitted, though signs are that for 2011, this is picking up judging from pre-application discussions. One impact has been the Government introducing a means by which existing planning permission can be extended before their permissions expire and in the case of major planning applications, the fee required is far lower if it was submitted as a new planning application. Overall, though income has been lower, the number of planning application submissions are higher (approximately 100 more), implying that extending existing homes rather than moving to new homes is a result of the current economic climate, but also the GPDO changes in October 2008 has increased the submission of certificate of lawful development applications. The Appeal workload remains lighter than in previous years, though a few complex appeals has required the employment of external consultants to defend appeals, for which a budget is provided and been used more than the previous low use in 2009/10.

- (d). The Directorate is currently undertaking a Benchmarking costing process of staff time and duties in conjunction with CIPFA, which will be compared with other similar local planning authorities. The exercise is of paramount importance should this Government, as suspected, give authorities the opportunity for Councils to set their own individual planning fees for planning applications. In the coming years, increasing revenue from existing income streams is going to become more important as service cuts loom.
- (e). Since the departure of the previous AD (Policy & Environment), the directorate has had no specific urban design expertise for major planning applications. However, the low number of housing estate applications and the increasing reliance on multiple officer skills in assessing such planning applications has so far, not had a negative impact. For future years though, this may become more of an issue and consideration then will need to be given to further finance staff training and add to the staff level in this area in the Forward Plan team.
- (f). As reported in the last business plan, the DC customer feedback on handling of planning applications has been in the main positive. Scanning of the backlog of planning files is well underway, but the development control files should be completed in 2011, so long as the budget for it is retained. There has been a set back in terms of E-government, with the Planning portal hub closing at the end of 2010. The electronic access of planning records and information by the public, the viewing of plans and records through the website will continue to increase.
- (g). **Strengths and Weaknesses - Development Control SWOT Analysis**
In the formulation of this business plan, a SWOT analysis was carried out among the Development Control staff in November 2010 and the results of which are shown below

STRENGTHS	WEAKNESSES
<ul style="list-style-type: none"> • Availability of planning information on website. • Information@Work – electronic document storage & management for ease and speed of finding information. • Stable staff resource, providing quality response and decisions • Low sickness absence. • Availability of professional staff to respond to public/agents etc (Support staff, pre-application meetings and Duty Planner). • Reception and permanent receptionists • Good level of delegation resulting in high turnaround of planning applications in time, given level of professional staff and support. • Admin. Support led by a Business Manager. • Staff retention. • Responsive and strong enforcement team. • Joined up working between Development Control and Building Control. • Validation process of Planning applications 	<ul style="list-style-type: none"> • Basis and evidence for s.106 contributions. • Not achieving all upper-quartile performance targets. • Some professional staff not setting time aside for answering or returning customer messages • Delay in LDF and Core Strategy • 3-week committee cycle delay on decisions affecting performance targets • No specific urban design expertise in Directorate. • Resourcing of staff training • ICT support – inadequate availability, non-customer friendly service, poor knowledge of MVM3-Northgate • Inadequate administration cover during absences. • Continuing incompatibility of Information@Work, MVM3-Northgate and GroupWise e-mail. • Statutory requirement to advertise certain applications results in high cost to service • Under-performance of appeal process • Planning history not complete using I-Plan on website
OPPORTUNITIES	THREATS
<ul style="list-style-type: none"> • Electronic consultation • Scanning of all planning property files and applications • Process and recognize feedback from Agents/Amenity group Forum. • ICT and Website User Groups to improve service delivery • More frequent District-wide committees • Highway Officer hot-desk weekly • Benchmarking and increase charging of planning fees • Officer reports and third party representations be made available on the Website • Improve press response to alleged criticism 	<ul style="list-style-type: none"> • Loss of consultants budget • Service threat because of potential council budget cutbacks. • Skill and resource shortage for complex cases in absence of key professional staff. • Cost awards against Council in appeal cases. • Planning image through bad press leading to criticism. • ICT and website failure • Administration staff on temporary contracts. • Uncertainty of national planning guidance and strategic advice • Cross-authorities service sharing • Delivery of planning more locally without professional experts or strategic guidance • Government change to planning system resulting in need for re-training

(h). Service reviews, and issues arising from them

9.5 PERFORMANCE INDICATORS

(a). National & Local Indicators

As the preparation of Business Plans for 2011/12 needs to be commenced before the end of 2010/11, performance against relevant indicators for the final quarter of the year cannot be reported, and will therefore be carried forward for inclusion in the review of the Business Plan for 2011/12.

(b). Internal Indicators

The following internal measures are used in this area of the directorate to measure performance. Historically, the appeal performance of the Council has been within the threshold set by Government, but after the last two years slippage, the performance has slightly improved. It is difficult to explain why this has occurred, but the number of appeals has fallen reflecting the cost of submitting an appeal is a factor in the current climate.

Internal Measure	Target 2010/11	Performance			
		2010/11 (Q4 & Outturn)	2010/11 (Q1)	2010/11 (Q2)	2010/11 (Q3)
LPI45 Percentage of appeals Allowed following refusal of permission	28	30.9	36.4	28.1	?

9.6 ACTION PLANS

(a). Action Plan 2010/11 - Review

Performance against previous Business Plan targets from the 2009/10 business plan is as shown below:

ACTION	SOURCE	TARGET	PROGRESS/ PERFORMANCE
1. Maintain up-to-date procedures	Business Plan & IP3	Throughout 10/11	Ongoing, but there has been limited opportunity given other work commitments. It is hoped that time will be allotted in early 2011
2. Carry out Equalities Impact Assessment and Implement outstanding actions from Equalities Action Plan	Business Plan & IP4	March 2011	Ongoing, but passed on through team meetings and assessment from customer feedback, which has been taking place over the year.
3. Revising standard planning conditions	Business Plan, IP3 & IP4	June 2011	Completed November 2010 and now being used.
4. Improve planning application turn around times	Business Plan, IP3 & LAA2	April 2011	Individual Key Performance Indicators were drawn up for NI 157(a), (b) & c) and LPI 45 in July 10. Achieved target in 2009/10 for 157c and on course at Q2 stage for achieving 157a, 157b and LPI 45.
5. Implement outstanding actions from Individual Key Perf. Imp. Plans.	Business Plan & IP3 & NI157	June 2010	On-going and performance is improving such that end of year targets are on course to be achieved
6. Regular review of appeal decisions and reporting to members	Business Plan & GU1 & LPI45	Report each 6 months	Achieved. Being reported.
7. Maintain turnover of enforcement investigations	Business Plan & GU1, IP3 & 4	Throughout 09-11	On-going, but no longer burdened with previous years large backlog.

8. Development built conforms to both Building Regs and Planning Application plans	Business Plan, GU1, IP3 & 4	Throughout 2011	Procedure in place and planning application plans being taken out on site by Building Inspectors. Any breaches being reported back to Enforcement Section.
9. Use all appropriate means to secure community benefits	Business Plan GU1, HN1, SC1. LAA2 Priority 2/5	Throughout 10-11	To be achieved through s.106 agreements attached to planning applications where appropriate. Progress hampered by low submission of Major applications and delay on LDF, though financial contributions secured in 2010 in some cases.
10. Meet training needs identified through PDR's	Business Plan, IP1 & IP3	Throughout 10-11	Training budget has been restricted because of existing commitments to staff, but training needs have been delivered where they were identified, both internally and externally, particularly in respect of planning appeal training, flooding awareness and affordable housing viability.
11. Staff development by introducing electronic Encyclopaedia of Planning Law	Business Plan, IP1 and IP3	May 10	Available to staff on-line which requires annual payment. Free training available and needs to be arranged. Development Control Practice also available for staff on-line and training use took place in June 2010.
12. User Group Forum	Business Plan & IP4	July 10	Planning Services Scrutiny Standing Panel (PSSSP) preferred mix Agents/Amenity Group Forum and this was held in October 2010. Notes of meeting to be reported to PSSSP in December 2010.
13. Produce Development Control Feedback	Business Plan & IP4	July 10	Numerous reports to PSSSP and committee reporting being reviewed through Chair/Vice-Chair meeting. Assessment of example completed developments compared with planning application submission to be carried out in early 2011 by PSSSP with Officers.

(b). Action Plan - 2011/12 (Forward Look)

The action plan below sets out the actions to be carried out in this service area to meet:
The Key Objectives set out in section (a) of this section of the Business Plan.
Any recommendations made in internal audit or external inspection reports
The actions required to improve performance against indicators
Actions carried forward from the last plan

Actions from Planning Services Scrutiny Panel

This action plan will be reviewed and updated during January to March 2011, as part of the process for updating this plan for 2011/12.

