

## Scrutiny Standing Panel Agenda



### **Planning Services Scrutiny Standing Panel Thursday, 3rd March, 2011**

**Place:** Committee Room 1, Civic Offices, High Street, Epping

**Time:** 7.30 pm

**Democratic Services Officer:** Mark Jenkins - Office of the Chief Executive  
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#### **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

#### **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 2 DECEMBER 2010 MEETING (Pages 5 - 16)**

To agree the notes of the Panel meeting held on 2 December 2010 (attached). The last Panel meeting (extra-ordinary one) held on 10 January 2011, are being finalised.

**5. TERMS OF REFERENCE (Pages 17 - 18)**

The Terms of Reference are attached.

**6. WORK PROGRAMME (Pages 19 - 22)**

The Work Programme is attached.

**7. IMPROVEMENT PLAN (Pages 23 - 28)**

(Director of Planning and Economic Development). To note the attached Improvement Plan.

1. An August 2010 version of this Plan was on the agenda of the Panel's meeting on 2<sup>nd</sup> December as a supplementary. A further copy of that is attached.

2 The plan cross referred to several other items that were on the agenda for that meeting e.g. reviewing certain protocols, increasing the amount of information on i-Plan, and the creation of the Business Plan for 2011-2012.)

3. Because of the scale of the agenda on 2 December, and at the subsequent extra meeting on 10 January the plan has not really been discussed as such, although progress on most of the items within it is being made.

4. Perhaps the key issue now is what should be contained in a further Improvement Plan, which is able to be resourced with all other work.

5. It is suggested that items 2 (i-Plan), 3 (Business Plan), 4 (Practical Measures) and 5 (Green Issues) can all be continued with; albeit with revised Smart targets, but if Members wish other items to be included, then that needs to be discussed.

6. There is now a regular amount of information provided about various aspects of the Directorates work within the Council Bulletin, however, there is a question about whether that information is being provided in the right place.

**8. PLANNING AND ECONOMIC DEVELOPMENT DIRECTORATE DRAFT BUSINESS PLAN 2011/12 (Pages 29 - 120)**

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

9. **PLANNING ENFORCEMENT PROTOCOL (Pages 121 - 128)**  
(Director of Planning and Economic Development) To consider the attached report.
10. **PLANNING ENFORCEMENT ROUTE OF ENFORCEMENT ACTION (Pages 129 - 132)**  
(Director of Planning and Economic Development) To consider the attached report.
11. **ESSEX LOCAL TRANSPORT PLAN 3 CONSULTATION (Pages 133 - 136)**  
(Director of Planning and Economic Development) To consider the attached report.
12. **CONSTRUCTION DAMAGE TO HIGHWAYS INFRASTRUCTURE (Pages 137 - 138)**  
(Director of Planning and Economic Development) To consider the attached report.
13. **STANDARD LETTERS - 1. NEIGHBOUR NOTIFICATIONS ON PLANNING APPLICATIONS 2. ACKNOWLEDGEMENT OF ENFORCEMENT COMPLAINT (Pages 139 - 148)**  
(Director of Planning and Economic Development) To consider the attached report.
14. **OFFICER DELEGATION (Pages 149 - 154)**  
(Director of Planning and Economic Development) To consider the attached report.
15. **GENERAL APPROACH TO ASSESSING IMPACT ON LIGHT (Pages 155 - 158)**  
(Director of Planning and Economic Development) To consider the attached report.
16. **DIRECTOR OF PLANNING AND ECONOMIC DEVELOPMENT'S FEEDBACK FROM DEVELOPMENT CONTROL MEETINGS (Pages 159 - 166)**  
(Director of Planning and Economic Development) To consider the attached report.
17. **ANY OTHER BUSINESS**
18. **DATES OF FUTURE MEETINGS**

This is the last meeting of the Panel for this current year. There are provisional dates for next Council year which await confirmation at the Council meeting on 22 February 2011. These dates are as follows:

14 June;  
13 September;  
20 December;  
7 February 2012; and  
24 April

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## EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

**Committee:** Planning Services Scrutiny Standing Panel      **Date:** Thursday, 2 December 2010

**Place:** Council Chamber, Civic Offices, High Street, Epping      **Time:** 7.30 - 10.10 pm

**Members Present:** J Philip (Chairman), Mrs A Grigg, Mrs S Jones, A Watts and J M Whitehouse

**Other Councillors:** Mrs P Smith and D Stallan

**Apologies:** H Ulkun, Mrs P Brooks, C Finn, Mrs M McEwen, J Markham and W Pryor

**Officers Present:** J Preston (Director of Planning and Economic Development), R Palmer (Director of Finance and ICT), N Richardson (Assistant Director (Development Control)), C Neilan (Landscape Officer & Arboriculturist), I White (Forward Planning Manager) and M Jenkins (Democratic Services Assistant)

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### 36. SUBSTITUTE MEMBERS

There were no substitute members present.

### 37. DECLARATIONS OF INTEREST

There were no declarations of interest made pursuant to the Member's Code of Conduct.

### 38. NOTES FROM THE LAST MEETING

#### RESOLVED:

That the notes of the Panel meeting held on 2 September 2010 be agreed.

### 39. TERMS OF REFERENCE

A new version of the Terms of Reference for the Panel were submitted to the Panel. The reference to the East of England Plan had been deleted, as this Plan had been heralded as being replaced by new local arrangement.

### 40. WORK PROGRAMME

The following was noted:

#### (1) (a) Regional Plan

There was a legal challenge to the Secretary of State's decision to abolish the Regional Plan. Currently this was awaiting developments.

**(b) Local Development Framework**

A Community Visioning Exercise had taken place, the first workshop had been on 29 November 2010.

**(c) Current Staffing**

There was a slightly amended version of the staff list in the Business Plan, on the panel's agenda.

**(2) Value for Money Provision**

The New Homes Bonus was on the current agenda. Planning fees set by Local Authorities consultation had a deadline as 9 January 2011. Officers' views were being forwarded to the Government.

**(3) Chairmen and Vice Chairmen of Area Planning Committees to be invited to a meeting to provide Feedback**

A meeting had taken place in August 2010. The intention was to meet more regularly.

**(5) Comments from the Planning Agents and Amenity groups required matching**

A successful meeting had taken place on 26 October 2010. The draft notes would be circulated. Again this would be a regular occurrence.

**(6) That a report be produced for the Panel setting out the possible route any planning enforcement investigation could take.**

This would be submitted to the Panel at a later date.

**(7) Review the Corporate Planning Protocol**

This was being considered by another Panel

**(8) To review a selection of controversial planning decisions to see if lessons can be learnt from their consideration.**

Three suggested sites had been located. A report would be scheduled into the Work Programme.

**(9) S106s**

Part of this was covered in the New Bonus Homes Consultation

Members were advised that a further item would be scheduled into the Work Programme regarding the standard Directorate letters sent to neighbours regarding planning applications and enforcement.

**41. IMPROVEMENT PLAN**

The Director of Planning and Economic Development went over the Improvement Plan briefly. It was felt that this item should be discussed more fully at a future meeting. Mr J Preston added that there would be a consultation document put before Panel members regarding planning fees.

#### 42. CONSTRUCTION DAMAGE TO HIGHWAYS

At the Planning Services Scrutiny Standing Panel meeting on 3 June 2010 officers were required to look at the issue of damage to highway infrastructure during construction work, and whether there was a way of forcing developers to make good any damage they had created at their expense.

In attendance at the meeting by invite was Ms Emma Featherstone, Development Manager Engineer at Essex County Council. The County Council advised that ultimately any damage to the highways included grass verges should be reported to the Maintenance Team at the West Area Highway Office. It was advised that the main difficulty was in gathering evidence and proving who had caused the damage and also how those responsible should pay and rectify the damage. Members asked about the sorts of evidence required to prove the extent of damage, perhaps photographs. Ms E Featherstone replied that more evidence was needed apart from photographs. It was problematic proving damage to a developer. There could also be sub-contractors involved. In some cases applicants had signed up to a unilateral agreement to repair any damage made. Conditions can be made when agreeing an application.

Since October 2008 there was now a great deal of extension work to houses that no longer required planning permission. Even where extension work did require planning permission, the highway authority were only consulted if there was a highway safety issue, this was very rare. For large scale planning applications it was possible to condition a construction management plan and a condition survey where construction damage was put right. However planning should not take on a responsibility that is controllable by the landowner, in this case, likely to be the highway authority.

Mr N Richardson advised that he was shortly attending the Essex Development Control Forum and a meeting of the Planning Officer's Society and would make enquiries about this.

Officers were informed of a particular problem in Theydon Bois where vehicles being used in a development had damaged resident's gardens. The development had involved match funding, it was felt that the investment made should be protected. Officers suggested that a Code of practice should be developed for builders. It was only on large scale developments that a maintenance payment was required for damage. Members requested that officers find out how recovery costs take place, members also asked how kerb stones were fixed for householders.

#### **RESOLVED:**

- (1) That N Richardson, Assistant Director of Planning and Economic Development, and Ms E Featherstone, Development Manager Engineer at Essex County Council, find out how frequent recovery costs take place; and
- (2) That N Richardson liaise with Essex County Council to seek how damage to footways during construction is resolved.

#### 43. NEW BONUS HOMES CONSULTATION

The Panel received a report from Mr I White, Forward Planning Manager, regarding the Communities and Local Government Consultation on the New Homes Bonus (NHB). The consultation was the Coalition Government's approach to incentivising

local authorities to increase housing supply and it ran from 12 November to 24 December 2010.

The consultation contained the following questions:

**1. Level of Bonus**

For each new home built in a specified period within a year, the Council would receive the “Bonus,” equal to the national average for the appropriate Council Tax band. This would be paid for each new property for the following six years as an unringfenced grant. The first consultation question was:

**(a) 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?**

**Response:**

There were many other current and complex changes underway to local government financing which would lead to a reduction in Revenue Support Grant. The Housing and Planning Delivery Grant had also been abolished so, unless new housing was built, the Council would be receiving significantly less money from central government. Conversely, local authorities that allocated significant land for housing through the Local Development Framework would receive much more. In the last 5 years an annual average of 158 new houses had been built in the district.

Members asked if there would be a maximum amount of bonus that could be paid to a Council in any one year, and would the scheme be retrospective when it started. Officers were requested to prepare scenarios of different annual building numbers to provide members with some feeling for the potential financial implications.

**2. Affordable Housing Enhancement**

The document proposed an additional £350 for each of the six years for every new affordable unit. This was described as “about 25% of the current average Band D Council Tax.” The second question asked:

**(b) What do you think the enhancement should be?**

**Response:**

An annual average of 43 new affordable houses were built in the last 5 years. Since the Council recognised the importance of, and need for, affordable housing, it was felt that an enhancement would be beneficial. In recent years, permission for 80-100% affordable housing, on some Green Belt sites, had been granted for very special reasons.

Members felt that the enhancement should be a percentage rather than a flat fee.

**3. Definition of Affordable Housing**

The definition should include social rented and intermediate housing. In addition pitches on Gypsy and Traveller sites in public ownership were considered to contribute to the supply of affordable homes. While this Council had 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 was 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 question asked:

**(c) Do you agree to use PPS3 and publicly owned Gypsy and Traveller sites to define affordable homes?**

**Response:**

As part of the Comprehensive Spending Review, the Government announced its proposed introduction of “affordable rented” properties replacing the social rented tenure of new housing association homes. These would be at rents of up to 80% of private rents. Members agreed that the definition of “affordable housing” should include affordable rented housing as introduced in the recent Comprehensive Spending Review.

The Panel concluded that it was appropriate for the Bonus to apply to each new Gypsy and Traveller pitch. However the enhancement should not apply, as these sites were not considered to be affordable housing. The total number of pitches granted planning permission since 2008, now stood at 34, the target for 2011 set in the East of England Plan Single Issue Review.

#### **4. Empty Homes**

The consultation document was not entirely specific about the details, merely saying that it proposed “to reward local authorities for bringing empty properties back into use through the NHB.” There were two questions associated with this:

**(d) Do you agree with the proposal of reward?; and**

**(e) Are there any practical constraints?**

**Response:**

While initiatives to incentivise and reward local authorities for bringing empty properties back into use would be welcomed, the consultation was not sufficiently detailed to assess how the NHB would work.

Members supported the principle of renewal but agreed that there was insufficient information in the consultation document. Clarity was needed around the renewal applying to house sub-divisions. No firm conclusions were drawn about houses in multiple occupation.

#### **5. Tier Split of Bonus**

The document recognised that “for the incentive to be most powerful, it must be strongest where the planning decision sits.” It therefore proposed an 80:20 split “as a starting point for local negotiation.” There was also discussion of the pooling of funding with other local service providers, and with Local Enterprise partnerships, but these cases would depend upon individual circumstances, and the Government stated again that “local authorities were best placed to negotiate to meet the needs of local neighbourhoods and communities.” Two questions flowed from this proposal:

**(f) Do you agree to the 80:20 split between lower and higher tier authorities, as a starting point for local negotiation?; and**

**(g) If not, what would the appropriate split be, and why?****Response:**

Local authorities would be free to spend the grant in line with community wishes. However this could lead to disagreement between local communities.

As RSG would be reduced to assist with funding the NHB, officers believed that RSGs to upper tier authorities should be similarly reduced. They proposed that if there were no infrastructure costs to upper tier authorities, the proportion of NHB should be nil. The members asked who would be the arbiter if there was disagreement between the district and county councils about the split of the bonus. The split should be prescribed in legislation and should not be a matter of local negotiation. It was felt that the split should be 90:10 in favour of the District Council. It was suggested that there should be a Memorandum of Understanding with the County Council to ensure that the bonus was spent within the district.

**6. Basis of Calculation**

This section discussed sources of data minimising additional burdens on authorities, and the timing of grant allocations and payments. Six questions were posed:

**(h) Do you agree to use data collected on the Council Tax base form as at October to track net additions and empty homes?**

**(i) Do you agree with one annual allocation based on the previous year's Council Tax Base form, and paid the following April?**

**(j) Do you agree that allocations should be announced alongside the local government finance timetable?**

**(k) Do you agree that local authorities should be rewarded for affordable homes using data reported through the official statistics on gross additional affordable supply?**

**(l) How significant are demolitions?**

**(m) Is there a proportionate method of collecting demolitions data at local authority level?**

**Response:**

Officers agreed with the first four questions with the proviso that the definition of affordable homes should be expanded. Demolitions were not considered to be significant in this district and the information was already collected as part of the Annual Monitoring Report for the LDF. Members asked that the issue of local authority boundary changes should be brought up in the response to the consultation.