ACTION OBJECTIVE	COUNCIL PLAN OR OTHER REF	RESPONSIBLE OFFICER	TARGET DATE	RESOURCES BUDGET
KEY OBJECTIVE 1				
1. Maintain up to date procedures	IP3	AD(D) & DCMT	Throughout 2011-2012	Existing
2. Carry out Equalities Impact Assessment and Implement outstanding actions from Equalities Action Plan	IP4	AD(D) & support of PIU and CEWG	March 2011	Existing
KEY OBJECTIVE 2				
4. Improve planning application turn around times	IP3, NI157 (a-c) LAA2 Priority 2	AD(D) & DCMT	April 2012	Existing, but need to maintain full compliment of professional and support staff.
5. Implement outstanding actions from Individual Key Perf. Imp. Plans.	IP3 & NI 157	AD(D) & DCMT	November 2011	Existing

KEY OBJECTIVE 3				
6. Regular review of appeal decisions and reporting to members	GU1 & LPI45	AD(D)	May & Nov 2011	Existing
KEY OBJECTIVE 4				
7. Maintain turnover of enforcement investigations	GU1, IP3 & 4	PPO(ENFO)	Throughout 2011-2012	Existing and without Senior Enforcement Officer post
8. Development built conforms to both Building Regs and Planning Application plans	GUI, IP3 & 4	AD(D) & AD(BC)	Throughout 2012	Existing
KEY OBJECTIVE 5				
9. Use all appropriate means to secure community benefits	GU1, HN1, SC1. LAA2 Priority 2/5	AD(D), AD(P&E), DCMT	Throughout 2011-2012	Existing, S106 Monitoring Group and production of SPG through LDF process
KEY OBJECTIVE 6				
10. Meet training needs identified through PDR's	IP1 & IP3	AD(D) & DCMT	Throughout 2011-2012	Existing, but hopefully with a less restrained budget for DC staff.
KEY OBJECTIVE 7				
11. User Group Forum	IP4	AD(D)	By Dec 2011	Existing

12. Report Development Control feedback	IP4	AD(D)	March 2012	Existing
KEY OBJECTIVE 8				
13. Generate increased income: increase planning application fees, pre-application charging for minor applications		AD(D) & Business Manager	Dec 2011	Existing. Benchmarking process underway and Project Officer being funded from vacant Senior Enforcement Officer post.

SECTION 10. BUILDING CONTROL

10.1 KEY FUNCTIONS

- The checking of applications and work on site in relation to the Building Regulations and the associated legislation
- Enforcement action against illegal or non-compliant work
- Dangerous structures
- Demolitions
- Provision of advice and support on disabled issues
- The processing of initial notices from approved inspectors
- Providing pre-application and general advice
- Dealing with complaints

10.2 STAFFING SUMMARY

The Building Control Team has establishment strength of 9.59 FTE with 9 staff in post; however of these 9 staff, two are consultants, Paul Cattell and John Vanderloo who both work 2 days per week. Due to this the team functions with the equivalent of 7.4 full time posts.

10.3 KEY OBJECTIVES

(a). Priority Service Objectives

This area of the Planning Directorate has identified the following priority service objectives for this business plan:

Objective	Council Key Objective & Medium Term Aims	Background
1. To consider shared services with other Authorities.	6 (e). To achieve savings as per Council's MTFS (4) Med Term aims	Scope exists to provide a joint service in partnership with Harlow District Council and Uttlesford District Council.
2. To at least match income with expenditure for the charge earning account.	5 (b&d) To maintain the Council's sound financial position; (4) Med Term aims	Central government requires the income from building regulation charges to at least meet the cost of that part of the service and for the councils scheme of charges not to be designed to make any significant surplus
3. To improve on Performance targets in general	8 (b). To seek continuous performance improvement (4). Med Term aims	Staff training and constant evaluation of the service should improve performance.
4. To train and develop staff to ensure the most proficient provision of the service to its customers	8 (g). To seek continuous performance improvement (3) & (4) Medium Term Aims	A key part of the performance development review process is the identification of training needs. These are addressed through the Corporate Training Programme and external courses addressing changes in legislation, national initiatives and Continuing Professional Development, which is a requirement for RICS and Building

		Engineer members.
5. Improve Customer Care	8. To seek continuous performance improvement 3), (4). & (5). Medium Term Aims	Scope exists for further development.
6. Raise Building Control's profile	(4). & (5). Medium Term Aims	Scope exists for further development.

(b). The actions (and relevant targets) for achieving these objectives are detailed in section (d) of this part of the business plan.

(d). CHALLENGES AND ISSUES LIKELY TO BE FACED IN 2010/11 AND 2011/12

(a). **The challenges facing the Building Control Team are:**

- Maintaining service standards
- Maintaining Income
- Increases in expenditure
- Increased competition for work
- Changes in legislation
- Sufficient time for staff to keep knowledge current
- Shared Services
- Changes in local and global economy i.e. recession

(b). **Strengths and Weaknesses Building Control SWOT Analysis**

In the formulation of this business plan a SWOT analysis was carried out, the results of which are shown below

STRENGTHS	WEAKNESSES
Local knowledge Professionally qualified team Experienced and dedicated team Ability to offer a one-stop shop Familiarity with Council aims and objectives Excellent networking at County, regional and National levels ISO accreditation Investors in People Strong customer loyalty Same day site inspections Timed site visits In-house contaminated land advice Partnership Scheme	Loss of some market share Limited online payments High cost of housing Number of different surveyors that visit the same site due to staffing levels Lack of capacity to follow up projects e.g. 3 monthly reporting and site visits. Lack of capacity to monitor district for illegal works Difference in approach from council to council in interpretation of the regulations No on-line submissions ICT system not fully utilised Weak National House Warrantee scheme
OPPORTUNITIES	THREATS
ICT system Increased market share Partnership Scheme Corporate development Programme Changes in legislation Remote on-line working	Insufficient time for staff to keep knowledge current Increased competition for work Changes in legislation A test of customer loyalty Outsourcing of building control

Shared services Provision of additional services New fee regulations give the ability to be more competitive	Changes in local and global economy i.e. recession Government directives/cuts Progressive and aggressive marketing by AI's Increasing number of AI's
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(c). Service reviews, and issues arising from them

This area of the service has been subject to the reviews as described in section 3.7.6.1 that recommendation the transition of ISO 9001:2000 to ISO 9001:2008 along with the ICT and potential review and/or rationalisation of documentation as described in the action plan in section (d) of this part of the business plan.

10.3 PERFORMANCE INDICATORS

(a). National & Local Indicators

As the preparation of Business Plans for 2009/10-2010/11 needs to be commenced before the end of 2008/09, performance against relevant indicators for the final quarter of the year cannot be reported, and will therefore be carried forward for inclusion in the review of the Business Plan for 2010/11

(b). Internal Indicators

The following internal measures are used in this area of the directorate to measure performance.

Internal Measure	Target 2008/09	Performance			
		2008/09 (Q4)	2009/10 (Q1)	2009/10 (Q2)	2009/10 (Q3)
REGISTRATION					
Full Plans: Initial registration, charge assessment and acknowledgement	3 Days	86%	72%	80%	80%
Building Notices: Initial registration, charge assessment and acknowledgement	3 Days	92%	90%	84%	93%
Initial Notice: Initial registration, assessment and acknowledgement	5 Days	100%	91%	100%	100%
PLAN VETTING					
Applicant notified of defects/amendments required	15 Days	88%	92.7%	86%	91.7%
Decision notified within statutory time limits	5 Weeks	93%	88%	89%	95%
Decision notified within statutory time limits	2 Months	89%	93%	89%	95%

Internal Measure	Target 2008/09	Performance			
		2008/09 (Q4)	2009/10 (Q1)	2009/10 (Q2)	2009/10 (Q3)
Inspections (Building Regulations)					
'Same day' requests (received before 10.00 a.m.) satisfied.	Same Day	96%	96%	97%	96%
Detailed site inspection record to be made	1 Day	89%	94%	94%	93%
Person responsible, for unauthorised work, notified of discovery	5 Days	Not Monitored	Not Monitored	Not Monitored	Not Monitored
Non-requested in progress visits made to inactive Site	3 Months	Not Monitored	Not Monitored	Not Monitored	Not Monitored
Non-requested in progress visits to active sites	15 Days				
OTHER ADMINISTRATION					
Dangerous structure call out: response time during working hours	1 Hour	100%	100%	100%	100%
Dangerous structure call out: response time outside normal working hours	2 Hours	100%	100%	100%	100%
Dangerous structure written record made	1 day	100%	100%	100%	100%
Inspection charge invoices raised and issued.	10 days	82.8%	84.7%	83.3%	86.7%
Demolitions issue of Section 81 Notice where appropriate	10 days	0%	N/A	N/A	0%
Non-application correspondence to be processed	8 days	Not Monitored	Not Monitored	Not Monitored	Not Monitored
Completion certificates issued	5 days	94%	75%	100%	92%

10.6 ACTION PLANS

(a). Action Plan 2010/11 - Review

Performance against previous Business Plan targets from the 2008/09 business plan is as shown below:

Action	Source	Target	Progress/ Performance
Recruit staff to fill vacancies	2010/11 Service Plan	N/A	On hold due to economic climate
To at least match income with expenditure for the charge earning account.	2010/11 Service Plan	Ongoing	This should be achieved by the start of the new financial year.
Improve performance targets	2010/11 Service Plan	Ongoing	To be advised
Staff Training	2010/11 Service Plan	Ongoing	This has been achieved through the Corporate Training Programme and external courses addressing changes in legislation, national initiatives and Continuing Professional Development.
Improve Customer Care	2010/11 Service Plan	Ongoing	Building Control takes part in regular stakeholder surveys and changes the way it operate accordingly
Raise Building Control's profile	2010/11 Service Plan	Ongoing	This has been achieved by adding new partners to the partnership scheme and by its website.

(b). Action Plan 2011/12 (Forward Look)

The action plan below sets out the actions to be carried out in this service area to meet:

- The Key Objectives set out in section 10.3 of this section of the Business Plan.
- Any recommendations made in internal audit or external inspection reports.
- The actions required to improve performance against indicators.
- Actions carried forward from the last plan.

This action plan will be reviewed and updated during January to March 2011, as part of the process for updating this plan for 2010/11.

Action/Objective	Council Medium Term Aim	Responsible Officer	Target Date	Resources/ Budget
To consider shared services with other Authorities.	Medium Term Aim 4.	AD(Building) DoPED CEF	Ongoing	Ring Fenced Account
Review of Building Regulation Fees and Charges	Medium Term Aim 4.	AD(Building) DoPED	Sept 10	Ring Fenced Account

Action/Objective	Council Medium Term Aim	Responsible Officer	Target Date	Resources/Budget
Improve on Performance targets in general	Council Plan IP4	AD(Building)	Ongoing	Within Resources
Benchmark performance against other Essex Authorities	Council Plan IP4	AD(Building)	Ongoing	Within Resources
Consideration of staff training needs after PDR process	Council Plan IP4	AD(Building)	June 10	Within Resources
CPD/Training records for all staff	Council Plan IP4	AD(Building)	June 10	Within Resources
Extend the Partnership scheme for Architects	Council Plan IP4	AD(Building) DoPED	Ongoing	Within Resources
Continue customer satisfaction surveys	Council Plan IP4	AD(Building)	Ongoing	Within Resources
Improved use of web site	Council Plan IP4	AD(Building) Business Manager	Ongoing	Within Resources

SECTION 11. PLANNING DIRECTORATE SUPPORT TEAM

11.1 KEY FUNCTIONS

- Provision of administrative and business support for the processing of applications and decisions for Development Control and Building Control.
- Maintenance of the electronic scanning and indexing of all departmental planning records.
- Management of Directorate's ICT systems.
- Management of departmental procurement, contracts along with the processing and reconciliation of all accounts/invoices.
- Customer focus and Freedom of Information lead in terms of reception, telephone, e-mail and internet contact.
- Maintenance of the Corporate Gazetteer.

11.2 STAFFING SUMMARY

2010/11 has been a challenging year with in an interim Administration Review implemented on 1st April 2011. A longer term Administration Restructure is due to be presented to the Management Board for consideration effective from 1st April 2011. As a result the Planning Support Team has been able to stabilise their activities after a period of uncertainty due to vacancy created by the departure of the previous Business Manager and Administration Supervisor in early 2009. The incoming Business Manager, who assumed post in November 2009 has been able to implement a number of positive changes, with the most important being the "backscanning" of Development Control records. This has significantly improved Planning Services data available on the Council Website with nearly 5000 persons viewing planning information every month.

The proposed long term restructure of the Planning Support Team will add further resilience to the team particularly in the areas of financial control and improved Quality Control of Electronic Records. These are key elements in promoting effective and efficient provision of customer focused frontline planning support services to work towards achieving Value for Money efficiency savings, particularly in reducing paper use and encouraging the use of electronic means of accessing planning information on the council website.

Part of the changes that are taking place within the Planning Support Team is to meet challenges created by the changes in focus where our reception activities in terms of face to face contact are declining. This is matched by a substantial increase in other customer contact via electronic access to Planning Information on the council website. As a result there is a need to consistently improve the quality and standard of electronic information particularly in terms of Freedom of Information and other related requests.

11.3 KEY OBJECTIVES

(a). Priority Service Objectives

The Planning Support Team has identified the following Corporate Key Objectives to focus on in this business plan:

OBJECTIVE	COUNCIL CORPORATE OBJECTIVE	BACKGROUND
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Safeguarding frontline services and keep Council Tax the lowest in Essex;	(5). To maintain the Council's sound financial position; (6). To achieve the level of savings identified within the Council's Medium-Term Financial Strategy;	<ul style="list-style-type: none"> Promote effective and efficient frontline services and participate in reducing planning support costs. Encourage the robust use of Market Place procurement processes to ensure efficiency savings. Take active steps to reduce the use of paper within the directorate.
Promote long term reductions in funding from the Continuing Service Budget;	(8). To seek continuous performance improvement and the best use of resources;	<ul style="list-style-type: none"> Continually review and improve business processes within planning support services to provide better and more easily access to planning records. Implement effective Quality Control processes for electronic records Ensure structure of the Planning Support Team promotes VFM (Efficiency, Effectiveness and Economy). Maximise income by ensuring timely reconciliation and charging processes.
To promote the use of Information Technology to improve administrative processes.	(10). To continue the improvement in the benefit the Council receives from its investment in information and communications technology;	<p>To play a role in promoting the lowest council tax in Essex and also safeguard frontline services by:</p> <ul style="list-style-type: none"> Utilising Information Technology improve administrative processes. Provide carbon friendly, accessible planning records on the Corporate Website. Maximise income by ensuring timely reconciliation and charging processes.

(b). The actions (and relevant targets) for achieving these objectives are detailed in section (d) of this part of the business plan.

11.4 CHALLENGES, TARGETS AND ISSUES LIKELY TO BE FACED FROM 2010/11 TO 2011/12

- (a). The challenges facing the Support team in 2009/10 are largely external.
- There is an increasing sense of urgency making Planning Services information available on the Council Website via i-Plan. Freedom of Information Requests are beginning to increase both in volume (amount of requests) and complexity (requested for large and detailed amounts of information)
 - A project to start the process of "backscanning" Building Control Applications and historical microfilmed planning information may well prove to be challenging in terms of resources and budget availability.
 - E-consultation and streamlining the Appeals system into a faster electronic process.
 - Complete the "backscanning" of Conservation, Contaminated Land Records and Forward Planning to aid the development of "paperless" back office capacity within Planning and Economic Development.
 - There is an ongoing requirement to meet the Quality Control standards of the NLPG BS7666 address standards.
 - Completion of back scanning all Development Control records.

(b). **Strengths and Weaknesses Planning Support Team**

In the formulation of this business plan a SWOT analysis was carried out, the results of which are shown below;

STRENGTHS	WEAKNESSES
<p>Committed Public Facing Team.</p> <p>Staff knowledge and expertise in terms of Development and Building Control Systems.</p> <p>Web based Planning records – iPlan.</p> <p>Robust financial procurement and commitment processes (Marketplace)</p> <p>Resilient ICT Scanning/Printing assets/equipment obtained via the PDG process.</p>	<p>Gaps in Staffing Structure awaiting implementation of the Admin Review.</p> <p>Dependence on ICT and lack of formalised ICT training & development for Planning Support Team</p> <p>Capability of Planning Support Team to maintain quality standards whilst running electronic and part paper records side by side.</p> <p>Inability to place all Planning Records on the Web with a possibility of being overwhelmed by Freedom of Information and other requests for planning information.</p>
OPPORTUNITIES	THREATS
<p>Implement back scanning of Development Control Records – Large Sites, Contaminated Land Records, Conservation and Forward Planning Records.</p> <p>Improve Gazetteer to NLPG BS7666 standards</p> <p>Set up project to implement scanning of Building Control Records</p> <p>Improve Business Support Structure</p>	<p>Inability to restructure team to meet changed working conditions (Electronic Records)</p> <p>Maintaining and improving Gazetteer to NLPG BS7666 Standards</p> <p>Failure of Web based Planning records – iPlan.</p> <p>Delays in implementing electronic measures to work faster and reduce the use of paper such as implementing electronic appeals, e-Consultation and promoting Avoidable Contact.</p>

(c). Service reviews, and issues arising from them

This area of the service has been subject to the review(s) shown below, which made the recommendations shown. These recommendations are reflected in the action plan in section (d) of this part of the business plan.

REVIEW DATE	CARRIED OUT BY	RECOMMENDATIONS
January 2010	LRQA	Transition from ISO 9001;2000 To ISO 9001:2008
REVIEW DATE	CARRIED OUT BY	SELECTED THEME AND PROCESS
September 2010	LRQA	<ul style="list-style-type: none"> • Transition to ISO 9001:2008 • Reviews and enhancement of documented management system • ICT and potential review and/or rationalisation of documentation.

11.5 PERFORMANCE INDICATORS

(a). National & Local Indicators

As the preparation of Business Plans for 2009/10-2010/11 needs to be commenced before the end of 2008/09, performance against relevant indicators for the final quarter of the year cannot be reported, and will therefore be carried forward for inclusion in the review of the Business Plan for 2010/11

(b). Internal Indicators

The following internal measures are used in this area of the directorate to measure performance and workload.