**7. Additional Issues**

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

Two questions were asked:

**(n) Do you think the proposed scheme would impact any groups with protected characteristics?; and**

**(o) Do you agree with the methodology used in the impact assessment?**

**Response:**

The first question raised potentially controversial issues, where perhaps a perception may arise that permissions had been granted for financial reasons.

Members asked that their concern about the shortness of the consultation period should form part of the response. It was also suggested that “transitional arrangements” were needed as enough was not known at this stage about the impact on local government financing.

**Wider Views**

The document asked for other comments, particularly where there were issues that had not been addressed.

The district was entirely within the Green Belt with only towns and larger villages excluded by tightly drawn boundaries. How would “incentivisation” sit with the strategic aim of growth restraint, and with the Government committed to protecting the Green Belt?

Members were sceptical about the statement on “Rural Proofing” in the “Specific Impact Tests” section of the appendices of the consultation document. There was concern that a potential increase in development could impact adversely on rural areas. The document suggested that the risks were mitigated given that local authorities determined the quantity, type and location of housing development.

It was unclear how the existence of the bonus should be treated in considering the planning merits of such schemes. There was concern that some residents, or other observers, would argue that some permissions had been “sold.” Members were advised of “The Planning System: General Principles” (2005), that the “use of planning obligations must be governed by the fundamental principle that planning permission may not be bought or sold.” It was therefore “not legitimate for unacceptable development to be permitted because of benefits or inducements offered by a developer.”

The Government intended that the scheme would become a permanent feature of local government funding. There was concern about the medium and long-term effects this would have on settlements such as Harlow which had very little land left for new housing. This may lead to increased pressure for boundary reviews and loss of Green Belt.

Similar issues applied to any urban extensions in Harlow. This could increase pressure for early boundary changes which could mean the Council losing nomination rights for any affordable housing included in such schemes. It was believed that the Council permitting the housing should retain the NHB, irrespective of boundary changes. The example of Church Langley was mentioned where permission was granted when the land was within Epping Forest, but a boundary change meant that all the housing was now in Harlow. It was felt that the latter could

argue that the NHB should rightly be paid to the authority which was picking up the service costs created by the households.

Members felt that the timescale of the consultation was far too short. The scheme was being introduced on 1 April 2011, therefore it was difficult to ascertain how the Communities and Local Government (CLG) could take on board all the responses during this period of time. Although the consultation was being put before the Council on 14 December 2010, it was felt that members should be given advanced warning of its potential impact before the meeting. Members requested that the three M.P.s representing the district area should be advised of the Council's response to the consultation.

**RECOMMENDED:**

That a report be submitted to the Council recommending that the annotated version of the report by the Director of Planning and Economic Development containing suggested responses and recommendations on the comments to be made be approved.

**44. TREE PRESERVATION ORDERS CONSULTATION DOCUMENT**

The Panel received a report regarding Tree Preservation Orders: Proposals for Streamlining – Consultation.

The Government was consulting on a proposal to consolidate legislation and streamline the Tree Preservation Order (TPO) system, the consultation closed on 20 December 2010.

The key measures outlined were:

1. The creation of a unified system for all TPOs
2. To shorten and simplify the model TPO

The new regulations were expected to be brought into effect in 2011. Officers considered the consultation proposals to be largely beneficial. The chief benefit were considered to be that new orders would be both easier for the public to understand and for the Local Planning Authority to administer. There would be some saving in the time taken to make an order and the opportunity for error would be reduced.

Of the originally suggested responses members had comments and suggestions to alter or elaborate several.

**The Questions and Responses**

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

**Response** There would be real and significant benefits for both. However there would also be drawbacks as well. The particular set of solutions proposed within a single format was not supported by evidence.

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

**Response** It would undoubtedly be clearer for tree owners, and it would assist in effective tree protection by speeding up the production of new TPOs.

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

**Response** It confirmed what was the general de facto position in any case. It was felt though, that a provisional order would become void after 6 months, which was negative.

**Question 4** Is the proposed minimum notification of new or varied TPOs targeting the right people?

**Response** It would still ensure that those most closely affected by a TPO were made aware, and in doing so will reduce the administrative burden of making an order to some extent, and reduce costs.

**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?

**Response** It provided useful clarification and closed a potential loophole. However it still left the biodiversity value of veteran trees in particular vulnerable to pruning that may have threatened their biodiversity value.

**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?

**Response** Not a power that this authority had exercised.

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

**Response** On balance, two years would be preferable. Many consents were not exercised within a year, so the change would potentially increase the number of applications without an increase in tree protection.

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

**Response** This made explicit what was a useful opportunity – serving to reduce unnecessary bureaucracy for LPAs as well as owners.

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

**Response** This was a modest change, it was one that could weaken the council in respect of protecting woodland amenity.

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

**Response** There was no evidence supporting the complete withdrawal of article 5 certificates, this was likely to have a negative impact on the retention of large and special trees in urban areas.

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

**Response** That the status of Area Orders appeared unclear, they were mentioned in the draft order, but not in the draft regulations. The retention of out-of-date terms, notably “lopping” and “topping” was regrettable. That the reference to “good Forestry” alone was regrettable, and that it should be expanded to /include “good woodland management practice.”

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

**Response** The Authority considered that the draft impact assessment was too limited to be truly useful.

There was no “Question 13” in the consultation.

**Question 14 Are there any benefits to the “do nothing” option of not consolidating regulations and creating a unified system for TPOs?**

**Response** Members considered that having regard to the considerable reservations expressed it should be answered that there were benefits to the “do nothing” option. It was noted with concern that the proposed changes were not backed by evidence that alternative options for change were not considered and that although a review was proposed, there were no arrangements for systematic collection of monitoring information for future review.

Mr C Neilan advised that he would put together all the responses made and email the present Panel members to check for accuracy before submitting the final response to the Government.

**RESOLVED:**

That subject to accuracy, the responses to the consultation be forwarded to the Government.

**45. PLANNING AND ECONOMIC DEVELOPMENT - DIRECTORATE BUSINESS PLAN**

The Panel received the Planning and Economic Development Directorate Business Plan. Mr J Preston advised that this was a first draft and required more work. It was felt that there was not enough time in the meeting to discuss this fully and that it would be brought back to the extra-ordinary Panel meeting in January 2011. It was requested that Mr P Millward, Business Manager, should come to that meeting to present the Business Plan.

**RESOLVED:**

That the Directorate Business Plan be re-scheduled for the Panel Extra-Ordinary Meeting on 10 January 2011.

**46. ANY OTHER BUSINESS**

There was no other business.

**47. DATES OF FUTURE MEETINGS**

The next meeting of the Panel was on 10 January 2011, an extra-ordinary meeting, and the following meeting was on 3 March 2011.

**CHAIRMAN**

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## 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 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.
5. 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.
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) Reports to each meeting on; (a) Regional Plan (b) Local Development Framework (c) Current Staffing (d) Improvement Plan (e) Any recent meeting of the Chairman and Vice Chairman of the Area and District Committees Invitation Panel.	Regular updating reports to each meeting		
(2) Value for Money Provision: (a) Administration & Customer Support (b) Building Control (c) Development Control (including Appeals) (d) Economic Development (e) Enforcement (f) Environment Team (g) Forward Planning (h) Performance	Provide a report after the end of Quarter 4 on 2(c)+ 2(e) and periodically on the other areas.		<b>3 June 2010</b> <del>2 September</del> <del>11 October</del> – Extra Ordinary Meeting <del>2 December</del> ; 10 January 2011 – Extra Ordinary Meeting <b>3 March 2011</b>
(3) Report from Legal on performance at Planning Appeals	June 2009	<b>COMPLETED</b>	
(4) Meet annually with planning agents and amenity groups required matching	Reports to reflect available meeting	<b>COMPLETED</b> – Meeting has taken place, minutes were circulated at the Panel meeting in January 2011 and have been sent to agents/ amenity group attendees.	
(5) That a report be produced for the Panel setting out the possible route any planning enforcement investigation could take.		Report on 03/03/11 meeting.	
(6) 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.		Referred to the Standards Committee	

(7) To review a selection of controversial planning decisions to see if lessons can be learnt from their consideration.	Site meetings organised for Saturday 5 <sup>th</sup> March	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.	
(8) 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.	
(9) Planning conditions controlling damage to highways infrastructure	December 2010	Receive update at March 2011 meeting	
(10) Contributions to affordable housing (S106 Agreements)	New Item		
(11) Liaise with other planning authorities to learn from their work.	New Item	Quarterly meeting with other Essex Authorities discuss and share working practices. Benchmarking underway as part of local fee setting and charging of planning application fees.	
(12) Countrycare	Submitted to 2 September 2010 Panel meeting.	<b>COMPLETED</b> - Future structure following the departure of Paul Hewitt.	
(13) Consultations from Hertfordshire Councils regarding Core Strategies	October 11 2010	<b>COMPLETED</b> - Consultations to be considered at extra-ordinary panel meeting on October 11 2010.	
(14) Tree Preservation Order Consultation	December 2010	<b>COMPLETED</b> - Government Consultation	
(15) New Homes Bonus Consultation	December 2010	<b>COMPLETED</b> - Government Consultation	
(16) Essex County Council Minerals Development Document: Preferred Approach Paper	January 2011	<b>COMPLETED</b>	

(17) Planning Fees - Consultation	January 2011	<b>COMPLETED – Government Consultation</b>	
(18) Harlow Council – Core Strategy Issues and Options Consultation Document	January 2011	<b>COMPLETED</b>	
(19) Request for District Development Fund	January 2011	<b>COMPLETED</b>	
(20) Town Centre Officer Post/Future Management of Town Centre	January 2011	<b>COMPLETED</b>	
(21) Standard letters of justification on enforcement and planning applications	New Item	<b>March 2011 meeting</b>	

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# EPPING FOREST DISTRICT COUNCIL

## PLANNING & ECONOMIC DEVELOPMENT IMPROVEMENT PLAN 2010-2011 (UPDATED AUGUST 2010)

AREA OF IMPROVEMENT	ACTION(S)	LEAD RESPONSIBILITY	TARGET FOR COMPLETION	RESOURCES AVAILABLE/ REQUIRED	PROGRESS	
					<input checked="" type="checkbox"/> Fully Achieved <input type="checkbox"/> Partially Achieved <input type="checkbox"/> Limited Action	
<b>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.</b> Page 23	Review previous protocols, (e.g. those re DC and Enforcement)	Directorate Business Manager.	Dec 2010	Within existing Resources.	<input type="checkbox"/>	Items included on agenda for 02/12/10
	Set new Standards.		Dec 2010		<input type="checkbox"/>	
	Report Compliance.		Quarterly		<input type="checkbox"/>	

## EPPING FOREST DISTRICT COUNCIL

### PLANNING & ECONOMIC DEVELOPMENT IMPROVEMENT PLAN 2010-2011 (UPDATED AUGUST 2010)

AREA OF IMPROVEMENT	ACTION(S)	LEAD RESPONSIBILITY	TARGET FOR COMPLETION	RESOURCES AVAILABLE/ REQUIRED	PROGRESS	
					<input checked="" type="checkbox"/> Fully Achieved <input type="checkbox"/> Partially Achieved <input type="checkbox"/> Limited Action	
<b>2. Improving procedures</b> 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.	Confirm a programme of areas where information, primarily held in hard versions, can be scanned into i-Plan.	Directorate Business Manager	Dec 2010	Within existing resources.	<input type="checkbox"/>	Information on these points is included in the draft business plan; which is on the agenda for 02/12/10
	Make more information available by improving the content of the sections of the website concerning Planning.		Dec 2010	Within existing resources.	<input type="checkbox"/>	



# EPPING FOREST DISTRICT COUNCIL

## PLANNING & ECONOMIC DEVELOPMENT IMPROVEMENT PLAN 2010-2011 (UPDATED AUGUST 2010)

AREA OF IMPROVEMENT	ACTION(S)	LEAD RESPONSIBILITY	TARGET FOR COMPLETION	RESOURCES AVAILABLE/ REQUIRED	PROGRESS	
					<input checked="" type="checkbox"/> Fully Achieved <input type="checkbox"/> Partially Achieved <input type="checkbox"/> Limited Action	
3.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.	Refocus Business Plan 2011-2012	Directorate Business Manager	March 2011	Within existing resources.	<input checked="" type="checkbox"/>	On agenda for initial consideration 02/12/10

# EPPING FOREST DISTRICT COUNCIL

## PLANNING & ECONOMIC DEVELOPMENT IMPROVEMENT PLAN 2010-2011 (UPDATED AUGUST 2010)

AREA OF IMPROVEMENT	ACTION(S)	LEAD RESPONSIBILITY	TARGET FOR COMPLETION	RESOURCES AVAILABLE/ REQUIRED	PROGRESS	
					<input checked="" type="checkbox"/> Fully Achieved <input type="checkbox"/> Partially Achieved <input type="checkbox"/> Limited Action	
4. 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.	To instigate regular reporting on enforcement performance to Members.  To publicise the outcome of enforcement action more widely.	Director of Planning and Economic Development/ Principal Planning Officer	Quarterly Reporting  Ongoing		<input type="checkbox"/>	Councillor Mrs Wagland chaired a meeting on 24/09/10. The letter to complainants has been amended as a result of these discussions.