Internal Measure	Target 2010/11	Performance				
		2006/07	2007/08	2008/09	2009/10	2010/11 (Q1,Q2)
Planning Applications received	n/a	2259	2329	2155	2439	1356
Planning Appeals received	n/a	138	167	136		
Building Control Applications received	n/a	1969	2104	2374	2356	1214
Percent of Planning Applications received online	30%	5.4%	9.7%	17.73%	21.32%	24.19%
'Neighbour' Comments Received	n/a	3521	2630	3167	2925	1588
% 'Neighbour' Comments Received via Northgate	25%	n/a	n/a	No Data available	No Data available	14.87%

11.6 ACTION PLANS

(a). Action Plan 2010-11 Review

Performance against previous Business Plan targets from the 2009/10 business plan is as shown below:

ACTION/OBJECTIVE	SOURCE	TARGET	PROGRESS/PERFORMANCE
Review and implement Restructure of the Planning Support Team to meet the requirements of the reduction in staffing levels	2010/11 Business Plan	March 2011	To be carried out by incoming Business Manager
Investigate outsourcing of ongoing scanning of applications – Development Control	2010/11 Business Plan	Ongoing	Preferred option taken by engaging temporary staff to undertake as they require access to MVM.
Completion of Back Scanning of material	2010/11 Business Plan	March 2011	Existing temporary Staff arrangements large amount of

ACTION/OBJECTIVE	SOURCE	TARGET	PROGRESS/PERFORMANCE
from Planning File room			DC files now scanned on target for almost all DC records (including Large Sites)& Existing staff subject to funding availability
Maintain Quality Assurance in Building Control,	2010/11 Business Plan	January 2010	Upgraded LRQA ISO BIN 2001:2000 to 2001:2008
Continue to Implement Anite@work	2010/11 Business Plan	Ongoing	Progress has been made in terms of scanning current workload into Anite@work
Creating of links between Anite@work and M3	2010/11 Business Plan	Ongoing	This is subject to further development and funding for ICT to implement.
Roll out of Northgate M3 Enquiry module to other parts of Planning Services	2010/11 Business Plan	Ongoing	Used in Trees, Enforcement and Conservation.
Support implementation of LDF module	2010/11 Business Plan	Ongoing	Forward Planning Responsibility
Promote improvements to NLPG BS7666 Quality standards	2010/11 Business Plan	Ongoing	Limited staff resource availability.
Electronic Consultation of Consultee's and neighbours	2010/11 Business Plan	April 2009	Subject to ICT implementation
Restructure and further improve Planning Service Website	2009/10 Business Plan	Ongoing	Ongoing improvements made subject to Corporate changes and improvements to Council Website.
Extend Quality Assurance to Development Control	2010/11 Business Plan	For consideration in 2011/12	Postponed, subject to funding and resources made available.
Implement PDA and tablet roll-out	2010/11 Business Plan	For consideration in 2011/12	Postponed, subject to funding availability.

(b). Action Plan 2011 – 2012 (Forward Look)

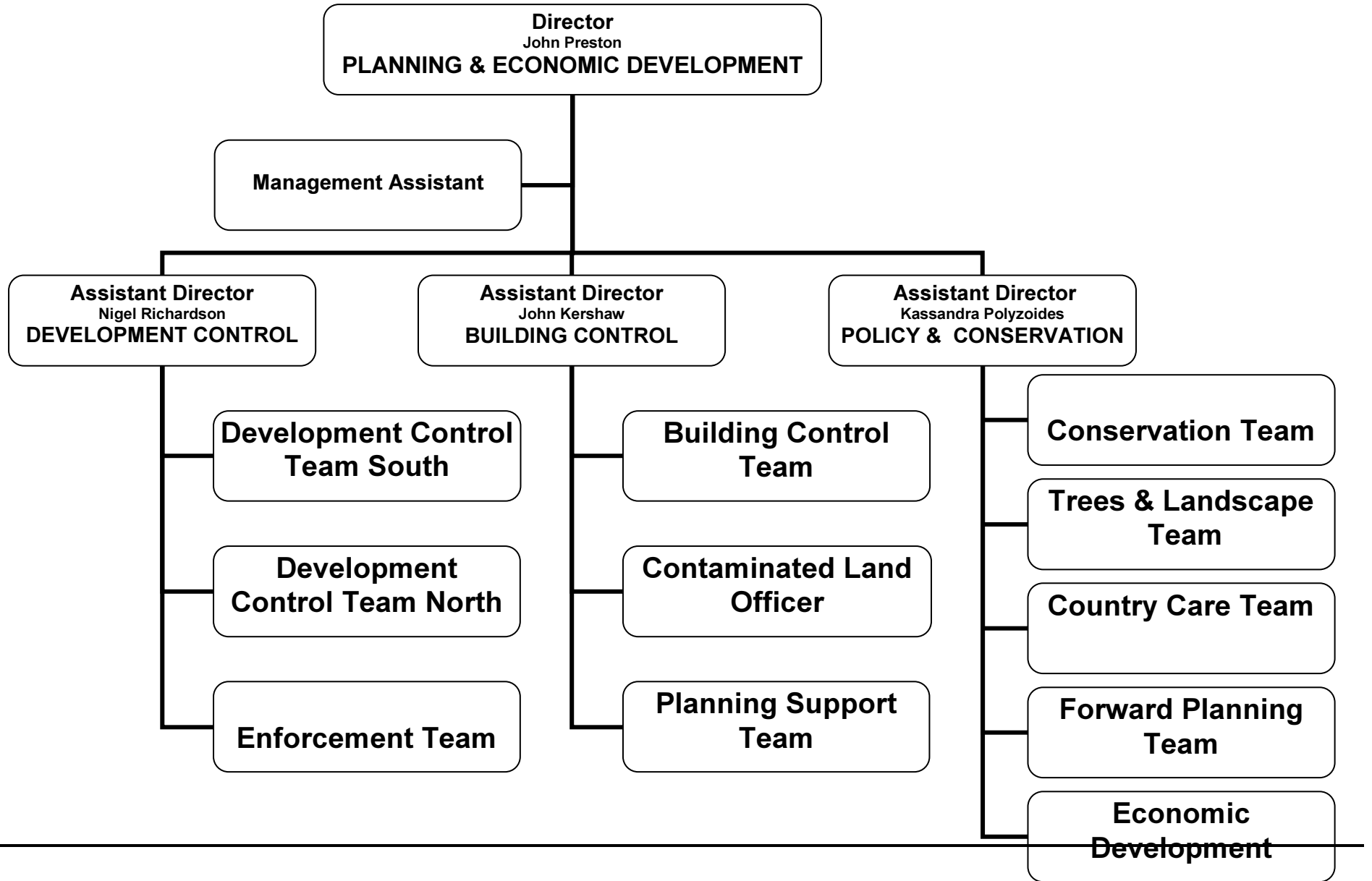
The action plan below sets out the actions to be carried out in this service area to meet:

- The Key Objectives set out in section (a) of this section of the Business Plan.
- Any recommendations made in internal audit or external inspection reports
- The actions required to improve performance against indicators
- Actions carried forward from the last plan

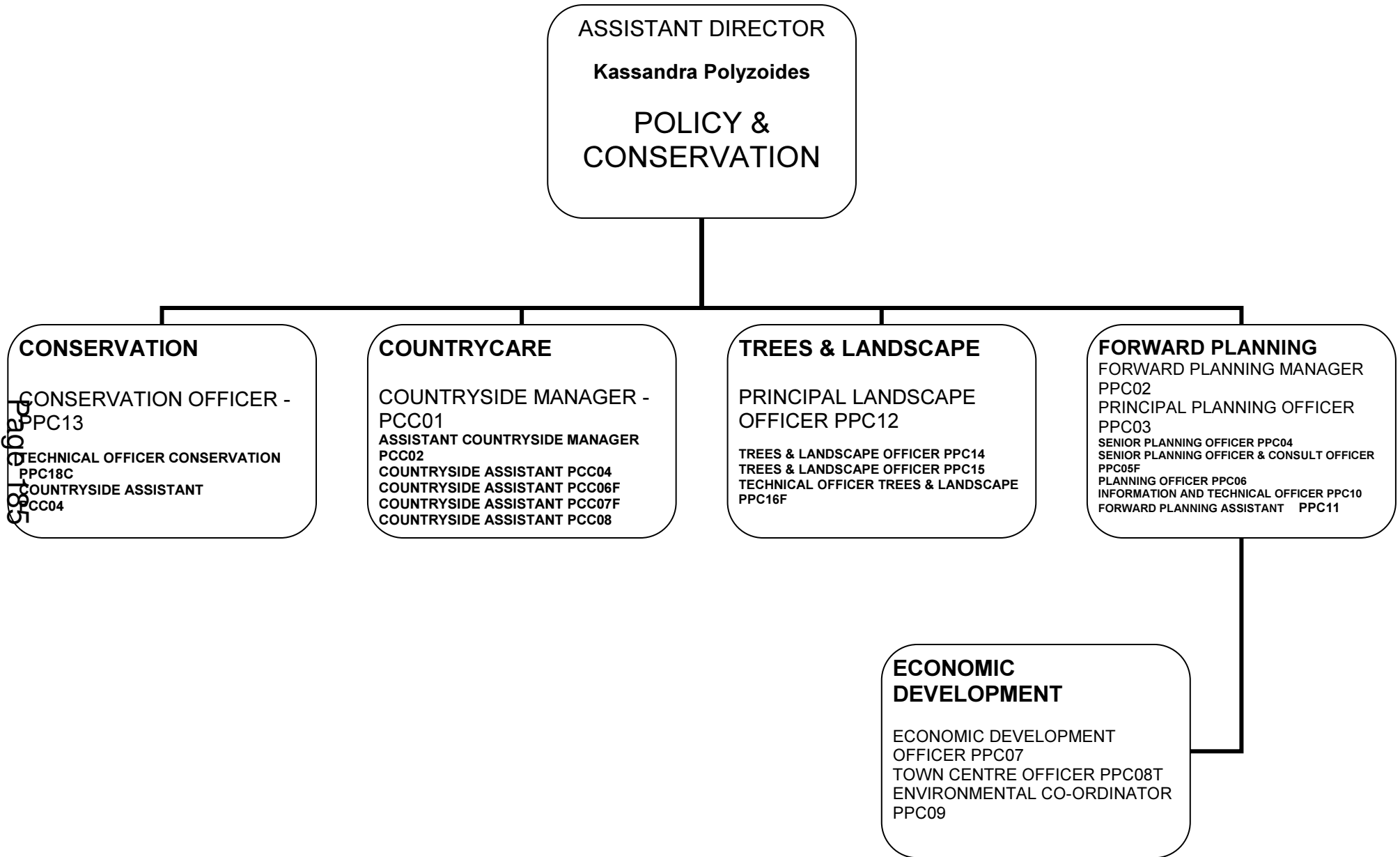
- (c). This action plan will be reviewed and updated during January to March 2011, as part of the process for updating this plan for 2011/12.

ACTION/OBJECTIVE	COUNCIL PLAN OR OTHER REF	RESPONSIBLE OFFICER	TARGET DATE	RESOURCES/ BUDGET
Review and monitor workloads of teams in relation to reduced staffing levels	2011/12 Business Plan	Business Manager	Ongoing	Existing Staff
Maintain Quality Assurance in Building Control,	2011/12 Business Plan	Business Manager	September 2010	Existing Staff
Extend Quality Assurance to Development Control	2011/12 Business Plan	Business Manager/Asst Director (DC)	2010/11	Existing Staff
Continue to Implement Information@work & links between Information@work and M3	2011/12 Business Plan	Business Manager	Ongoing	Existing Staff
Completion of Back Scanning of material from Planning File room	2011/12 Business Plan	Scanning Assistants/ Contractors	July 2010	Existing Staff/ Existing Funding/ Supplier resource
Roll out of Northgate M3 Enquiry module to other parts of Planning Services	2011/12 Business Plan	Business Manager/ Team Leaders	Ongoing	Existing Staff
Support implementation of LDF module	2011/12 Business Plan	Business Manager	Ongoing	Existing Staff/ Allocated Budget
Continue Gazetteer creation	2011/12 Business Plan	Gazetteer Officer	Ongoing	Existing Staff
Electronic Consultation of Consultees and neighbours	2011/12 Business Plan	Business Manager	Ongoing April 2010	Existing Staff, other costs offset by printing and postage savings
Restructure and further improve Planning Service Website	2011/12 Business Plan	Business Manager	Ongoing April 2010	Existing Staff
Implement PDA and tablet roll-out	2011/12 Business Plan	Business Manager	TBA Subject to PDG Funding	Existing Staff/ Allocated Budget
Mobile solution for all relevant staff	2011/12 Business Plan	Business Manager	TBA Subject to Funding	Existing Staff/ Budget to be allocated
Investigate provision of chip and pin terminal at planning reception, and extension of telephone payments to planning	2011/12 Business Plan	Business Manager	Ongoing	TBA

APPENDIX ONE ORGANISATION CHART OVERVIEW PLANNING AND ECONOMIC DEVELOPMENT

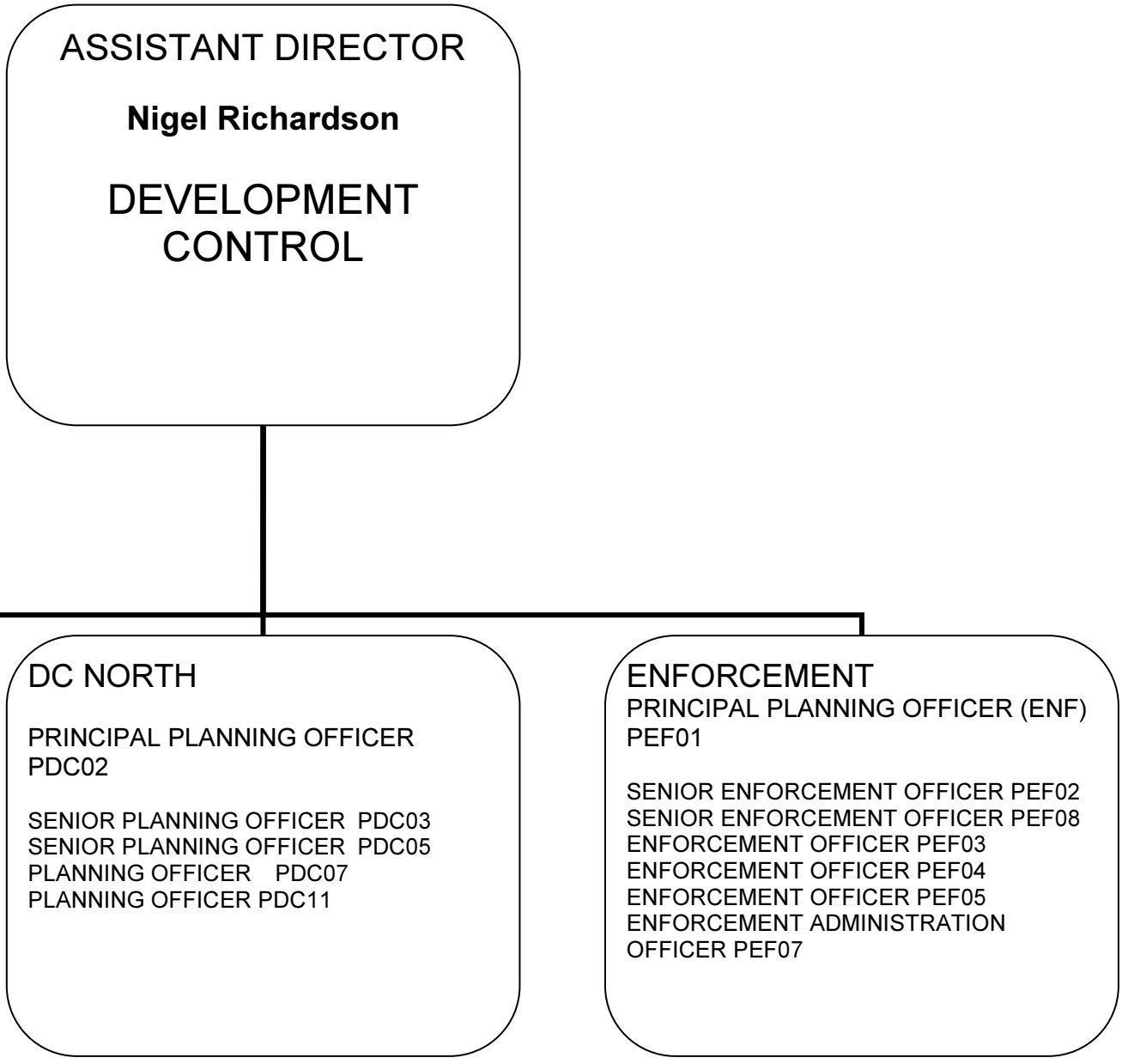


APPENDIX TWO ORGANISATION CHART POLICY & CONSERVATION



APPENDIX THREE ORGANISATION CHART DEVELOPMENT CONTROL

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APPENDIX THREE ORGANISATION CHART BUILDING CONTROL & PLANNING SUPPORT TEAM

ASSISTANT DIRECTOR
John Kershaw
BUILDING CONTROL

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PLANNING SUPPORT TEAM
BUSINESS MANAGER PST01
TECHNICAL OFFICER DC PST03
TECHNICAL OFFICER DC PST04
TECHNICAL OFFICER BC PST05
TECHNICAL OFFICER BC PST06
RECEPTIONIST PST08
APPEALS & DC SUPPORT OFFICER PST09
ACCOUNTS, INVOICES & PROC OFFICER PST10
ADMINISTRATION OFFICER PST11
ADMINISTRATION OFFICER PST12
GAZETTEER OFFICER PST13
RECORDS AND SCANNING OFFICER PST15
ADMINISTRATION ASSISTANT PST17T
ADMINISTRATION ASSISTANT PST19T
TRAINEE TECHNICAL OFFICER PST20X

BUILDING CONTROL
PRINCIPAL BUILDING CONTROL SURVEYOR PBC02
PRINCIPAL BUILDING CONTROL SURVEYOR PBC03

SENIOR BUILDING CONTROL SURVEYOR PBC04
SENIOR BUILDING CONTROL SURVEYOR PBC05
SENIOR BUILDING CONTROL SURVEYOR PBC06
SENIOR BUILDING CONTROL SURVEYOR PBC07
SENIOR BUILDING CONTROL SURVEYOR PBC08

TRAINEE SENIOR BUILDING CONTROL SURVEYOR PBC09

CONTAMINATED LAND

TECHNICAL CO-ORDINATOR CONTAMINATED LAND PBC10

APPENDIX FIVE STAFF ESTABLISHMENT MATRIX PLANNING & ECONOMIC DEVELOPMENT (64.54 POSTS)