2010/11  
 26

## EPPING FOREST DISTRICT COUNCIL

### PLANNING & ECONOMIC DEVELOPMENT IMPROVEMENT PLAN 2010-2011 (UPDATED AUGUST 2010)

AREA OF IMPROVEMENT	ACTION(S)	LEAD RESPONSIBILITY	TARGET FOR COMPLETION	RESOURCES AVAILABLE/ REQUIRED	PROGRESS	
					<input checked="" type="checkbox"/> Fully Achieved <input type="checkbox"/> Partially Achieved <input type="checkbox"/> Limited Action	
<b>5. Green Issues.</b> 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.	Create a revised and improved section on the Council's website to give greater clarity and prominence to these matters.	Assistant Directors; Building, Development and Policy & Conservation	Feb 2011	Within existing resources.	<input type="checkbox"/>	
	Run training sessions for Members and Officers.				<input type="checkbox"/>	
	Revise the corporate strategy on climate change/ carbon management.		May 2011		<input type="checkbox"/>	
	Undertake projects to reach improvement targets for climate & carbon related National Performance Indicators.		Ongoing		<input type="checkbox"/>	
	Revise the Green Corporate Working Party terms of reference.		Nov 2010		<input type="checkbox"/>	

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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**  
(January 2011, subject to further change and revision)

*Epping Forest District Council*



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# DRAFT PROPOSED OUTLINE BUSINESS PLAN 2011 – 2012

<b>STRATEGIC OVERVIEW - PLANNING &amp; ECONOMIC DEVELOPMENT .....</b>	<b>6</b>
<b>SECTION ONE: INTRODUCTION .....</b>	<b>6</b>
<b>SECTION TWO: DIRECTORATE SERVICE BACKGROUND .....</b>	<b>7</b>
(a) Title of Directorate, Background And Structure	7
(b) Portfolio and Corporate Responsibilities	7
(c) Date of commencement of the Business Plan	7
<b>SECTION THREE: DIRECTORATE SUMMARY .....</b>	<b>8</b>
(a) Overview, Functions & Vision	8
(b) Customer Focus and Profile	8
(c) Improvement Plan, Planning and Economic Development.	10
(d) Financial review	11
(e) Business and Environmental Analysis	12
<b>SECTION FOUR: CORPORATE OBJECTIVES AND PRIORITIES.....</b>	<b>14</b>
(a) Key Cabinet Objectives and Priorities 2010/11.	14
(b) On the Horizon – Strategic Key Objectives for Planning and Econ. Dev. 2011/12	17
(c) Risk Management	18
(d) Crime and Disorder	19
(e) Equality and Diversity	19
(f) Value for Money	19
(g) Resource Requirements	21
(h) Workforce Planning and Development	22
<b>DIRECTORATE SERVICE PERFORMANCE AND DEVELOPMENT .....</b>	<b>23</b>
<b>SECTION FIVE: FORWARD PLANNING .....</b>	<b>23</b>
5.1 KEY FUNCTIONS .....	23
5.2 STAFFING SUMMARY .....	23
5.3 KEY OBJECTIVES .....	23
5.4 CHALLENGES AND ISSUES LIKELY TO BE FACED IN 2010/11 and 2011/12 .....	24
5.5 PERFORMANCE INDICATORS .....	26
5.6 ACTION PLANS .....	28
<b>SECTION SIX: CONSERVATION.....</b>	<b>32</b>
6.1 KEY FUNCTIONS .....	32
6.2 STAFFING SUMMARY .....	32
6.3 KEY OBJECTIVES .....	32
6.4 CHALLENGES AND ISSUES LIKELY TO BE FACED IN 2010/2011 AND 2011/12 .....	33
6.5 PERFORMANCE INDICATORS .....	34
6.6 ACTION PLANS .....	34
<b>SECTION SEVEN: TREES &amp; LANDSCAPE .....</b>	<b>37</b>
7.1 KEY FUNCTIONS .....	37
7.2 STAFFING SUMMARY .....	37
7.3 KEY OBJECTIVES .....	37
7.4 CHALLENGES, TARGETS AND ISSUES LIKELY TO BE FACED IN 2011/12 .....	37
7.5 PERFORMANCE INDICATORS .....	38
7.6 ACTION PLANS .....	39
<b>SECTION EIGHT: COUNTRYCARE .....</b>	<b>41</b>
8.1 KEY FUNCTIONS .....	41

8.2	STAFFING SUMMARY .....	41
8.3	KEY OBJECTIVES .....	41
8.4	CHALLENGES, TARGETS AND ISSUES LIKELY TO BE FACED IN 2011/12 .....	42
8.5	PERFORMANCE INDICATORS .....	43
8.6	ACTION PLANS .....	44
<b>SECTION NINE: DEVELOPMENT CONTROL .....</b>		<b>48</b>
9.1	KEY FUNCTIONS:.....	48
9.2	STAFFING SUMMARY .....	48
9.3	KEY OBJECTIVES .....	48
9.4	CHALLENGES, TARGETS AND ISSUES LIKELY TO BE FACED IN 2011/12 .....	50
9.5	PERFORMANCE INDICATORS .....	51
9.6	ACTION PLANS .....	52
<b>SECTION TEN: BUILDING CONTROL .....</b>		<b>57</b>
10.1	KEY FUNCTIONS .....	57
10.2	STAFFING SUMMARY .....	57
10.3	KEY OBJECTIVES .....	57
10.4	CHALLENGES AND ISSUES LIKELY TO BE FACED IN 2010/11 AND 2011/12 .....	58
10.5	PERFORMANCE INDICATORS .....	59
10.6	ACTION PLANS .....	60
<b>SECTION ELEVEN: DIRECTORATE PLANNING SUPPORT TEAM .....</b>		<b>62</b>
11.1	KEY FUNCTIONS .....	62
11.2	STAFFING SUMMARY .....	62
11.3	KEY OBJECTIVES .....	62
11.4	CHALLENGES, TARGETS AND ISSUES LIKELY TO BE FACED IN 201011 TO 2011/12 .....	63
11.5	PERFORMANCE INDICATORS .....	65
11.6	ACTION PLANS .....	65
<b>APPENDICES .....</b>		<b>68</b>



## **APPENDICES**

<b>APPENDIX ONE - BUSINESS AND ENVIRONMENTAL ANALYSIS.....</b>	<b>68</b>
<b>APPENDIX TWO - ELECTRONIC RECORDS MANAGEMENT PROGRESS PLAN .....</b>	<b>69</b>
<b>APPENDIX THREE - ORGANISATION CHART OVERVIEW.....</b>	<b>71</b>
<b>APPENDIX FOUR - STAFF ESTABLISHMENT MATRIX (64.54 POSTS).....</b>	<b>71</b>
<b>APPENDIX FIVE - SICKNESS ABSENCE SUMMARY JAN 2010 – DEC 2010 .....</b>	<b>72</b>
<b>APPENDIX SIX – WORKFORCE TEMPLATE .....</b>	<b>74</b>
<b>APPENDIX SEVEN - WORKFORCE TRAINING FRAMEWORK ACTION PLAN .....</b>	<b>75</b>
<b>APPENDIX EIGHT – DEVELOPMENT CONTROL APPLICANT FEEDBACK SUMMARY ...</b>	<b>76</b>
<b>APPENDIX NINE – BUILDING CONTROL APPLICANT FEEDBACK SUMMARY.....</b>	<b>77</b>
<b>APPENDIX TEN – DEVELOPMENT CONTROL NEIGHBOUR FEEDBACK SUMMARY .....</b>	<b>78</b>
<b>APPENDIX ELEVEN - RISK CAPTURE.....</b>	<b>79</b>
<b>APPENDIX TWELVE - RISK MATRIX.....</b>	<b>83</b>
<b>APPENDIX THIRTEEN - RISK REGISTER.....</b>	<b>84</b>
<b>APPENDIX FOURTEEN - RISK ACTION PLAN .....</b>	<b>85</b>
<b>APPENDIX FIFTEEN - FORWARD PLANNING EVIDENCE BASE UPDATE.....</b>	<b>87</b>

# **Business Plan**

## **Planning and Economic Development 2011 – 2012**

### **STRATEGIC OVERVIEW - PLANNING & ECONOMIC DEVELOPMENT**

#### **SECTION ONE: 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.

Sections 1 – 4 of this Business Plan outline the strategic details about the directorate and council key priority objectives.

Sections 5 – 11 of the Business Plan provide further details of 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 TWO: DIRECTORATE SERVICE BACKGROUND

### (a) Title of Directorate, 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 charts Appendix 2 – 5 and staffing matrix Appendix 6; 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) Date of commencement of the Business Plan

This plan is operational from April 2011 to March 2012.

## SECTION THREE: DIRECTORATE SUMMARY

### (a) Overview, Functions & Vision

We are working towards achieving locality based effective and accessible planning services that promote 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	12
Complaints	3	10	11	8

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 7-9).

A summary of the performance on what are considered the key questions are as follows for **April 2010 - December 2010**;

QUESTION	RESPONSE	DC APPLICANT	BC APPLICANT
Overall Impression of Service	Positive	84%	84%
	Average	11%	15%
	Negative	5%	1%
How does this compare to previous experience	Better	26%	29%
	Same	67%	67%
	Worse	7%	4%

QUESTION	RESPONSE	DC NEIGHBOURS
How did you view the plans for this application	Planning Reception	25%
	EFDC Website	56%
Disregarding the decision taken in the case, do you feel your views were taken into account in the making of the decision?	Yes	71%
	Partially	15%
	No	14%
Based on your experience with this application, what is your overall impression of our service?	Positive	71%
	Average	17%
	Negative	12%

### 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. However as a result of the current financial restrictions Phases Two to Five have been postponed pending future resource allocations to fund further improvements in the Directorate Electronic Document Records Management programme.

SECTION	REQUIREMENTS	OUTCOMES
<p><b><u>ITEM ONE.</u></b>  <b>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.</b></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><b><u>ITEM TWO</u></b>  <b>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.</b></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 February 2011</u>            Quality checking and secure destruction of old DC property files (22 000), DC application files Jan 2007 to Dec 2008 (6 000). In addition Enforcement Notices as well as old TPO's along with ongoing scanning of DC applications, Enforcement files and current TPO's. Finally an ongoing exercise is being carried out to include the scanning of all Decision Registers from 1981 – 1992.</p> <p><u>Phase 2 postponed pending resource allocation</u>            Back scan Large Site Files, the balance of Decision Registers, and Conservation Files</p> <p><u>Phase 3 postponed pending resource allocation</u>            Back Scanning of Contaminated Land files, Trees and Landscape misc files, Forward Planning &amp; Area Plans.</p> <p><u>Phase 4 postponed pending resource allocation</u>            Set up Project to scan all Building Control Records.</p> <p><u>Phase 5 postponed pending resource allocation</u>            Investigate the possibility of scanning all Microfiche records over an extended period due to high costs involved. It was noted that whilst this has previously been thought to be not cost effective, recent technological developments make it possible that this could be carried out within a two to three year timescale.</p>
<p><b><u>ITEM THREE</u></b>  <b>Create a Business</b></p>	<p>Submit a draft of the Business Plan</p>	<p>Draft scheduled for presentation to the Planning Services Scrutiny Panel 02 December 2010</p>

SECTION	REQUIREMENTS	OUTCOMES
<p><b>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.</b></p>	<p>2011-12 be submitted to the panel in December 2010.</p>	
<p><b><u>ITEM FOUR</u> 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.</b></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><b><u>ITEM FIVE</u> 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.</b></p>	<p>Green Issues Policy &amp; Conservation to provide information and updates on the activities of the Corporate Green Working Party</p>	<p>Policy &amp; 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. (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**

Planning and Economic Development financial activities are primarily divided into four areas;

- Direct Services (Policy and Conservation)
- Regulatory Non Fee Earning (Planning Appeals, Enforcement and Building Control),
- Regulated Fee Earning (Development Control) and
- Regulated Full Recovery of Fee Earning work (Building Control).

Expenditure is estimated for 2011/12 to be £3.198 million met as follows;

CSB Budget	£2 668 000
DDF Budget	<u>£ 530 000</u>
Total Net Budget	<u>£3 198 000</u>

#### DIRECT SERVICES (£1 707 000)

Direct Services primarily consists of the sections within Policy and Conservation and includes;

- Forward Planning
- Economic Development
- Environmental Coordination
- Conservation Policy
- Trees and Landscape
- Countrycare

Forecast costs for Direct Services are likely to reach £1707 000 for 2011/12.

#### REGULATORY SERVICES NON FEE EARNING (£985 000)

- **Development Control Appeals**

The forecast cost of Appeals increased from £237 000 in 2007/08 to £421 000 in 2008/09. The forecast figure for 2011/12 is £343 000.

- **Enforcement**

The annual costs of Enforcement has dropped in recent years from a high of £583 000 in 2007/08 to the forecast cost of Enforcement of £468 000 for 2011/12.

- **Building Control Non Fee Earning**

Building Control Non Fee earning activity costs are expected to reach £174 000 for 2011/12. This expenditure has been managed to ensure that £164 000 for 2007/08 has risen by less than 1.5% per year to 2011/12.

#### REGULATORY SERVICES FEE EARNING (£506 000)

This comprises of;

- **Building Control** (full fee earning recovery )

Local Authorities are required, by the Building (Local Authority Charges) Regulations 2010, to bring in a new scheme of charges with effect from 1<sup>st</sup> October 2010. This is to ensure cost recovery continue to be achieved for the Building Control service. Building Control has been able to achieve full cost recovery of fee earning services in recent years.

- **Development Control** (regulated fee earning recovery)

Planning Fees for Development Control Planning Applications have in the past been nationally regulated and do not currently aim to achieve full cost recovery of fees. Currently Development Control Planning (Regulated Fee Earning) fees account for 49% of the full cost providing this type of Planning Service. Consultation is currently underway regarding the decentralization to local planning authorities of the responsibility for setting fees. The proposals if agreed would reduce the subsidising of planning applications by local taxpayers. If accepted and approved by Parliament the charges would be implemented from 1 April 2011. Consultation finishes on 7 January 2011. The 2011/12 budget shortfall is £505,000, and to breakeven would require a substantial increase in fees. However work is ongoing as a member of the CIPFA Benchmarking Club to establish the feasibility of working towards full cost recovery of Development Planning (Fee Earning) activities.

#### **(e) Business and Environmental Analysis**



A Business and Environmental analysis of Planning and Economic Development has been carried out. This confirms that as a result of possible reductions in spending that there is a need to look strategically at what are the priorities for the Directorate.

This analysis has identified three key strategic choices for the Directorate;

- The priority is to promote full cost recovery methods for Development Control to align this with what is currently being carried out by Building Control who have had some success in this area. In addition across all sections of the Directorate there is a need to actively promote improved services and continuously implement efficiency savings.
- However it is recognised that savings need to be based on business principles and that it is essential that any decline or reduction in customer efficiency requires innovative and creative solutions based on Locally Decided Priorities for services.
- There is also a required within Budget limitations to prioritise measures to safeguard the unique character of the District.