POST TITLE	POSTS	POST TITLE	POSTS
DIRECTOR	1	MANAGEMENT ASSISTANT	1
POLICY AND CONSERVATION (22)		DEVELOPMENT CONTROL (18)	
ASSISTANT DIRECTOR	1	ASSISTANT DIRECTOR	1
FORWARD PLANNING MANAGER	1	PRINCIPAL PLANNING OFFICER DC	3
PRINCIPAL PLANNING OFFICER	1	SENIOR PLANNING OFFICER DC	4
SENIOR PLANNING OFFICER	2	PLANNING OFFICER DC	4
PLANNING OFFICER	1	SENIOR ENFORCEMENT OFFICER	2
ECONOMIC DEVELOPMENT OFFICER	1	ENFORCEMENT OFFICER	3
TOWN CENTRE OFFICER	1	ENFORCEMENT ADMINISTRATION OFFICER	1
ENVIRONMENTAL CO-ORDINATOR	1	BUILDING CONTROL & SUPPORT TEAM (22.54)	
INFORMATION AND TECHNICAL OFFICER	1	ASSISTANT DIRECTOR	1
FORWARD PLANNING ASSISTANT	1	PRINCIPAL BUILDING CONTROL SURVEYOR	2
CONSERVATION OFFICER	1	SENIOR BUILDING CONTROL SURVEYOR	4.59
TECHNICAL OFFICER CONSERVATION	1	TECHNICAL CO-ORDINATOR-CONTAMINATED LAND	1
PRINCIPAL LANDSCAPE OFFICER	1	TRAINEE SENIOR BUILDING CONTROL SURVEYOR	1
TREES & LANDSCAPE OFFICER	2	BUSINESS MANAGER	1
TECHNICAL OFFICER TREES & LANDSCAPE	1	TECHNICAL OFFICER DC/BC	3.81
COUNTRYSIDE MANAGER	1	RECEPTIONIST	0.58
ASSISTANT COUNTRYSIDE MANAGER	2	APPEALS & DC SUPPORT ADMINISTRATOR	1
TRAINEE ASSISTANT COUNTRYSIDE MANAGER	1	ACCOUNTS, INVOICE & PROCUREMENT OFFICER	0.56
COUNTRYSIDE ASSISTANT	1	ADMINISTRATIVE OFFICERS BC/DC	1.5
		GAZETTER & SCANNING OFFICER	0.5
		RECORDS & SCANNING OFFICER	1
		TRAINEE TECHNICAL OFFICER	1
		ADMINISTRATIVE ASSISTANT	2

TO FOLLOW

TO FOLLOW

TO FOLLOW

APPENDIX NINE - RISK CAPTURE

Appendix 9 Risk Capture			
RISK NO.	VULNERABILITY	TRIGGER	CONSEQUENCES
1.	Planning Directorate not self-financing	Decision of Council to cut CSB budgets.	<ul style="list-style-type: none"> • Loss of staff and Inability to deliver statutory and non-statutory services. • Failure to reach performance targets • Low staff morale and high stress levels • Increased complaints about level of service
2.	Heavy reliance upon existing staff for knowledge and expertise	Loss of staff due to Inadequate retention strategy and/or sickness of key staff	<ul style="list-style-type: none"> • Loss of knowledge, inability to deliver services. • Inability to meet performance targets
3.	Potential staffing level shortfall that creates vulnerability when gaps in service provision arise as result of staff movement/mobility/sickness Particularly at Building Control level	Inability to maintain service provision when staff move either upward or outward due to the 'domino' effect of staff movement. Slow average response in filling vacant posts, specifically internal posts which creates downwards pressure on other posts.	<ul style="list-style-type: none"> • Inability to deliver services efficiently • Failure to meet performance targets • Adverse effect on staff morale and stress levels • May Increase level of complaints from the public.
4.	Increasing Workloads largely determined by external factors	<ul style="list-style-type: none"> • Receipt of increasing Freedom of Information (FOI) requests and/or planning enquiries. • Additional forward planning workload. 	<ul style="list-style-type: none"> • Inability to meet FOI timescales and increased complaints/impatience directed at Planning Services. • Low staff morale and high stress levels Increased propensity for error
5.	Reliance upon historic records	Loss of historic records due to : Failure of ICT; Incident destroying records.	<ul style="list-style-type: none"> • Errors in information given to enquirers leading to bad reputation of the Council and possible litigation; • Inadequate background information for decision-making leading to poor or incorrect decisions; • Low staff morale and increased stress levels.
6.	Office-based working environment	Loss of accommodation through: fire, flood or other disaster	<ul style="list-style-type: none"> • Disruption to work processes • Loss of records • Business continuity threatened
7.	Reliance upon professional and specialist skills.	Skill shortage due to: Increased need for particular skills e.g. urban design, sustainability as a result of central government priorities or new legislation	<ul style="list-style-type: none"> • Poor decision-making • Failing to meet performance targets • Overspending on consultants • Loss of special character of the district
8.	Loss of budget and/or income DC, BC & P & C	Loss of budget due to: Council seeking budget savings; Reallocation of available finance. Downturn in the economy	<ul style="list-style-type: none"> • Failure to carry out statutory functions (e.g. site inspections) • Inability to meet performance targets • Increased workload for establishment staff leading to low morale and higher stress levels

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Appendix 9 Risk Capture

RISK NO.	VULNERABILITY	TRIGGER	CONSEQUENCES
9.	Under-resourced Economic Development strategy	Failure to adopt Economic Development strategy	<ul style="list-style-type: none"> • Lack of business investment • Imbalance of local job opportunities • Dissatisfaction of the business community
10.	Town Centre Officer non-permanent post	No budget continuing from year to year.	<ul style="list-style-type: none"> • Threat to sustainability and viability of the district's town centres. • Threat to Council's reputation
11.	Need for continuing external grant funding to Country Care	Many funding bodies are finding their budgets squeezed and large grants may be limited or be more competitive.	Historically, the service has relied on securing large external grants for extra "one off" projects to enhance sites e.g. pathways or major habitat enhancement. However, Essex County Council are still offering a range of smaller grants which the service will be able to access over the next two years and working in partnership with parish and town councils will access further grants e.g. lottery.
12.	Potential need to address Gypsy, Roma and Traveller incidents	Major influx of Gypsy, Roma and Travellers on unauthorised sites	<ul style="list-style-type: none"> • Enforcement officer staff time taken up by few high profile cases. • Increased complaints of other cases being low priority. Refusal of staff to enter hostile situations.
13.	Potential injury to enforcement officer or other member of staff on site.	Unexpected reaction of member of the public to Council visit with resulting injury	<ul style="list-style-type: none"> • Health and safety of staff member • Refusal of other staff to carry out duties • Compensation or litigation issues • Significant review of procedures
14.	Inability to attract sufficient local community gains from S106 procedures	Failure to meet housing targets; or other desired community benefits	<ul style="list-style-type: none"> • Failure to meet housing needs of community • Insufficient funding for environmental improvements
15	Planning and enforcement appeals rely upon external decision-making; and result from decision-making by members contrary to officer recommendations.	Reduction in appeal success rate through: increased number of decisions contrary to officer recommendation. Council policies not keeping up with Government policy	Poor LPI performance. Poor reputation Low staff morale. Likelihood of appeal Cost claims
16.	Possibility of Government-imposed URC on growth area of the district	Failure to convince government of Council's position over housing growth.	Inability to influence decisions over future development, character, infrastructure-provision for the district. Loss of capital revenue from Council-owned land (if involved).
17	Possible compensation claims against the Council arising from refusal to permit felling of preserved trees	Appeal decisions and tribunal cases	Awards of significant compensation to applicants
18	Reliance upon electronic systems from formerly separate suppliers	Lack of integration	Duplication of work; records not being allocated correctly; wrong information for public and decision-makers

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Appendix 9 Risk Capture

RISK NO.	VULNERABILITY	TRIGGER	CONSEQUENCES
19	Ability to provide planning records on corporate website	Inability to; <ul style="list-style-type: none"> Conform to Data Protection guidelines Increase in Freedom of Information (FOI) Requests 	Failure to; <ul style="list-style-type: none"> Meet the Legal Admissibility Criteria (ISO BIP 10008) for Electronic Records. Provide FOI Requests within timescales
20	Issues with contract for Business Directory	Action brought against breach of contract	Costs of legal action and damages
21	Inadequate arrangements for dangerous structure inspections	Informal staff resource not being available	Danger to public; loss of reputation
23	Potential Difficulty in producing LDF to timetable	Deadlines missed	Ongoing strain on resources. Not achieving objective of delivering a sound core strategy.
24	Need to make B. Regs files available for public	Legislative change	Resource implications; procedure changes
25	Limited capacity for enhanced monitoring as required by government	Govt direction	Other workload given less priority
Page 194 30	Lack of Admin Support for Trees and Landscape Team	End of Future Jobs Fund placement in March 2011 offering some admin support. Tree work requests regarding existing and new (previously Essex TPO's) trees covered by TPO's	Increased administrative tasks for existing senior staff relating to TPO's in turn affecting other workload. Falling behind on other tasks. Threat to reputation.
30	Lack of admin support for Conservation team	End of Future Jobs Fund placement in March 2011 and fixed term Technical support officer in July 2011, assisting on completing Conservation Area Character Appraisals and Management plans and day to day admin tasks.	Increased administrative tasks for Conservation officer and lack off technical support on ongoing projects. Conservation officer focuses on statutory duties and therefore improvement projects, character appraisals and management plans fall behind or are not delivered
31	Delays in the Registration of Planning Applications & CLD's along with Enforcement actions and Customer Support.	Failure to gain Management Board approval for Admin Review/Restructure	Increased workload to professional staff in Development Control including Enforcement resulting in Planning, Enforcement and Customer Service delays. Negative impact on Performance targets.
33	Inability to 'backscan' additional files including secure destruction along with quality control processes due to insufficient funding	Electronic Records Document Management (ERDMS) as a replacement for manual records requires adherence to Quality Control Standards - ISO 15489 and ISO 10008	Failure to meets minimum standards for legal admissibility of records
34	Destruction of Planning Files	Technical or human error.	Loss of information and records through incomplete scanning

APPENDIX TEN RISK MATRIX – PLANNING

Appendix B Risk Matrix – Planning

Likelihood	High	A				
	High	B	4	10, 24, 28, 30, 33	8, 12, 14, 15,	
	Significant	C		13, 21, 25, 26, 31	1, 2, 3, 9, 11, 16, 17, 23	
	Low	D		18, 19	5, 28, 34, 30, 31	
	Very Low	E	20		6	
	Almost Impossible	F				
			4	3	2	1
			Negligible	Marginal	Critical	Catastrophic
			Impact			