## SECTION FOUR: CORPORATE OBJECTIVES AND PRIORITIES

### (a) Key Cabinet Objectives and Priorities 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
<p>(1) To deliver a Sound Core Strategy of the Local Development Framework;</p>	<p>To publish an issues and options consultation for the Core Strategy,</p>	<p><b>Medium-Term Aims</b> 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 anticipated completion date of Summer 2011</p>
<p>(2) To help mitigate the impact of the current economic conditions on local people and businesses, through the development and implementation of appropriate initiatives;</p>	<ul style="list-style-type: none"> <li>• To continue to pay undisputed local supplier invoices within twenty days;</li> <li>• To better publicise the contracts or opportunities available for the supply of goods and services to the Council;</li> <li>• To continue to work towards the future development of key retail sites in the district, in particular the St. John's Road area</li> </ul>	<p><b>Medium-Term Aims</b> 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><b>Budget 2010/11, and other corporate plans or</b></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 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</p>

CABINET CORPORATE KEY OBJECTIVES 2010/11	ACTIONS	LINKS TO MEDIUM-TERM AIMS AND OTHER CORPORATE PLANS/DOCUMENTS	CONTRIBUTION OF DIRECTORATE
	<p>of Epping;</p> <ul style="list-style-type: none"> <li>To consult upon and agree a Development Brief for the St. John's Road area of Epping;</li> <li>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;</li> </ul>	<p><b>documents relevant corporate plans and strategies or assessment reports</b></p> <p>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>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. 1<sup>st</sup> stage consultation on options to be launched in Q1 10/11</p>
<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;</p>	<p>To ensure that all appropriate members and officers of the Council are appropriately trained and aware of safeguarding responsibilities;</p>	<p><b>Medium-Term Aims</b></p> <p>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"> <li>A commitment by Senior Management to safeguard and promote the welfare of children and young people.</li> <li>A clear statement of responsibilities towards children and young people is available to all staff combined</li> </ul>

CABINET CORPORATE KEY OBJECTIVES 2010/11	ACTIONS	LINKS TO MEDIUM-TERM AIMS AND OTHER CORPORATE PLANS/DOCUMENTS	CONTRIBUTION OF DIRECTORATE
			<p>with appropriate training to promote the welfare of children and young people.</p> <ul style="list-style-type: none"> <li>• Effective inter-agency working and information sharing to safeguard the welfare of children and young people.</li> </ul>
(5) To maintain the Council's sound financial position;	<ul style="list-style-type: none"> <li>• To increase the Council Tax for 2010/11 by no more than 2.5%;</li> <li>• To ensure that the Medium-Term Financial Strategy delivers a balanced budget in its final year;</li> </ul>	<p><b>Medium-Term Aims</b> Aim 1 – Safeguarding frontline services; Aim 2 – Have the lowest Council Tax in Essex;</p>	<p>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.</p>
(6) To achieve the level of savings identified within the Council's Medium-Term Financial Strategy;	<ul style="list-style-type: none"> <li>• To develop savings projects and an overall strategy for the achievement of the level of savings identified within the Medium-Term Financial Strategy;</li> <li>• To achieve efficiency savings of £600,000 for 2011/12;</li> <li>• To identify and develop mutually beneficial partnerships with external organisations.</li> </ul>	<p><b>Medium-Term Aims</b> 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;</p> <p>These are expressed as net savings as they can be achieved through either reducing costs or increasing income.</p>	<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 years from 2010/11 to 2013/14;</p>	<p><b>Medium-Term Aims</b> 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;</p> <p><b>Budget 2010/11, and other corporate plans or documents</b> The processing of planning applications is a statutory service,</p>	<p>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.</p>

CABINET CORPORATE KEY OBJECTIVES 2010/11	ACTIONS	LINKS TO MEDIUM-TERM AIMS AND OTHER CORPORATE PLANS/DOCUMENTS	CONTRIBUTION OF DIRECTORATE
	(c). To continue to improve performance on the processing times of all categories of planning applications, as measured by National Indicator 157;	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.	<b>Medium-Term Aims</b> 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 – Strategic Key Objectives for Planning and Econ. Dev. 2011/12**

The following strategic action plan provides an outline of the key objectives for 2011/12

PLANNING & ECONOMIC DEVELOPMENT OBJECTIVES	KEY CORPORATE OBJECTIVE	WHAT ACTIONS WILL WE TAKE TO ACHIEVE THIS OBJECTIVE?	INDICATIONS FOR SUCCESS
<b>Responding to the Recession</b>	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
<b>Economic Development</b>	As per KCO (1) & (2)	Economic Development and Town Centre projects  West Essex/M11 corridor economic Partnership/subregional LEP	Completion of Projects to timescales
<b>Planning For Growth</b> • Local Development Framework • Affordable Housing • Regeneration/Town Centres	As per KCO (1) & (2)	Continue to deliver on the Core Strategy  Promote regeneration opportunities in Town Centres and wider District	Achieving milestones
• Review of Shared Service	As per KCO (5), (6) & (8)	The Directorate already participates in shared services	Achieving milestones in the Improvement Plan

PLANNING & ECONOMIC DEVELOPMENT OBJECTIVES	KEY CORPORATE OBJECTIVE	WHAT ACTIONS WILL WE TAKE TO ACHIEVE THIS OBJECTIVE?	INDICATIONS FOR SUCCESS
<b>Opportunities</b>	Medium Term Aims 2010-2014 (1) & (4)	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.	
<b>The Environment</b> • <b>Climate Change Agenda</b>	As per the KCO doc	Complete the Corporate Climate Strategy and pursue energy efficiency improvements to Council stock	Complete the Corporate Climate Strategy
<b>Value For Money</b>	As per KCO (6)	Ongoing VFM (efficiency) Improvements and CIPFA Benchmarking	Minimise expenditure and maximise income
<b>Performance/Efficiency Improvements</b> • <b>Coordinate Admin Support across the Directorate</b> • <b>Promote VFM in procurement</b> • <b>Consolidate ERDMS Programme</b>	As per KCO (8)  As per KCO (10)	Meet Improvement Plan Objectives	Meet Improvement Plan Criteria
<b>To improve access to and information and customer service</b>	As per KCO (8)	Customer Response times  Comms Strategy (LDF)  Website and ERDMS Improvements	Meet Improvement Plan Criteria
<b>Continue improvement of processing planning applications</b>	As per KCO (8)	Ongoing. Likely that NI 157 will be retained as a LI once the NI's are abolished.	Revised Performance Measures

### (c) 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 Fifteen.

Appendix Twelve is the Risk Capture Analysis that identifies vulnerabilities along with triggers and consequences of the main risks, together with a Risk Matrix (Appendix Fourteen) plotting Impact against Likelihood.

It can be seen that a number of risks to service delivery are identified but only eleven 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 eleven identified risks managed by the Risk Action Plan – Appendix 16.

RISK NO.	CURRENT RISK SCORE	TARGET RISK SCORE	DESCRIPTION
1	A2	C2	Planning Directorate not self-financing
3	B2	C2	Inability to maintain service provision due to

			inadequate resources
4	B2	C2	Increasing workloads determined by external factors
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
31	B2	C2	Planning Support for Development Control (Applications, Validations and Customer Contact).
8	B2	C3	Loss of budget and/or income DC, BC & P & C
24	B3	C3	Need to make B. Regs files available for public
10	B3	D3	Lack of funding for Town Centre Officer
33	B3	D3	Inability to 'backscan' additional files including secure destruction along with quality control processes due to insufficient funding

### **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.

### **(d) 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.

### **(e) 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.

### **(f) Value for Money**

Current arrangements

BENCHMARK OR COMPARATOR SOURCE	COMPARATOR GROUP	COMMENTARY
<p>Planning Services &amp; 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><b><u>DEVELOPMENT CONTROL:</u></b>  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 3<sup>rd</sup> 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 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><b><u>FORWARD PLANNING, TREES &amp; CONSERVATION</u></b>  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><b><u>BUILDING CONTROL</u></b>  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</p>



BENCHMARK OR COMPARATOR SOURCE	COMPARATOR GROUP	COMMENTARY
		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.

### 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 1<sup>st</sup> to 26<sup>th</sup> 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.

### (g) 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 1<sup>st</sup> 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.

**(h) Workforce Planning and Development**

The Directorate has a clear program of staff development with a number of staff who have attended 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 1<sup>st</sup> April 2010, with the percentage increasing to 96% by 1<sup>st</sup> 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 Seven.

In the period under review January 2010 to December 2010, the directorate lost 206 days due to short term sickness, and 66 days due to long term sickness, totalling 272 lost days. This equates to lower than 2% of work days being lost due to all types of sickness absence. The average sickness absence per staff member has been maintained at 4.28 days which compares favourably with a similar period last year of 5.6 days per member.

Details of Workforce Planning Information, is contained in Appendices Seven, Eight and Nine attached.

# DIRECTORATE SERVICE PERFORMANCE AND DEVELOPMENT

## SECTION FIVE: FORWARD PLANNING

### 5.1 KEY FUNCTIONS

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

Continue the preparation of the Evidence Base studies for the Local Development Framework, either by internal work or by commissioning additional reports and ensure that these are kept as up-to-date as possible (See Appendix 16)

Annual Monitoring Report, key requirements of the Local Development Framework. Housing completions are monitored via NI154 (Net additional homes provided), future land supply for housing monitored via NI159 (Supply of ready to develop housing sites)

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 6 permanent professional posts (FP Manager, Principal Planning Officer, Senior PO, PO, Information and Technical Officer, and Forward Planning Assistant) Due to resignation; the Senior PO post is currently vacant. There is also a Senior PO/Consultation Officer 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. The Environmental Co-ordinator is a permanent professional role. The full staffing profile is shown on Appendix 2.

### 5.3 KEY OBJECTIVES

#### 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
<b>2 Core Planning Strategy</b>	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.
<b>3 Annual Monitoring Report</b>	GU4; EP3	Key requirement of the Local Development Framework Must be completed by December each year for the preceding financial year. Will be considered by the Local Development Framework Cabinet

Objective	Council plan or other ref	Background
		Committee.
<b>6 Climate Change Strategy</b>	Housing KPO 13; Council Plan GU1, GU2 LAA2 Priority 9	National Indicators 185, 186, 188 and 194
<b>7 Fuel Poverty</b>	Council Plan EP5	National Indicator 187
<b>8 Promotion of sustainable economic development and tourism</b>	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).
<b>9 Partnership working to help secure the future viability and vitality of the district's town centres.</b>	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).
<b>10.Engagement with the Local Enterprise Partnership.</b>		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 10<sup>th</sup> 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 (see Appendix 14).

- 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**

- 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**

- 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 will be completed by the Forward Planning Team (To follow).

## 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 2010/11	PERFORMANCE		2009/10 (Q4 & OUTTURN)	
		2009/10 (Q4 & OUTTURN)			
NI151* – overall employment rate. VW to provide an update	2010/11 target 2.9% above England	Annual figure only 2009/10 – 73.3	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 (cumulative figure collected quarterly)	180	176	NI154 – Net additional homes provided (cumulative figure collected quarterly)	180	176
NI159 – Supply of ready to develop housing sites (annual figure – collected in December)	100.00%	144.00%	NI159 – Supply of ready to develop housing sites (annual figure – collected in December)	100.00%	144.00%
NI163* – Proportion of population aged 19–64 for males and 19-59 for females qualified to at least Level 2 or higher.	2011/12 target 63.8	Annual figure only 2009/10 result – 65.8%	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	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

PERFORMANCE INDICATOR	TARGET 2010/11	PERFORMANCE			
		2009/10 (Q4 & OUTTURN)			2009/10 (Q4 & OUTTURN)
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	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 only target) VW to provide an update	District data not available due to low confidence at this level.	County 2010/11 target is £504.19/week (2009/10 result was £491.90/week)	NI166 – Median earnings of employees in the area (Essex only target) VW to provide an update	District data not available due to low confidence at this level.	County 2010/11 target is £504.19/week (2009/10 result was £491.90/week)
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.

**(b) 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 due to recent uncertainty over East of England Plan, and thus growth around Harlow. Review will be completed as soon as possible.	Meeting between Members and senior Management of EFDC, East Herts and Harlow Councils is planned, in order to find way forward. Once this has taken place, structured timelines can be introduced for the LDF through a revised LDS.
Meet milestones in current LDS	GU4	No targets as current LDS is out of date.	
Publish Annual Monitoring Report	GU4	31/12/09	Achieved
Prepare and co-ordinate Evidence Base studies <b>(Please see Appendix 16 attached)</b>	GU1; GU4; HN1; EP3	May 2009	Strategic Housing Market Assessment completed January 2010. Landscape Character Assessment completed January 2010. Sustainability Appraisal Scoping Report completed May 2010. Town Centres Study completed May 2010. Local Wildlife Sites Review completed May 2010. Strategic Housing Market Assessment Viability Testing completed August 2010. Employment Land Review completed September 2010. Work on Strategic Flood Risk Assessment (Level 1 – area wide) continues, hoping for completion by end of December 2010. Work is progressing internally on the PPG17 Audit of Open Space. Consideration needs to be given to commissioning the Strategic Housing Land Availability Assessment and an updated study of the glasshouse industry. Work on the Rye Meads Water Cycle Study, and the Settlement Edge Landscape Sensitivity Study is ongoing.
Assess implications of EEP review.	GU1; GU4; HN1	No longer relevant – EEP review will not be pursued by	No longer applicable.