TOLERATED RISKS	UNTOLERATED RISKS
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APPENDIX ELEVEN - RISK REGISTER

RISK NO.	CURRENT RISK SCORE	TARGET RISK SCORE	DESCRIPTION
12	B2	C2	Potential need to address Gypsy, Roma and Traveller incidents
14	B2	C2	Inability to attract sufficient local community gains from S106 procedures
15	B2	C2	Fall in appeal success rate
8	B3	C3	Loss of budget and/or income DC, BC & P & C
24	B3	C3	Need to make B. Regs files available for public
33	B3	D3	Inability to 'backscan' additional files including secure destruction along with quality control processes due to insufficient funding
10	B3	D3	Lack of funding for Town Centre Officer
28	B3	D3	Lack of admin support for Trees and Landscape Team
30	B3	D3	Lack of admin support for Conservation team
23	B2		Potential Difficulty in producing LDF to timetable
4	B4		Increasing workloads determined by external factors
1	C2		Planning Directorate not self-financing
2	C2		Heavy reliance upon existing staff for knowledge and expertise
3	C2		Potential Staffing level shortfall
9	C2		Lack of funding for coherent Economic Development Strategy
11	C2		Loss of external funding for Country Care
16	C2		Potential for a UDC imposed for growth area
17	C2		Compensation from TPO cases
31	C2		Delays in registering Planning Applications, CLD's, Enforcement and Customer Support.
7	C3		Skill shortage
13	C3		Injury to staff on site
21	C3		Inadequate arrangements for dangerous structure inspections
25	C3		Limited capacity for enhanced FP and DC monitoring
5	D2		Loss of historic records
18	D3		Failure of e-systems to integrate
19	D3		Data Protection issues from website and scanning files
6	E2		Loss of office accommodation through fire, etc.
20	E4		Business Directory contract
34	D2		Destruction of Planning Files

APPENDIX TWELVE - RISK ACTION PLAN

Appendix 12 Risk Action Plan								
RISK NO.	RISK DETAILS	EXISTING CONTROLS TO ADDRESS RISK	EFFECTIVENESS OF CONTROLS	MANAGEMENT ACTION	RESPONSIBILITY	CRITICAL SUCCESS FACTORS	REVIEW FREQUENCY	KEY DATE
8	Loss of budget and/or income DC, BC & P & C	Manage BC and DC income Identify good use of resources to Members	Necessary budgets maintained to date	Monitor at regular intervals income of BC & DC. P & C to explore Income Opportunities	Asst Directors and Business Manager	Identification of Efficiency Savings	Monthly	Govt notice on planning fee increase
12	Potential need to address Gypsy, Roma and Traveller incidents	Resource-expensive travellers incidents	Potential changes in Government Policy Awareness of G, R & T issues in Neighbouring LA's	Revised Procedures in line with emergency legislation/guidelines to be adopted Maintain/liaison Neighbouring LA's on possible G, R & T developments	Asst Director (Dev) and Enforcement Team leader	Successful management of incident	6 monthly	Ongoing
14	Inability to attract sufficient local community gains from S106 procedures	Discussions at pre-application stage, running of Section 106 negotiation alongside Planning Application subject to final decision by members	Negotiations effective to date, subject to the economic downturn means that this cannot be guaranteed A need for S106 SPD has been identified and addressed by the emerging core strategy	Monitoring and early intervention if risk is realised	Asst Director (Dev) Asst Director (Policy & Conservation)	S106 continues to deliver community gains	3 monthly via Corporate Working Group	Ongoing
15	Fall in appeal success rate	Awareness of issue; Monitoring of performance	Issues have been highlighted with some areas of appeal performance	Continue to regularly report on appeal performance Identification of revised targets via the Improvement Plan LP1	Asst Director (Dev)	Improve performance	3 monthly	April 2010
24	Making BR files available to the public	Currently handled on case by case basis under FOI	Work effectively to date	Implementation of new charging regime and staffing	Asst Director BC and Business Manager	Successful implementation of change	6 monthly	Ongoing
33	Inability to 'backscan' & securely destroy files including quality checks due to funding shortfall	Monitoring limited scanning budget Prioritise scanning	Meet Quality Control Standards ISO 15489 ISO 10008	Manage Quality Control in terms of file retention. Investigation of other funding sources and implementation of this within the review of the Planning Support Team.	Asst Director BC and Business Manager	Integrate Quality Control as a key objective for the Planning Support Team.	3 monthly	March 2010

Appendix 12 Risk Action Plan								
RISK NO.	RISK DETAILS	EXISTING CONTROLS TO ADDRESS RISK	EFFECTIVENESS OF CONTROLS	MANAGEMENT ACTION	RESPONSIBILITY	CRITICAL SUCCESS FACTORS	REVIEW FREQUENCY	KEY DATE
10	Lack of funding for Town Centre Officer	Limited options due to funding shortfall	Reduction in service	Investigate alternative options for funding	Asst Director (Policy & Conservation)	Identification of efficiency savings in P & C	3 monthly	Ongoing
28	Lack of Admin Support for Trees and Landscape Team	Monitor workload	Limited options available	Section to prioritise statutory obligations	Asst Director (Policy & Conservation)	Identification of efficiency savings in P & C	3 monthly	1 st April 2011
30	Lack of admin support for Conservation team	Monitor workload	Limited options available	Section to prioritise statutory obligations	Asst Director (Policy & Conservation)	Identification of efficiency savings in P & C	3 monthly	1 st April 2011

APPENDIX THIRTEEN SICKNESS ABSENCE SUMMARY OCTOBER 2009 – SEPTEMBER 2010

	<u>TOTAL STAFF</u>		<u>SHORT TERM SICKNESS</u>			<u>LONG TERM SICKNESS</u>			<u>ALL SICKNESS ABSENCE</u>	
	<u>WORKING DAYS</u>	<u>DAYS LOST</u>	<u>% OF TOTAL WORK DAYS</u>	<u>DAYS PER EMPLOYEE</u>	<u>DAYS LOST</u>	<u>% OF TOTAL WORK DAYS</u>	<u>DAYS PER EMPLOYEE</u>	<u>DAYS LOST</u>	<u>% OF TOTAL WORK DAYS</u>	<u>DAYS PER EMPLOYEE</u>
OCTOBER 2009	1397.88	12.90	0.92%	0.20	11.15	0.80%	0.18	24.06	1.72%	0.38
NOVEMBER 2009	1334.34	16.23	1.22%	0.26	11.65	0.87%	0.18	27.87	2.09%	0.44
DECEMBER 2009	1334.34	4.06	0.30%	0.06	31.36	2.35%	0.49	35.42	2.65%	0.56
JANUARY 2010	1207.26	30.93	2.56%	0.49	8.35	0.69%	0.13	45.41	3.76%	0.71
FEBRUARY 2010	1270.8	7.11	0.56%	0.11	3.80	0.30%	0.06	10.92	0.86%	0.17
MARCH 2010	1461.42	17.75	1.21%	0.28	3.38	0.23%	0.05	21.13	1.45%	0.33
APRIL 2010	1270.8	5.30	0.42%	0.08	3.54	0.28%	0.06	8.85	0.70%	0.14
MAY 2010	1207.26	14.70	1.22%	0.23	14.70	1.22%	0.23	14.70	1.22%	0.23
JUNE 2010	1397.88	6.54	0.47%	0.10	2.54	0.18%	0.04	9.08	0.65%	0.14
JULY 2010	1397.88	18.72	1.34%	0.29	6.13	0.44%	0.10	24.85	1.78%	0.39
AUGUST 2010	1334.34	15.21	1.14%	0.24	19.80	1.48%	0.31	35.01	2.62%	0.55
SEPTEMBER 2010	1397.88	14.20	1.02%	0.22	25.37	1.81%	0.40	38.55	2.76%	0.61
	16012.08	163.65	1.02%	2.58	141.76	0.89%	2.23	295.82	1.85%	4.66

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APPENDIX FOURTEEN FORWARD PLANNING EVIDENCE BASE UPDATE OCTOBER 2010

See Action Plan 2010/11 –Section 5.6 (a) Action Plan Review 2010/11 Business Planning

Appendix 14 - Forward Planning Evidence Base Update October 2010

Study Title	Study Purpose/Content	Consultant	Cost	Anticipated / Actual Completion Date agreed by LDF CC	Length
Harlow Area Appraisal of Planning Transport and Infrastructure Options	<p>This study being completed in partnership with Harlow & East Herts District Councils in accordance with policy HA1 of the East of England Plan.</p> <p>It will be used to inform the preparation of the Core Strategy Issues & Options consultation papers for each of the three authorities.</p>	Scott Wilson	<p>£41,942.50</p> <p>Funded by Growth Area Fund – Round3 (GAF3) – no EFDC contribution</p>	<p>Report complete : January 2010</p> <p>LDF CC : 17 June 2010</p>	143 pages
<p>Page 200</p> <p>Strategic Environmental Assessment (SEA) / Sustainability Appraisal (SA) of the Core Strategy</p>	<p>To form the baseline information and then assess the options contained within the Core Strategy Issues & Options paper.</p> <p>It is a legislative requirement for all plans and programmes to be subject to, and influenced by, this type of assessment.</p> <p>The framework used for this assessment is largely the same for Epping Forest, Harlow and East Herts Councils, to ensure the process is consistent across the three areas and will support the production of sound Core Strategies.</p>	Scott Wilson	<p>£134,899</p> <p>Funded by GAF3 – no EFDC contribution. Further SEA/SA for subsequent rounds of the Core Strategy & other DPDs will need to be funded by EFDC. Budgetary provision for this exists within the LDF budget.</p>	<p>Scoping Report consultation received March 2010. LDF CC 12 April 2010</p> <p>Statutory 5 week minimum consultation period held 17 May-19 July 2010</p> <p>Assessment dependent on timescale for preparation of Issues & Options – Anticipated Summer 2011.</p>	