ACTION	SOURCE	TARGET	PROGRESS/ PERFORMANCE
		Coalition Government, who intent to formally revoke EEP as soon as possible through legislation.	
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 Road area, Epping	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 expected to be undertaken from January 2011.
Publish combined Local Plan and Alterations document and revised Proposals Map	GU1	Spring 2011	Combined policies document was published in February 2008. Publication of amended Proposals Map delayed by other work priorities, but intend completion by Spring 2011
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	No longer relevant – Direction to produce DPD was formally revoked by Minister Greg Clark MP in July 2010. EFDC Members decided to cease all work on DPD	No longer relevant

ACTION OBJECTIVE	COUNCIL PLAN OR OTHER REF	RESPONSIBLE OFFICER	TARGET DATE	RESOURCES/ BUDGET
			immediately.	
Revise Local Development Scheme	GU4; EP3; LAA2 Priority 2	IW/AW	As soon as possible - once joint Member/Management meeting take place between the three local authorities.	Existing staff
Core Strategy Issues and Options consultation	GU1; GU4; HN1; EP3	AW/IW	Summer 2011	LDF budget
Harlow Options Appraisal	GU1; GU4	IW/AW	Completed January 2010.	GAF
Review of East of England Plan	GU1; GU4; HN1; EP3	IW/AW	No longer relevant – EEP review will not be pursued by Coalition Government, who intent to formally revoke EEP as soon as possible through legislation.	Existing staff
Stansted G2 Public Inquiry	EP3; EP5	JP/IW	No longer relevant – BAA withdrew the applications for a second runway in May 2010.	
Revise draft Statement of Community Involvement	GU4	IW	Spring 2011.	LDF budget
Strategic Housing Market Assessment (part of Core Strategy evidence base)	GU1; GU4; EP3 LAA2 Priority 2	AW	Completed January 2010. Viability study completed August 2010.	LDF budget
Strategic Housing Land Availability Assessment (CS evidence base)	GU1; GU4; EP3; LAA2 Priority 2	AW/KW	To be commissioned early 2011.	LDF budget
Strategic Flood Risk Assessment (CS evidence base)	GU4	IW	(Level 1 – area wide) hoping for completion by end of December 2010	Existing staff
Town Centres Study (CS evidence base)	GU4; LAA2 Priority 8	KW	Completed May 2010.	LDF budget
Landscape Character and Sensitivity Analysis (CS evidence base)	GU4; LAA2 Priority 10	IW/ C Neilan	Landscape Character Assessment completed January 2010.	LDF budget

ACTION OBJECTIVE	COUNCIL PLAN OR OTHER REF	RESPONSIBLE OFFICER	TARGET DATE	RESOURCES/ BUDGET
			Sensitivity Analysis planned for completion in February 2011.	
Review of County Wildlife sites (CS evidence base)	GU4	IW/	Completed May 2010.	LDF budget
PPG17 Open Spaces Audit (CS evidence base)	GU4; LAA2 Priority 10	AW/LM	As soon as possible.	Existing staff and LDF budget
Employment Land Review (CS evidence base)	GU4; LAA2 Priority 8	IW/AW/KW/SK	Completed September 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 Priority 9	SC	On-going	Funding not secured
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/LABGI
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 SIX: 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
<b>1. Protect and manage the character and appearance of our conservation areas.</b>	<b>Local Plan</b>	<ul style="list-style-type: none"> <li>• The Council is planning to publish management plans and character appraisals for Staples Road, Baldwins Hill and York Hill Conservation Areas in 2010.</li> <li>• Work is underway on the character appraisal and management plan for</li> </ul>

Objective	Council plan or other ref	Background
		Copped Hall
<b>2. Enhance the character of our conservation areas via minor enhancement schemes.</b>	<b>Local Plan</b>	<ul style="list-style-type: none"> <li>• Enhancement scheme for Epping (installation of benches) has been achieved.</li> <li>• Other projects will be brought forward as the character appraisals are completed.</li> </ul>
<b>3. Protect the built heritage of the district</b>	<b>Local Plan</b>	<ul style="list-style-type: none"> <li>• The successful Local List project will be continued</li> <li>• 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.</li> <li>• Continue Historic Buildings Grants Scheme – specifically targeting Buildings at Risk and Commercial buildings. One formal application has been received</li> </ul>
<b>4. Ensuring ECC responses are timely and accurate, and that the service given is cost effective.</b>		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.
<b>5. Ensure internal responses to DC consultations are timely.</b>		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

<b>STRENGTHS</b>	<b>WEAKNESSES</b>
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	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
<b>OPPORTUNITIES</b>	<b>THREATS</b>
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	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

**(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:

<b>Action</b>	<b>Source</b>	<b>Target</b>	<b>Progress/ Performance</b>
<b>Complete Character Appraisal and Management plan for York Hill</b>	GU3	Q3 2009/10	York Hill currently in progress – Completion anticipated Q4
<b>Complete Character Appraisal and Management plan for Staples Road</b>	GU3	Q3 2009/10	Staples Road currently in progress – Completion anticipated Q4
<b>Complete Character Appraisal and Management plan for Baldwins Hill</b>	GU3	Q3 2009/10	Baldwins Hill currently in progress – Completion anticipated Q4
<b>Complete Character Appraisal and Management</b>	GU3	Q4 2009/10	Held in abeyance due to lack of resources

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
plan for Waltham Abbey			
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		EH	Q4	Existing Internal +

Action/Objective	Council Plan Or Other Ref	Responsible Officer	Target Date	Resources/ Budget
<b>Appraisal and Management plan for Baldwins Hill*</b>			2010/11	temporary staff when available
<b>Identify Next tranche of Character Appraisals and Management plans</b>		EH	Q4 2010/11	TBC
<b>Epping Conservation Area Enhancements</b>	EP2	EH	Q3 2009/10	Existing resource + Epping Town Council
<b>Identify priorities for future enhancements from Character Appraisals</b>	EP2	EH	Q4 2009/10	Existing resource
<b>Monitoring of ECC Specialist advice</b>	PO16	EH + AD (Development)	Quarterly Ongoing	Existing resource
<b>Carry out ongoing monitoring of workload and performance</b>	PO16	EH + AD (Environment)	Monthly ongoing	Ongoing
<b>Update existing Conservation Area leaflets and publish on the website*</b>		EH	Q4 2010/11	Temporary staff when available
<b>Complete character appraisal for Copped Hall</b>		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 SEVEN: 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 and 1 Future Jobs Fund (work experience) post to March 2010.

### 7.3 KEY OBJECTIVES

#### 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
<b>1 Complete a Green Infrastructure Plan for the District</b>	GU4	Essential for the LDF core strategy.
<b>2 Protect landscape character within the District</b>	EFDC Combined Policies Feb 2008, Land & Landscape	Landscape protection given high priority in the LDF.
<b>3 Protect trees within the District</b>	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.
<b>4 Maintain public support for and involvement with the objectives of the team</b>	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	IP3	C Neilan	Ongoing	Conservation policy budget PP 100 3380

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

## SECTION EIGHT: 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 Countryside. Throughout the year Countryside 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. Countryside is also bidding for a post of Trainee Countryside Assistant in November 2010.

### 8.3 KEY OBJECTIVES

#### 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 Countryside.
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.
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, Countryside 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 Countryside'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	GU3	This National Indicator was adopted by EFDC in March

OBJECTIVE	COUNCIL PLAN OR OTHER REF	BACKGROUND
achieving the targets of NI 197 improving biodiversity.	LAA2 Priority 10	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.

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;

<b>STRENGTHS</b>	<b>WEAKNESSES</b>
<ul style="list-style-type: none"> <li>• Strong Investment in development of team members</li> <li>• Excellent team skills</li> <li>• Strong team identity and positive approach</li> <li>• Positive relationships with other teams and partners in the conservation sector</li> <li>• Strong volunteer base and one of EFDC's key service for community involvement in community projects</li> <li>• Strong commitment to environmental education and awareness raising</li> <li>• Provide EFDC with in-house Ecological support service</li> </ul>	<ul style="list-style-type: none"> <li>• No dedicated administrative support</li> <li>• Skill base assessment for the team is needed</li> <li>• Langston road/Town Mead office site means that team do not work in close proximity with other Planning staff</li> </ul>
<b>OPPORTUNITIES</b>	<b>THREATS</b>
<ul style="list-style-type: none"> <li>• Extend the volunteer base and community projects</li> <li>• Extend service delivery to more schools</li> <li>• Extend service delivery presently within district beyond EFDC projects</li> <li>• Recharge service/officer time for EFDC projects</li> </ul>	<ul style="list-style-type: none"> <li>• Inability to recruit appropriate staff to react to increases in workloads</li> <li>• Reduced funding opportunities due to recession</li> <li>• Service not fully staffed at the moment and largely dependent on temporary staff</li> <li>• Current site at Langston road/Town Mead is not suitable for the team's needs and in breach of Health &amp; Safety regulations</li> </ul>

**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 2010/11	PERFORMANCE				
		2009/10 Q1 & Q2	2009/10 Q3	2009/10 Q4	2010/2011 Q1	2010/11 Q2
<b>NI 197 Improved local biodiversity – active management of local wildlife sites (LoWS) by achieving Positive Conservation Management (PCM).</b>	73 LoWS to be in PCM by 31 March 2011 (this is the target we are required to meet). Started with 6 as baseline Jan 2009.	13 LoWS into PCM (total 19)	8 LoWS into PCM (total 27)	19 LoWS into PCM (total 46)	2 LoWS into PCM (total 48)	19 LoWS into PCM (total 67)
<b>LIB094 – in respect of Local Nature Reserves (LNR)</b>	1ha of LNR per 1,000 of population			Phase 1 of designating Norton Heath as LNR completed		Phase 2 of designating Norton Heath as LNR applied for, awaiting outcome.

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 2009/10 business plan is as shown below:

Action/Objective	Council Plan Or Other Ref	Responsible Officer	Target Date	Progress/Performance
<b>1. Produce an Annual Report highlighting the achievements of the service 2008/09</b>	SC3, FL3	PH	September 2009	Achieved
<b>2. Investigate the possibility of the Service taking on the management of Essex County Council owned woodlands on the Lambourne Estate, Abridge.</b>	GU3	PH	September 2009	November 2010 negotiations in progress over LNR designation and Management Agreement between Countrycare and ECC
<b>3. Co-ordinate a review of Local Wildlife Sites (to form part of Local Development Framework Evidence Base)</b>	GU4	PH/AO/IGW	December 2009	Achieved



Action/Objective	Council Plan Or Other Ref	Responsible Officer	Target Date	Progress/Performance
<b>4. Obtain consent from Natural England for designation of Norton Heath Common as a Local Nature Reserve</b>	GU3	PH	March 2010	Phase 1 completed
<b>5. Continue veteran tree survey of the District. Record a further 1,000 trees. (Baseline – Feb 09 = 1934 trees)</b>	GU3	PH/AO	March 2010	November 2010 Achieved 3149 trees
<b>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).</b>	GU3	PH/AO	March 2010	31 March 2010 – 52 LoWS achieved pcm.
<b>7. Review funding opportunities and secure a minimum of £20k in external grant funding for biodiversity projects across the district.</b>	GU3, SC3, FL2, FL3	PH	March 2010	1 March 2010 – Achieved - £21,903 in external funding
<b>8. Work towards achieving the targets of Epping Forest Biodiversity Action Plan.</b>	GU3	AO/SC	Review March 2010 and March 2011	Revised Action Plan produced July 2010.
<b>9. Produce an Annual Report highlighting the achievements of the service 2009/10</b>	SC3, FL3	PH	September 2010	Achieved
<b>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.</b>	GU3	AO	March 2011	November 2010 66 LoWS in PCM. On target for final 7.
<b>11. Designate Norton Heath Common as a Local Nature Reserve</b>	GU3	AO	March 2011	Application submitted to Natural England September 2010
<b>12. Continue to assist with the creation of a pocket park on Bobbingworth Former Landfill site.</b>	GU3, SC3, FL2, FL3	AO	March 2011	Construction phase completed. Discussions re maintenance phase have begun. Liaison group starting up December 2010.

Action/Objective	Council Plan Or Other Ref	Responsible Officer	Target Date	Progress/Performance
<b>13. Review funding opportunities and secure a minimum of £20k in external grant funding for biodiversity projects across the district.</b>	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
<b>1. Produce an Annual Report highlighting the achievements of the service 2010/11</b>	SC3, FL3		May 2011	
<b>2. Continue Investigating the possibility of the Service taking on the management of Essex County Council owned woodlands on the Lambourne Estate, Abridge.</b>	GU3		March 2012	<b>November 2010 negotiations in progress over LNR designation and Management Agreement between Countrycare and ECC</b>
<b>3. Obtain consent from Natural England for designation of Norton Heath Common as a Local Nature Reserve</b>	GU3		April 2011	<b>Application submitted to Natural England September 2010</b>
<b>4. Continue veteran tree survey of the District. Record a further 1,000 trees. (Baseline – Nov 2010, 3149 trees recorded)</b>	GU3		March 2012	
<b>5. Review funding opportunities and secure a minimum of £20k in external grant funding for biodiversity projects across</b>	GU3, SC3, FL2, FL3		March 2012	

<b>the district.</b>				
<b>6. Work towards achieving the targets of Epping Forest Biodiversity Action Plan.</b>	GU3		March 2012	
<b>10. Continue to assist with the creation of a pocket park on Bobbingworth Former Landfill site.</b>	GU3, SC3, FL2, FL3		March 2012	
<b>9. Produce an Annual Report highlighting the achievements of the service 2011/12</b>	SC3, FL3		March 2012	

## SECTION NINE: 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**  
Throughout 2009 and 2010 there has been a series of internal promotions, following the retirement of the previous Assistant Director (Development) in May 2009. Development Control is therefore fully staffed for the first time in a couple of years. A new Senior Enforcement Officer post was agreed at the end of 2009, but this coincided with new efficiency changes in that section and financing, following demands from Member for improved registering and validation of planning applications, of a temporary administration post. It is hopeful this arrangement will be made permanent as the need for the additional senior enforcement officer has become a lower priority, whilst registering and validating of planning applications has become more complex and labour intensive to be carried out by one officer alone. The profile of Development Control for 2011/12 is further illustrated in Appendix Three.

### 9.3 KEY OBJECTIVES

#### 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
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<b>1. Refine and maintain the efficient and customer centred performance of the service through use of up-to-date technology and best practice.</b>	<b>IP3 &amp; IP4</b>	To increase accessibility and information for the general public and other users to planning applications, appeals and general development control held information/ guidance.
<b>2. Improve planning application turnaround times</b>	<b>IP3 NI157a), b) &amp; c) LAA2 Priority 2</b>	Council set target of achieving upper quartile performance and likely to require this in this Business Plan year.
<b>3. Return to high appeal success rate of previous years.</b>	<b>GU1 &amp; LPI45</b>	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.
<b>4. Operate an efficient and responsive enforcement service</b>	<b>GU1, IP3 &amp; IP4</b>	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.
<b>5. To secure appropriate levels of community benefit through the use of Section 106 agreements and other means.</b>	<b>GU1, HN1, SC1. LAA2 Priority 2/5</b>	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.
<b>6. Maintain staff development to ensure the most proficient provision of the service to its customers</b>	<b>IP1, IP3</b>	Training and development of staff to ensure IIP accreditation and improved staff experience and knowledge.
<b>7. To provide improved communication with the public</b>	<b>IP4</b>	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.
<b>8. To explore ways of generating increased income</b>	<b>Medium term objective 4</b>	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

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 Council's 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
<p>Availability of planning information on website. Information@Work – electronic document storage &amp; 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</p>	<p>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</p>
OPPORTUNITIES	THREATS
<p>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</p>	<p>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 expertise or strategic guidance Government change to planning system resulting in need for re-training</p>

**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. However, as the table below demonstrates, the target was achieved in 2009/10 in respect of NI 157c – Other category of planning applications, which is the larger volume of

planning applications that includes householder types. This was achieved because of the delegated powers available to officers in determining such applications and was the highest ever performance achieved. In respect of 2010-11, the Q3 performance is an improvement on previous years in respect of Major and Minor categories.

Performance Indicator	Target 2010/11	Performance			
		2009/10 (Q4 & Outturn)	2010/11 (Q1)	10/11 (Q2)	10/11 (Q3)
<b>Percentage of planning applications determined in line with NI 157 target:</b>					
<b>a) Major applications in 13 weeks (NI 157a)</b>	81%	67.86%	85.71%	92.86%	85.00%
<b>b) Minor applications in 8 weeks (NI 157b)</b>	80%	79.67%	76.04%	83.33%	82.46%
<b>c) Other applications in 8 weeks (NI 157c)</b>	94%	93.05%	86.23%	92.51%	92.24%

#### (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. The number of appeals being submitted has fallen over the last couple of years, but committee reversals of officer recommendations not being supported on appeal remains the most telling reason for the appeal target not being achieved.

Internal Measure	Target 2010/11	Performance			
		2009/10 (Q4 & Outturn)	2010/11 (Q1)	2010/11 (Q2)	2010/11 (Q3)
<b>LPI45 Percentage of appeals Allowed following refusal of permission</b>	28%	30.9%	36.4%	28.1%	34.6%

## 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:



<b>ACTION</b>	<b>SOURCE</b>	<b>TARGET</b>	<b>PROGRESS/ PERFORMANCE</b>
<b>1. Maintain up-to-date procedures</b>	Business Plan & IP3	Throughout 10/11	- 7 procedures re: administer of planning application updated. - Step by step registering of planning applications completed. - Decision making procedure updated.
<b>2. Carry out Equalities Impact Assessment and Implement outstanding actions from Equalities Action Plan</b>	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.
<b>3. Revising standard planning conditions</b>	Business Plan, IP3 & IP4	June 2011	Completed November 2010 and now being used.
<b>4. Improve planning application turn around times</b>	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 and 157b.
<b>5. Implement outstanding actions from Individual Key Perf. Imp. Plans.</b>	Business Plan & IP3 & NI157	June 2010	On-going and performance is improving such that end of year targets are on course to be achieved
<b>6. Regular review of appeal decisions and reporting to members</b>	Business Plan & GU1 & LPI45	Report each 6 months	Achieved. Being reported.
<b>7. Maintain turnover of enforcement investigations</b>	Business Plan & GU1, IP3 & 4	Throughout 09-11	On-going and performance improving with increased use of enforcement powers.
<b>8. Development built conforms to both Building Regs and Planning Application plans</b>	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.
<b>9. Use all appropriate means to secure community benefits</b>	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.

ACTION	SOURCE	TARGET	PROGRESS/ PERFORMANCE
<b>10. Meet training needs identified through PDR's</b>	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.
<b>11. Staff development by introducing electronic Encyclopaedia of Planning Law</b>	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.
<b>12. User Group Forum</b>	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 reported to PSSSP in January 2011.
<b>13. Produce Development Control Feedback</b>	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 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
<b>KEY OBJECTIVE 1</b>				
<b>1. Maintain up to date procedures</b>	IP3	AD(D) & DCMT	Throughout 2011-2012	Existing
<b>2. Carry out Equalities Impact Assessment and Implement outstanding actions from Equalities Action Plan</b>	IP4	AD(D) & support of PIU and CEWG	March 2011	Existing
<b>KEY OBJECTIVE 2</b>				

<b>ACTION OBJECTIVE</b>	<b>COUNCIL PLAN OR OTHER REF</b>	<b>RESPONSIBLE OFFICER</b>	<b>TARGET DATE</b>	<b>RESOURCES BUDGET</b>
<b>4. Improve planning application turn around times</b>	IP3, NI157 (a-c) LAA2 Priority 2	AD(D) & DCMT	April 2012	Existing, but need to maintain full compliment of professional and support staff. At time, as part of budget savings, request made for retention of 2 temp admin support staff funded by deletion of vacant Snr Enfo Officer
<b>5. Implement outstanding actions from Individual Key Perf. Imp. Plans.</b>	IP3 & NI 157	AD(D) & DCMT	November 2011	Existing
<b>KEY OBJECTIVE 3</b>				
<b>6. Regular review of appeal decisions and reporting to members</b>	GU1 & LPI45	AD(D)	May & Nov 2011	Existing
<b>KEY OBJECTIVE 4</b>				
<b>7. Maintain turnover of enforcement investigations</b>	GU1, IP3 & 4	PPO(ENFO)	Throughout 2011-2012	Existing and without vacant Senior Enforcement Officer post
<b>8. Development built conforms to both Building Regs and Planning Application plans</b>	GUI, IP3 & 4	AD(D) & AD(BC)	Throughout 2012	Existing
<b>KEY OBJECTIVE 5</b>				
<b>9. Use all appropriate means to secure community benefits</b>	GU1, HN1, SC1. LAA2 Priority 2/5 Medium term aim objective (4)	AD(D), AD(P&E), DCMT	Throughout 2011-2012	Existing, S106 Monitoring Group and production of SPG through LDF process
<b>KEY OBJECTIVE 6</b>				
<b>10. Meet training needs identified through PDR's</b>	IP1 & IP3	AD(D) & DCMT	Throughout 2011-2012	Existing, but hopefully with a less restrained budget for DC staff.
<b>KEY OBJECTIVE 7</b>				

ACTION OBJECTIVE	COUNCIL PLAN OR OTHER REF	RESPONSIBLE OFFICER	TARGET DATE	RESOURCES BUDGET
11. User Group Forum	IP4	AD(D)	By Dec 2011	Existing
12. Report Development Control feedback	IP4	AD(D)	March 2012	Existing
<b>KEY OBJECTIVE 8</b>				
13. Generate increased income: increase planning application fees, pre-application charging for minor applications	Medium term aim objective (4)	AD(D) & Business Manager	Dec 2011	Existing. Benchmarking process underway and Project Officer being funded from vacant Senior Enforcement Officer post.

## SECTION TEN: 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

#### 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
<b>1. To consider shared services with other Authorities.</b>	6 (e). To achieve savings as per Council's MTFS (4) Med Term aims	A joint partnership with Harlow District Council and Uttlesford District Council was considered and rejected. However scope may exist for partnership with other Authorities
<b>2. To at least match income with expenditure for the charge earning account.</b>	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
<b>3. To improve on Performance targets in general</b>	8 (b). To seek continuous performance improvement (4). Med Term aims	Staff training and constant evaluation of the service should improve performance.
<b>4. To train and develop staff to ensure the most proficient provision of the service to its customers</b>	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.
<b>5. Improve</b>	8. To seek continuous	Scope exists for further development.

Objective	Council Key Objective & Medium Term Aims	Background
Customer Care	performance improvement 3), (4). & (5). Medium Term Aims	
6. Raise Building Control's profile	(4). & (5). Medium Term Aims	Scope exists for further development.

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

#### 10.4 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 Shared services Provision of additional services New fee regulations give the ability to be more competitive	Insufficient time for staff to keep knowledge current Increased competition for work Changes in legislation A test of customer loyalty Outsourcing of building control Changes in local and global economy i.e. recession Government directives/cuts Progressive and aggressive marketing by AI's Increasing number of AI's

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

This area of the service has been subject to the review with the transition taking place in Quality Control Standards for Building Control from ISO 9001:2000 to ISO 9001:2008.

## 10.5 PERFORMANCE INDICATORS

(a) **National & Local Indicators**

As the preparation of Business Plan 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.

Internal Measure	Target 2009/10	Performance			
		2008/09 (Q4)	2009/10 (Q1)	2009/10 (Q2)	2009/10 (Q3)
<b>REGISTRATION</b>					
<b>Full Plans: Initial registration, charge assessment and acknowledgement</b>	<b>3 Days</b>	<b>86%</b>	<b>72%</b>	<b>80%</b>	<b>98%</b>
<b>Building Notices: Initial registration, charge assessment and acknowledgement</b>	<b>3 Days</b>	<b>92%</b>	<b>90%</b>	<b>84%</b>	<b>92%</b>
<b>Initial Notice: Initial registration, assessment and acknowledgement</b>	<b>5 Days</b>	<b>100%</b>	<b>91%</b>	<b>100%</b>	<b>100%</b>
<b>PLAN VETTING</b>					
<b>Applicant notified of defects/amendments required</b>	<b>15 Days</b>	<b>88%</b>	<b>92.7%</b>	<b>86%</b>	<b>92%</b>
<b>Decision notified within statutory time limits</b>	<b>5 Weeks</b>	<b>93%</b>	<b>88%</b>	<b>89%</b>	<b>95%</b>
<b>Decision notified within statutory time limits</b>	<b>2 Months</b>	<b>89%</b>	<b>93%</b>	<b>89%</b>	<b>95%</b>
<b>Inspections (Building Regulations)</b>					
<b>'Same day' requests (received before 10.00 a.m.) satisfied.</b>	<b>Same Day</b>	<b>96%</b>	<b>96%</b>	<b>97%</b>	<b>96%</b>
<b>Detailed site inspection record to be made</b>	<b>1 Day</b>	<b>89%</b>	<b>94%</b>	<b>94%</b>	<b>93%</b>
<b>Person responsible, for unauthorised work,</b>	<b>5 Days</b>	<b>Not Monitored</b>	<b>Not Monitored</b>	<b>Not Monitored</b>	<b>Not Monitored</b>

Internal Measure	Target 2009/10	Performance			
		2008/09 (Q4)	2009/10 (Q1)	2009/10 (Q2)	2009/10 (Q3)
notified of discovery					
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				
<b>OTHER ADMINISTRATION</b>					
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%	97%
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%	100%

## 10.6 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
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	<b>To be advised</b>
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



Action	Source	Target	Progress/ Performance
			Development.
<b>Improve Customer Care</b>	2010/11 Service Plan	Ongoing	Building Control takes part in regular stakeholder surveys and changes the way it operate accordingly
<b>Raise Building Control's profile</b>	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
<b>To consider shared services with other Authorities.</b>	Medium Term Aim 4.	AD(Building) DoPED CEF	Ongoing	Ring Fenced Account
<b>Review of Building Regulation Fees and Charges</b>	Medium Term Aim 4.	AD(Building) DoPED	Sept 10	Ring Fenced Account
<b>Improve on Performance targets in general</b>	Council Plan IP4	AD(Building)	Ongoing	Within Resources
<b>Benchmark performance against other Essex Authorities</b>	Council Plan IP4	AD(Building)	Ongoing	Within Resources
<b>Consideration of staff training needs after PDR process</b>	Council Plan IP4	AD(Building)	June 10	Within Resources
<b>CPD/Training records for all staff</b>	Council Plan IP4	AD(Building)	June 10	Within Resources
<b>Extend the Partnership scheme for Architects</b>	Council Plan IP4	AD(Building) DoPED	Ongoing	Within Resources
<b>Continue customer satisfaction surveys</b>	Council Plan IP4	AD(Building)	Ongoing	Within Resources
<b>Improved use of web site</b>	Council Plan IP4	AD(Building) Business Manager	Ongoing	Within Resources

## **SECTION ELEVEN: DIRECTORATE PLANNING 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 1<sup>st</sup> April 2011. A longer term Administration Restructure is due to be presented to the Management Board for consideration effective from 1<sup>st</sup> 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
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"> <li>• Promote effective and efficient frontline services and participate in reducing planning support costs.</li> <li>• Encourage the robust use of Market Place procurement processes to ensure efficiency savings.</li> <li>• Take active steps to reduce the use of paper within the directorate.</li> </ul>
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"> <li>• Continually review and improve business processes within planning support services to provide better and more easily access to planning records.</li> <li>• Implement effective Quality Control processes for electronic records</li> <li>• Ensure structure of the Planning Support Team promotes VFM (Efficiency, Effectiveness and Economy).</li> <li>• Maximise income by ensuring timely reconciliation and charging processes.</li> </ul>
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"> <li>• Utilising Information Technology improve administrative processes.</li> <li>• Provide carbon friendly, accessible planning records on the Corporate Website.</li> <li>• Maximise income by ensuring timely reconciliation and charging processes.</li> </ul>

(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 IN 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 in 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 (requests for large and detailed amounts of information)
  - A project to start the process of “scanning” 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 “scanning” 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 &amp; 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"> <li>• Transition to ISO 9001:2008</li> <li>• Reviews and enhancement of documented management system</li> <li>• ICT and potential review and/or rationalisation of documentation.</li> </ul>

## 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	1893
Planning Appeals received	n/a	138	167	136	98	67
Building Control Applications received	n/a	1969	2104	2374	2356	1784
Percent of Planning Applications received online	30%	5.4%	9.7%	17.73%	21%	25%
'Neighbour' Comments Received	n/a	3521	2630	3167	2925	2278
% 'Neighbour' Comments Received via Northgate	25%	n/a	n/a	No Data available	No Data available	15%

## 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
<b>Review and implement Restructure of the Planning Support Team to meet the requirements of the reduction in staffing levels</b>	2010/11 Business Plan	March 2011	To be carried out by incoming Business Manager
<b>Investigate outsourcing of ongoing scanning of applications – Development Control</b>	2010/11 Business Plan	Ongoing	Preferred option taken by engaging temporary staff to undertake as they require access to MVM.

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

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.

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

## APPENDICES

### APPENDIX ONE - BUSINESS AND ENVIRONMENTAL ANALYSIS

		SAFEGUARD FRONTLINE SERVICES	HAVE THE LOWEST DISTRICT COUNCIL TAX IN ESSEX	BE RECOGNISED AS AN INNOVATIVE AND TOP PERFORMING COUNCIL IN ESSEX;	CONTINUOUSLY IMPROVE EFFICIENCY ADOPT NEW WAYS OF WORKING TO MAXIMISE REVENUE.	PROVIDE STRONG LOCAL COMMUNITY LEADERSHIP TO PROMOTE THE SPECIAL CHARACTER & PEOPLE OF THE DISTRICT
STRENGTHS & OPPORTUNITIES		Promoting full cost recovery of services for Building Control and Development Control to safeguard frontline services and reduce the burden on council tax.	Well placed to provide effective, user friendly and high performing planning and building control services Significant progress made in i-Plan that is User and Carbon friendly. Recognition of the benefits of cost recovery in charging for BC and DC		Good record in terms of promoting green and sustainable policies in Conservation, Trees, Country Care and protecting the environment.	
WEAKNESSES & THREATS		Some Frontline Services may be reduced as a result of reductions in Public Spending. This may lead to perceptions that we are providing less than efficient planning and customer services. Delays in locally setting Planning Application fees may adversely effect income leading to shortfalls being met from Council Tax	Spending reductions may inhibit the ability of the Directorate to contribute towards innovative ways to improve service delivery. Short term savings may lead to a decline in the quantity and quality of electronic planning records held on i-Plan. Short term cost reductions may result in a negative “domino” effect leading to increased paper usage and “invisible” staffing requirements.		Reductions in staffing may have an adverse effect in formulating effective strategies to protect the special character of the district. Reductions in sustainability and economic initiatives’ could well be the subject of future savings with a detrimental “knock on” effect on the special character and economic development of the district.	
	STRATEGIC CHOICES	<b>A</b>	Substantially reduce frontline services to minimise impact on council tax (ie implement major savings)	Maximise savings by making large cuts in spending to achieve significant savings but reducing service efficiency and effectiveness.	Make major cuts in the provision of green sustainability which may adversely affect the unique character and services for the District	
		<b>B</b>	Promote increased charges to meet full cost recovery. This may be subject to market resistance due to perceptions that the increases are combined with the provision of less than efficient service delivery.	Limit spending to achieve greater savings and actively manage the reduction in service effectiveness and decline in service improvement.	Limit cuts in spending to protect the interests of the people and District but recognise that some services may decline or be given less priority.	
		<b>C</b>	Promote full cost recovery methods for DC and BC. Actively promote improved services. Continuously implement efficiency savings.	Implement unpopular savings based on business principles. Manage/limit the decline in customer efficiency by innovatively improving services.	Introduce limited savings and implement Business Measures that safeguard the unique character of the District.	