Appendix 14 - Forward Planning Evidence Base Update October 2010

Study Title	Study Purpose/Content	Consultant	Cost	Anticipated / Actual Completion Date agreed by LDF CC	Length
Harlow Stansted Gateway Transport Model	<p>The project will create a transportation model of the Harlow-Stansted gateway area, capable of reproducing existing significant transport movements in the study area. This model will be used as the basis for forecasting the impact of significant housing and related developments and assist in assessing the transport infrastructure required to support the developments.</p> <p>EFDC are currently guests on the Harlow Stansted Gateway Transportation Board, but the outcomes of this work will help make strategic decisions about the growth of Harlow where there may be an impact on Epping Forest district.</p>	Faber Maunsell	<p>Total cost: £255,950 Stage 1 Transport Model Development. GAF3 – Programme of Development (POD), Essex and Herts County Councils, Highways Agency. No EFDC contribution</p>	Anticipated September 2010	Not yet known
<p>Page 201</p> <p>Rye Meads Water Cycle Study</p>	<p>The study assesses the impact of planned growth on water cycle processes, water infrastructure capacity and environmental capacity. It will recommend viable infrastructure options to accommodate planned growth and ensure water infrastructure is not a limiting factor to the growth of the area. As far as this Council is concerned, it is mainly of relevance with respect to the urban extensions to Harlow, as the south of this district is mainly served by the Beckton STW.</p>	Hyder Consulting	<p>Total cost: £250,000 – GAF3 - POD Partnership of East Herts, North Herts, Epping Forest, Broxbourne, Harlow & Stevenage Councils. No EFDC contribution.</p>	<p>Report complete : October 2009</p> <p>LDF CC : ??</p>	Approx 180 pages including Appendices
Strategic Housing Market Assessment (SHMA)	<p>The requirements of a SHMA are set out in PPS3: Housing (November 2006). This study was undertaken jointly with Harlow, East Herts, Uttlesford, Broxbourne and Brentwood Councils. It determines the Housing Market Areas across the sub-region, and makes an assessment of housing need both within each Housing Market Area, and in each Local Authority area.</p>	Opinion Research Services & Savills	<p>£59,950 (+ £3,117.40 advertising costs)</p> <p>EFDC contribution - £10,511</p>	<p>Report complete : January 2010</p> <p>LDF CC : 17 June 2010</p>	203 pages including Appendices

Appendix 14 - Forward Planning Evidence Base Update October 2010

Study Title	Study Purpose/Content	Consultant	Cost	Anticipated / Actual Completion Date agreed by LDF CC	Length
Strategic Housing Market Assessment – Viability Testing	<p>PPS3: Housing requires that all policies requiring affordable housing provision are based on robust and sound evidence of need and viability.</p> <p>The viability testing of the outcomes contained in the SHMA still to be completed. Further study/tender process required. Broxbourne Borough Council have chosen to opt out of this work.</p>	Levvel Ltd	<p>£27,600</p> <p>Funded from Programme of Development Fund.</p>	<p>Report complete : April 2010</p> <p>LDF CC : 04 October 2010</p>	<p>Report – 301pages</p> <p>Appendices - 379pages</p>
Strategic Housing Land Availability Assessment Page 202	<p>To identify land which could potentially be suitable for housing purposes over a 15 year period. This study does not guarantee that planning permission will ultimately be granted, but identifies possible sources of housing land supply.</p> <p>The proposed methodology is subject to a separate report on this agenda, but specifies a two-stage process, in which urban capacity is considered first.</p>	To be confirmed following tender process	<p>Estimated at £30,000.</p> <p>Funded from savings within existing LDF budget.</p>	<p>Urban capacity – March 2011</p> <p>Urban fringes – June 2011</p> <p>LDF CC : Agreement of principal 11 March 2010</p> <p>Methodology 27 May 2010</p>	Not yet known
Town Centres Study	<p>To consider the vitality and viability of the town centres, the competition from centres in adjoining areas, and the future role of the district's centres. This will include an assessment of floorspace, range of goods, vacancy rates, and rent levels. Customer and visitor surveys will be undertaken. Potential opportunities for development or enhancement will be identified, and the current policy on restricting non-retail uses will be assessed. The study will also assess the need for commercial leisure uses.</p>	Roger Tym & Partners	£39,038	<p>Report complete : April 2010</p> <p>LDF CC : 13 July 2010</p>	<p>Approx 113 pages, not including lengthy Appendices</p>
Employment Land Study	<p>The Employment Land Study, which has been commissioned jointly with Brentwood Borough Council, will consider the current employment land available and the opportunities for further provision. It will include an assessment of future needs and demands and a comprehensive stock-take of existing sites (quantitative and qualitative), and will make recommendations about the need for additional employment sites to create a balanced portfolio.</p>	Atkins	<p>£27,325</p> <p>To be split equally with Brentwood BC</p>	<p>Report complete : September 2010</p> <p>LDF CC : 11 November 2011</p>	<p>Report 88 pages</p> <p>Multiple appendices including maps</p>

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Landscape Character Assessment	This Assessment provides a comprehensive district-wide assessment of landscape character, which is intended to help planning and land management decisions. The European Landscape Convention (of which the Government is a signatory) encourages public authorities to adopt policies and measures for the protection, management and planning of all landscapes, whether outstanding or ordinary, that determine the quality of people's environment. The study therefore identifies key issues, sensitivities to change, and management strategy/objectives/guidelines for areas of different character. The quality of the rural landscape is generally recognised as one of this district's key features, and the study should help to develop long-lasting policies to protect and manage existing landscapes, and to create new ones. Seven landscape character types are identified.	Chris Blandford Associates	£24,745	Report complete : January 2010 LDF CC : 27 May 2010	192 pages, including Appendices, and 10 district-wide maps.
Settlement Edge Landscape Sensitivity Study	Informed by the district-wide Landscape Character Assessment, this study provides a more detailed understanding of sensitive landscape and environmental features around the edges of the 22 principal settlements (ie those excluded from the Green Belt plus Moreton and Sewardstone) in the district. The report will inform options for settlement growth and also outlines the extent to which these areas of landscape contribute towards the purposes of including land within the Green Belt.	Chris Blandford Associates	£24,980	Report complete : January 2010 LDF CC : December 2010	138 pages including Appendices, and 73 detailed maps, dealing with visual character, historic landscape, environmental constraints and landscape sensitivity.
Strategic Flood Risk Assessment – Level 1 Level 2	A Strategic Flood Risk Assessment (SFRA) is the 'categorisation' of flood risk on an area-wide basis in accordance with PPS25: Development & Flood Risk. This first stage is being undertaken jointly with Harlow Council. Level 2 assessments will be required on a site specific basis when the Council is considering land allocations. These will be needed to support later stages of the Core Strategy if strategic development sites are to be allocated.	Level 1 – In-house Level 2 – to be confirmed	From existing resources £40,000 (estimate)	November 2010 Dependent on timetable of Core Strategy.	45 pages plus plans Not yet known

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Local Wildlife Sites (LoWS) review	This study updates survey work last undertaken during the early 1990s – which identified Sites of Importance for Nature Conservation (SINCs) or County Wildlife Sites (CoWS). A comprehensive field survey, in conjunction with a desk-top study and a consultation exercise, has identified new sites, validated most existing ones, and led to the deletion of some. All the LoWS were assessed against current selection criteria (developed through reviews in other Essex districts and modified in line with national guidelines). Species and habitats now afforded attention via county or national Biodiversity Action Plans were specifically considered and their representation within the LoWS network was ensured.	Essex Ecology Services	£49,660 (payment over 2008/09 and 2009/10)	Report complete March 2010 LDF CC : 14 September 2010	37 pages plus plans and descriptions of 222 sites.
PPG17: Planning for Open Space, Sport & Recreation Audit	PPG17 requires that an audit of existing open space & recreation opportunities is undertaken.	In-house	From existing resources	Anticipated December 2010	Not yet known
PPG17: Planning for Open Space, Sport & Recreation Assessment	Following completion of the audit, an assessment of surpluses or deficits within any of the categories will need to be carried out. This must also be accompanied by an assessment by seeking public opinion of the quality of existing open space & recreation facilities. This further work will require the employment of consultants with expertise in this area.	To be confirmed	£20,000 (estimate)	Anticipated February 2011	Not yet known
Ward Profiles	To provide background information at a ward level to support the preparation of the Core Strategy (and future DPDs) and the Community Strategy.	In-house	From existing resources	Complete January 2010 (to be updated annually)	
Review of Lea Valley Glasshouse Industry policies	The policies in the Local Plan Alterations (2006) were derived from a study completed in 2003. The Alterations indicated that the policies would be reviewed again, as some areas were identified for “potential de-designation” the time of the next review. There is a current application for residential re-development of one of these sites. Since the Alterations were published, there has been a very significant amount of glasshouse development in Thanet, and officers believe that both these factors justify a further review.	To be commissioned	Not yet known	Not yet known LDF CC : agreement of principal for tender 11 March 2010	Not yet known