Page 96

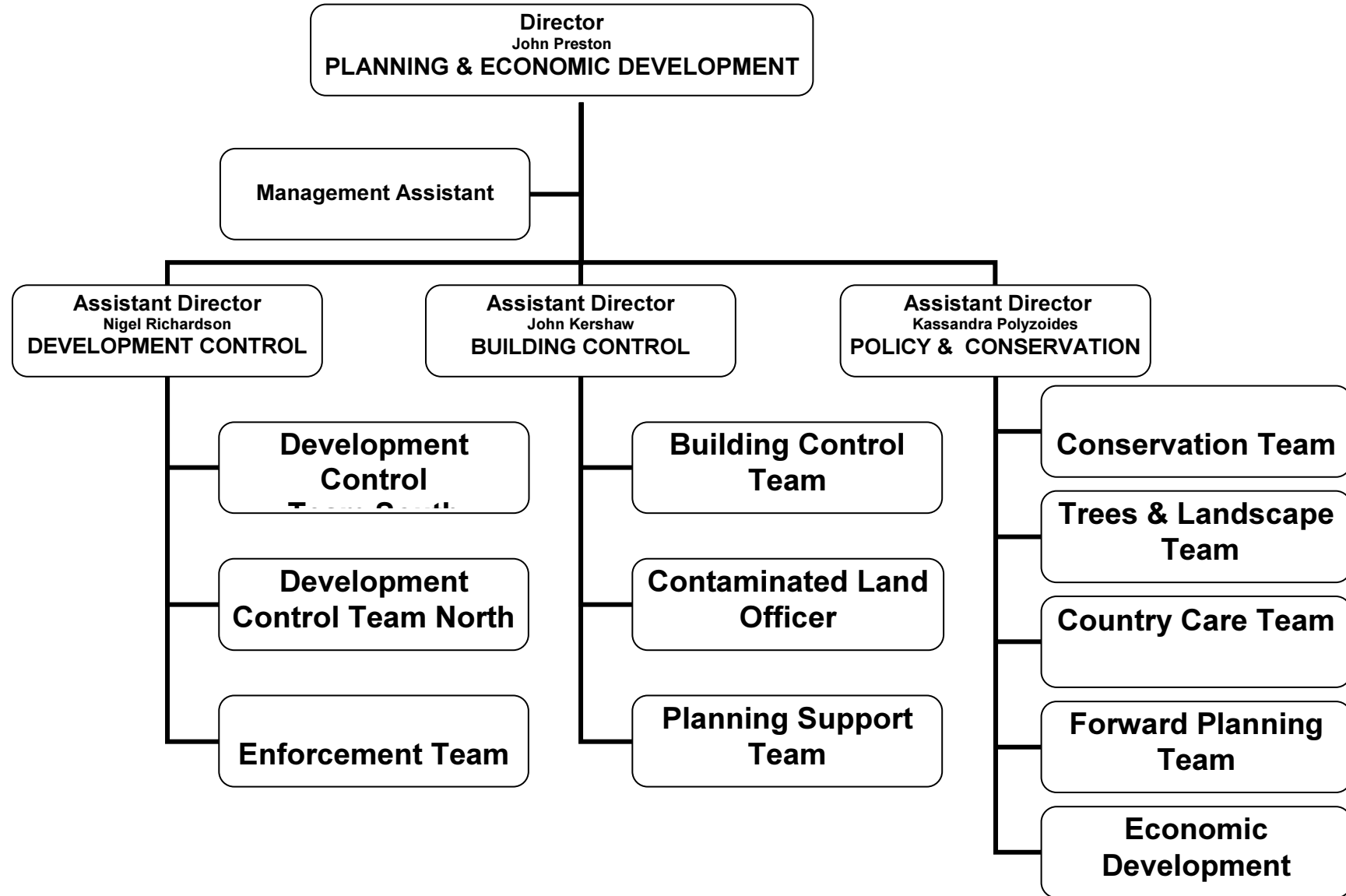


## APPENDIX TWO - ELECTRONIC RECORDS MANAGEMENT PROGRESS PLAN

	ACTION FOR IMPROVEMENT	SERVICE AREA	BENEFITS	LIMITATIONS	STATUS	SECTION
1	Investigate ways to improve the speed and processing of electronic record keeping and other Planning procedures	SCANNING AND RECORDS  PST/ALL	This is an essential element of ERDMS that needs to take place to achieve significant staff/resource savings.	Resource/Budget limitations  Improvements in Technology	Postponed due to lack of resources & technology developments	Directorate  Policy
2	Support measures that improve Corporate Website design and access	WEB PR TEAM	Improved access by members of the public to all aspects of Planning and Building Control Information/Records	Wider Council resource limitations/priorities	Web PR team implementing improvements	Council Policy
3	Support measures to develop accessible performance/data reporting of electronic information Crystal Reports and Information@work	ALL PLANNING TEAMS	This will enable officers to benefit directly from ERDMS, saving time, resources and provide efficient, effective and economical services	Directorate and  ICT Development resource limitations		Directorate  Policy
4	Improvements in the Gazetteer & LLPG addressing capability	ALL COUNCIL TEAMS	Improved accurate address capability that will have a positive effect on all council and public services within the district	Partnerships - other local authorities &  Development of GIS mapping	1 x 18 hour p/w Gazetteer Officer	Council Policy
5	Scanning & destruction DC files - 22 000 DC app. files Jan 2007 to Dec 2008 - 6 000. Scanning of current DC applications, Enforcement files and Tree Preservation Orders. Scanning Decision Registers from 1981 – 1992. (PHASE 1)	DC  ENFORCEMENT	This has already resulted in significant benefits which enable 24 hour access to a significant portion of Planning Records. Significantly helps to reduce Freedom of Information requests	Completed - February 2011		Directorate  Policy
6	Back scan Large Site Files, the balance of Decision Registers, and Conservation Files (PHASE 2).  Back Scanning of Contaminated Land files, Trees and Landscape misc files, Forward Planning & Area Plans (PHASE 3).	DC  ENFORCEMENT  POLICY AND CONSERVATION	Other Planning Records of considerable interest to members of the public, professionals and businesses within the District.  Would aid in reducing Freedom of Information requests	Resource Budget limitations	Postponed pending resource allocation	Council & Directorate  Policy

7	Set up Project to scan all Building Control Records.  (PHASE 4)	BUILDING CONTROL	Other Planning Records of considerable interest to members of the public, professionals and businesses within the District.	Resource Budget limitations	Postponed pending resource allocation	
8	Enable scanning of Microfiche records over two-three years due to high costs involved. Previously considered not cost effective. Recent technology developments may now make this possible (PHASE 5)	DEVELOPMENT CONTROL  BUILDING CONTROL	Other Planning Records of considerable interest to members of the public, professionals and businesses within the District.  Would aid in reducing Freedom of Information requests			

# APPENDIX THREE - ORGANISATION CHART OVERVIEW



# APPENDIX FOUR - STAFF ESTABLISHMENT MATRIX (64.54 POSTS)

POST TITLE	POSTS	POST TITLE	POSTS
DIRECTOR	1	MANAGEMENT ASSISTANT	1
<b><u>POLICY AND CONSERVATION (22)</u></b>		<b><u>DEVELOPMENT CONTROL (18)</u></b>	
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	<b><u>BUILDING CONTROL &amp; SUPPORT TEAM (22.54)</u></b>	
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

2010	TOTAL STAFF WORKING DAYS	<u>SHORT TERM SICKNESS</u>			<u>LONG TERM SICKNESS</u>			<u>ALL SICKNESS ABSENCE</u>		
		DAYS LOST	% OF TOTAL WORK DAYS	DAYS PER EMPLOYEE	DAYS LOST	% OF TOTAL WORK DAYS	DAYS PER EMPLOYEE	DAYS LOST	% OF TOTAL WORK DAYS	DAYS PER EMPLOYEE
JANUARY	1,207.26	31.99	2.65%	0.50	2.23	0.18%	0.04	34.22	2.83%	0.54
FEBRUARY	1,270.80	5.00	0.39%	0.08	3.75	0.30%	0.06	8.75	0.69%	0.14
MARCH	1,461.42	17.50	1.20%	0.28	3.33	0.23%	0.05	20.83	1.43%	0.33
APRIL	1,270.80	6.72	0.53%	0.11	1.25	0.10%	0.02	7.97	0.63%	0.13
MAY	1,207.26	14.49	1.20%	0.23	0.00	0.00%	0.00	14.49	1.20%	0.23
JUNE	1,397.88	6.45	0.46%	0.10	2.50	0.18%	0.04	8.95	0.64%	0.14
JULY	1,397.88	19.47	1.39%	0.31	5.03	0.36%	0.08	24.50	1.75%	0.39
AUGUST	1,334.34	15.00	1.12%	0.24	12.53	0.94%	0.20	27.53	2.06%	0.43
SEPTEMBER	1,397.88	15.00	1.07%	0.24	5.03	0.36%	0.08	20.03	1.43%	0.32
OCTOBER	1,334.34	8.00	0.60%	0.13	20.03	1.50%	0.32	28.03	2.10%	0.44
NOVEMBER	1,397.88	26.43	1.89%	0.42	4.03	0.29%	0.06	30.46	2.18%	0.48
DECEMBER	1,207.26	40.33	3.34%	0.63	6.04	0.50%	0.10	46.37	3.84%	0.73
	<b>15,885.00</b>	<b>206.38</b>	<b>1.30%</b>	<b>3.25</b>	<b>65.77</b>	<b>0.41%</b>	<b>1.04</b>	<b>272.15</b>	<b>1.71%</b>	<b>4.28</b>

Page 10 of 10

## APPENDIX SIX – WORKFORCE TEMPLATE

### (a) Directorate Workforce Profile

<b>FULL-TIME/ PART-TIME</b>	<b>%</b>	<b>41 – 50 (%)</b>	<b>27</b>
<b>Full-Time Male (%)</b>	41.3	<b>51 – 60 (%)</b>	27
<b>Full-Time Female (%)</b>	49.2	<b>&gt;60 (%)</b>	4.8
<b>Part-Time Male (%)</b>	0	<b>TURNOVER</b>	<b>%</b>
<b>Part-Time Female (%)</b>	9.5	<b>Voluntary Leavers (%)</b>	0
<b>MALE/FEMALE</b>	<b>%</b>	<b>Dismissal (%)</b>	0
<b>Male (%) Early</b>	41.3	<b>Retirement (%)</b>	0
<b>Female (%)</b>	58.7	<b>End of Fixed-Term Contract (%)</b>	0
<b>AGE ANALYSIS</b>	<b>%</b>	<b>Projected Turnover (end of year %)</b>	<b>0</b>
<b>&lt;21 (%)</b>	1.6	<b>DISABILITY/ ETHNICITY</b>	<b>%</b>
<b>21 – 30 (%)</b>	23.8	<b>Staff self-declared with disability (%)</b>	0
<b>31 – 40 (%)</b>	15.9	<b>Ethnicity (%)</b>	3.2

Page 102

## APPENDIX SEVEN - WORKFORCE TRAINING FRAMEWORK ACTION PLAN

FACTORS	RECRUITMENT & RETENTION	MANAGEMENT TRAINING	STAFF TRAINING	BUDGET IMPLICATIONS	RISKS	RESPONSIBILITY & TIMESCALE
<b>THE BENEFITS CREATED BY DIRECTORATE WORKFORCE DEVELOPMENT</b>	Retention of staff significantly improves quality of work/productivity of the workforce. For example the sending of three staff - Masters in Town Planning as well one to complete a degree in Building Surveying has aided both recruitment and retention.	Three senior managers have benefited from corporately sponsored CMS/DMS training undertaken several years ago.	Creates stability amongst staff within Directorate and helps to ensure staff are able to continuously develop.	Ensure the Budget is being better managed for short term strategic gains.	High Staff turnover and/or Potential loss of skilled and qualified staff.	<p>DIRECTOR ALL ASSISTANT DIRECTORS BUSINESS MANAGER</p> <p>To be reviewed monthly via Training Commitments register and reported to DMT quarterly</p>
<b>THE CURRENT LIMITATIONS OF DIRECTORATE WORKFORCE DEVELOPMENT</b>	Historically there have always been difficulties in recruiting and retaining qualified Building Surveyors and Planning Officers.  Specifically identified areas where there are current staff shortages are within Building Control, Forward Planning and Conservation.  Inability to retain staff and recruitment difficulties creates negative domino effect on staff.	No specialist strategic management currently training available Limited short duration external training has taken place such as; <ul style="list-style-type: none"> <li>• RPTI Getting to grips with Infrastructure Planning.</li> <li>• New Era for Planning and Localism.</li> <li>• LABC Management (Building Control)</li> </ul>	To replace a qualified person takes at least six months. Current recruitment freeze could result in a twelve months vacancy lapse.  In addition limitations in development of the Planning Support Team may result in additional pressure on qualified staff	Limitations in funding for existing training budget along with escalating training costs. The loss of additional PDG funding limits training options to offer specialist training.	Loss of staff knowledge specific to Epping District  Negative Succession Planning  Duplication of training needs.  Lack of efficient identification & delivery of training needs via PDR's	
<b>INTERNAL AND EXTERNAL TRAINING &amp; DEVELOPMENT</b>	Due to the specialised nature of Planning there is limited relevant Internal Training available.  Future external training may well need to be targeted at relevant short courses on a value for money basis.	Managers require training in areas such as <ul style="list-style-type: none"> <li>• Strategic Management</li> <li>• Localism</li> <li>• Health and Safety Management</li> </ul> Impact Assessments	Short duration external training carried out such as; History of Architecture, Flood Risk Management, Giving evidence at Inquiries, Heritage Assets & Place Making, Records Management and ISO 9001:2008 QA (Intro).	Increased training needs, means that savings need to be identified at zero cost in order to fund any increase in the Training Budget.	The training budget will shrink (in real value) & as a result will lack resilience to meet the needs created by new working practices.	
<b>NEW SKILLS REQUIRED TO DEAL WITH CHANGING WORK PRACTICES</b>	Due to statutory and other changes to that have far reaching implications for all elements of Planning and Building Control functions. There is a requirement to support staff during these periods of significant change; such as the Modernisation Agenda, Localism, Big Society, Community Infrastructure Levy, Electronic Document Management and Benchmarking Services to achieve full cost recovery. Managers/Staff require specialist technical training in areas such as; Strategic Management, Urban Design, Conservation, Architecture, Electronic Records and Freedom of Information (and other areas). There is a need for internal ICT training such as Crystal Reports and information@work.			The training budget needs to be managed and conserved to address priority training needs.		

Page 103

## APPENDIX EIGHT – DEVELOPMENT CONTROL APPLICANT FEEDBACK SUMMARY

44 persons responded, comprising **55%** Residential, **9%** Commercial and **36%** who were both.

JANUARY 2010 – SEPTEMBER 2010

<b>83% OF RESPONDENTS INDICATED POSITIVELY TO QUESTIONS BASED ON THEIR EXPERIENCE WITH DEVELOPMENT CONTROL APPLICATIONS.</b>	<b>EXCEEDED OR MET EXPECTATIONS</b>	<b>PARTIALLY MET OR FAILED TO MEET EXPECTATIONS</b>
Quality of any pre-application advice given	<b>82%</b>	<b>18%</b>
Availability of staff	<b>82%</b>	<b>18%</b>
Availability of forms and information	<b>100%</b>	<b>0%</b>
Local knowledge	<b>90%</b>	<b>10%</b>
Speed of Validation Process	<b>100%</b>	<b>0%</b>
Clarity of any Invalid application Letter sent	<b>27%</b>	<b>73%</b>
Willingness of Case officer to negotiate	<b>64%</b>	<b>36%</b>
Quality of advice given during negotiation	<b>73%</b>	<b>27%</b>
Availability of Case officer	<b>82%</b>	<b>18%</b>
Overall Speed of decision process	<b>100%</b>	<b>0%</b>
Information provided about committee	<b>64%</b>	<b>36%</b>
Speed of dispatch of decision notice	<b>90%</b>	<b>10%</b>
Quality of response to telephone enquiries	<b>70%</b>	<b>30%</b>
Office opening times	<b>100%</b>	<b>0%</b>
Quality of service	<b>90%</b>	<b>10%</b>
Average response	<b>82%</b>	<b>18%</b>

<b>Respondents also indicated that their overall impression of the service they received was;</b>	<b>Positive – 98%</b>	<b>Average – 2%</b>	<b>Negative – 0%</b>
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## APPENDIX NINE – BUILDING CONTROL APPLICANT FEEDBACK SUMMARY

53 persons responded, comprising **84%** Residential, **6%** Commercial and **10%** who were both. JANUARY 2010 – SEPTEMBER 2010

<b>89% OF RESPONDENTS INDICATED POSITIVELY TO QUESTIONS BASED ON THEIR EXPERIENCE WITH DEVELOPMENT CONTROL APPLICATIONS.</b>	<b>EXCEEDED OR MET EXPECTATIONS</b>	<b>PARTIALLY MET, FAILED TO MEET EXPECTATIONS OR NOT APPLICABLE.</b>
Advice given	98%	2%
Availability of staff	95%	5%
Attitude of staff	100%	0%
Local knowledge	92%	8%
Speed of plan checking	97%	3%
Clarity of any Amendment Letter sent	77%	23%
Speed of Decision process	96%	4%
Speed of response to site inspections	84%	16%
Helpfulness of site inspections	88%	12%
Quality of service	94%	6%
Overall value for money	92%	8%
Quality of response to telephone enquiries	90%	10%
Office opening times	85%	15%
Average response	98%	2%

<b>Respondents also indicated that their overall impression of the service they received was;</b>	<b>Positive – 89%,</b>	<b>Average – 10%</b>	<b>Negative - 0%</b>
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## APPENDIX TEN – DEVELOPMENT CONTROL NEIGHBOUR FEEDBACK SUMMARY

92 persons responded JANUARY 2010 – SEPTEMBER 2010

RESPONDENTS FOUND OUT ABOUT THE APPLICATION AS FOLLOWS;	
66% were notified by Council	3% saw the local press report
2% saw the Site Notice	0% saw the EFDC Public Notice in newspaper
27% found out by 'word of mouth'	2% found out from the Epping Forest District Council Website

OF THOSE NOTIFIED OF THE APPLICATION BY LETTER THEY SAID;
100% felt the written notification was clear and understandable.
98% said the letter supplied enough information to understand what the application was for and where it was located
100% felt the letter directed them clearly as to how to find more information
93% said the letter arrived in good time after the start of the consultation period
Of those who viewed the plans for this application, they did so by;
23% viewing them at the Planning Reception at Civic Offices
7% viewing them at the EFDC Information Desk
4% who saw them at the Parish Council Office
35% who viewed them on the Epping Forest District Council Website
33% who viewed them by other means
98% of those who were advised in writing felt the letter was clear, gave enough information and directed them towards further information.
92% when notified of a Council Committee meeting felt the letter was clear, gave enough information and directed them towards further information.
95% felt the Decision Notice Letter was clear and arrived in good time after the decision was made.
88% felt their views were taken in account in making the decision.
88% of those who responded felt their experience with this process was positive.

## APPENDIX ELEVEN - RISK CAPTURE

RISK CAPTURE			
RISK NO.	VULNERABILITY	TRIGGER	CONSEQUENCES
1.	<b>Planning Directorate not self-financing</b>	Decision of Council to cut CSB budgets.	<ul style="list-style-type: none"> <li>• Key element in providing high Value for Money Planning Directorate services</li> <li>• Inability to effectively deliver statutory and non-statutory services.</li> <li>• Delays and/or failure to progress locally driven i-Plan &amp; ICT agenda.</li> <li>• Failure/Inability to achieve performance targets</li> </ul>
2.	<b>Heavy reliance upon existing staff for knowledge and expertise</b>	Loss of staff due to Inadequate retention strategy and/or sickness of key staff	<ul style="list-style-type: none"> <li>• Loss of knowledge, inability to deliver services.</li> <li>• Inability to meet performance targets</li> </ul>
3.	<b>Inability to maintain service provision due to inadequate resources</b>	<p>Recruitment freeze, Budget cuts and the drive to make savings.</p> <p>Slow response times in filling vacant posts creating downwards pressure across the directorate.</p>	<ul style="list-style-type: none"> <li>• Adverse affect on potential Local Fee setting and maximisation of Development Control &amp; Building Control Income.</li> <li>• Inability to provide Value for Money and higher productivity.</li> <li>• Failure to meet performance targets</li> <li>• Adverse effect on staff morale/stress levels as a result of pressure to cover gaps in service provision.</li> <li>• Increased level of complaints from the public.</li> </ul>
4.	<b>Increasing Workloads largely determined by external factors</b>	<ul style="list-style-type: none"> <li>• Receipt of increasing Freedom of Information (FOI) requests and/or planning enquiries.</li> <li>• Additional forward planning workload.</li> </ul>	<ul style="list-style-type: none"> <li>• Inability to meet FOI timescales and increased complaints/impatience directed at Planning Services.</li> <li>• Low staff morale and high stress levels Increased propensity for error</li> </ul>
5.	<b>Reliance upon historic records</b>	Loss of historic records due to : Failure of ICT; Incident destroying records.	<ul style="list-style-type: none"> <li>• Errors in information given to enquirers leading to bad reputation of the Council and possible litigation;</li> <li>• Inadequate background information for decision-making leading to poor or incorrect decisions;</li> <li>• Low staff morale and increased stress levels.</li> </ul>
6.	<b>Office-based working environment</b>	Loss of accommodation through: fire, flood or other disaster	<ul style="list-style-type: none"> <li>• Disruption to work processes</li> <li>• Loss of records</li> <li>• Business continuity threatened</li> </ul>
7.	<b>Reliance upon professional and specialist skills.</b>	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"> <li>• Poor decision-making</li> <li>• Failing to meet performance targets</li> <li>• Overspending on consultants</li> <li>• Loss of special character of the district</li> </ul>

## RISK CAPTURE

RISK NO.	VULNERABILITY	TRIGGER	CONSEQUENCES
8.	<b>Loss of budget and/or income DC, BC &amp; P &amp; C</b>	Loss of budget/income due to: downturn in the economy.	<ul style="list-style-type: none"> <li>• Failure to carry out statutory functions (e.g. site inspections)</li> <li>• Inability to meet performance targets</li> <li>• Increased workload for establishment staff leading to low morale and higher stress levels</li> </ul>
9.	<b>Under-resourced Economic Development strategy</b>	Failure to adopt Economic Development strategy	<ul style="list-style-type: none"> <li>• Lack of business investment</li> <li>• Imbalance of local job opportunities</li> <li>• Dissatisfaction of the business community</li> </ul>
10.	<b>Town Centre Officer non-permanent post</b>	No budget continuing from year to year.	<ul style="list-style-type: none"> <li>• Threat to sustainability and viability of the district's town centres.</li> <li>• Threat to Council's reputation</li> </ul>
11.	<b>Need for continuing external grant funding to Country Care</b>	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.	<b>Potential need to address Gypsy, Roma and Traveller incidents</b>	Major influx of Gypsy, Roma and Travellers on unauthorised sites	<ul style="list-style-type: none"> <li>• Enforcement officer staff time taken up by few high profile cases.</li> <li>• Increased complaints of other cases being low priority. Refusal of staff to enter hostile situations.</li> </ul>
13.	<b>Potential injury to enforcement officer or other member of staff on site.</b>	Unexpected reaction of member of the public to Council visit with resulting injury	<ul style="list-style-type: none"> <li>• Health and safety of staff member</li> <li>• Refusal of other staff to carry out duties</li> <li>• Compensation or litigation issues</li> <li>• Significant review of procedures</li> </ul>
14.	<b>Inability to attract sufficient local community gains from S106 procedures</b>	Failure to meet housing targets; or other desired community benefits	<ul style="list-style-type: none"> <li>• Failure to meet housing needs of community</li> <li>• Insufficient funding for environmental improvements</li> </ul>
15	<b>Planning and enforcement appeals rely upon external decision-making; and result from decision-making by members contrary to officer recommendations.</b>	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.	<b>Possibility of Government-imposed URC on growth area of the district</b>	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).

## RISK CAPTURE

RISK NO.	VULNERABILITY	TRIGGER	CONSEQUENCES
17	<b>Possible compensation claims against the Council arising from refusal to permit felling of preserved trees</b>	Appeal decisions and tribunal cases	Awards of significant compensation to applicants
18	<b>Reliance upon electronic systems from formerly separate suppliers</b>	Lack of integration	Duplication of work; records not being allocated correctly; wrong information for public and decision-makers
19	<b>Ability to provide planning records on corporate website</b>	Inability to; <ul style="list-style-type: none"> <li>• Conform to Data Protection guidelines</li> <li>• Increase in Freedom of Information (FOI) Requests</li> </ul>	Failure to; <ul style="list-style-type: none"> <li>• Meet the Legal Admissibility Criteria (ISO BIP 10008) for Electronic Records.</li> <li>• Provide FOI Requests within timescales</li> </ul>
20	<b>Issues with contract for Business Directory</b>	Action brought against breach of contract	Costs of legal action and damages
21	<b>Inadequate arrangements for dangerous structure inspections</b>	Informal staff resource not being available	Danger to public; loss of reputation
23	<b>Potential Difficulty in producing LDF to timetable</b>	Deadlines missed	Ongoing strain on resources. Not achieving objective of delivering a sound core strategy.
24	<b>Need to make B. Regs files available for public</b>	Legislative change	Resource implications; procedure changes
25	<b>Limited capacity for enhanced monitoring as required by government</b>	Govt direction	Other workload given less priority
28	<b>Lack of Admin Support for Trees and Landscape Team</b>	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	<b>Lack of admin support for Conservation team</b>	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	<b>Planning Support for Development Control (Applications, Validations and Customer Contact).</b>	Inability to complete the review of the staffing levels for the Planning Support Team created by the Electronic Records Document Management System. Recruitment Freeze and termination of temporary contracts.	<ul style="list-style-type: none"> <li>• Adverse affect on potential Local Fee setting and maximisation of Development Control Income.</li> <li>• Delays and/or failure to provide Planning Applications/Information on i-Plan</li> <li>• Failure to achieve performance targets</li> <li>• Low staff morale and high stress levels</li> <li>• Increased complaints about level of service</li> </ul>
33	<b>Inability to 'backscan' additional files including secure destruction along with</b>	Electronic Records Document Management (ERDMS) as a replacement for manual	Failure to meets minimum standards for legal admissibility of records

**RISK CAPTURE**

RISK NO.	VULNERABILITY	TRIGGER	CONSEQUENCES
	<b>quality control processes due to insufficient funding</b>	records requires adherence to Quality Control Standards - ISO 15489 and ISO 10008	
<b>34</b>	<b>Destruction of Planning Files</b>	Technical or human error.	Loss of information and records through incomplete scanning

## APPENDIX TWELVE - RISK MATRIX

Likelihood	Very High	A			1,	
	High	B		10, 24, 33	3, 4, 8, 12, 14, 15, 31	
	Significant	C		7, 13, 21,	2, 9, 11, 16, 17, 19, 23, 28, 30	
	Low	D		18, 25,	5, 34,	
	Very Low	E	20		6	
	Almost Impossible	F				
			4	3	2	1
			<b>Negligible</b>	<b>Marginal</b>	<b>Critical</b>	<b>Catastrophic</b>
			Impact			

TOLERATED RISKS	UNTOLERATED RISKS
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## APPENDIX THIRTEEN - RISK REGISTER

RISK NO.	CURRENT RISK SCORE	TARGET RISK SCORE	DESCRIPTION
1	A2	C2	<b>Planning Directorate not self-financing</b>
3	B2	C2	<b>Inability to maintain service provision due to inadequate resources</b>
4	B2	C2	<b>Increasing workloads determined by external factors</b>
12	B2	C2	<b>Potential need to address Gypsy, Roma and Traveller incidents</b>
14	B2	C2	<b>Inability to attract sufficient local community gains from S106 procedures</b>
15	B2	C2	<b>Fall in appeal success rate</b>
31	B2	C2	<b>Planning Support for Development Control (Applications, Validations and Customer Contact).</b>
8	B2	C3	<b>Loss of budget and/or income DC, BC &amp; P &amp; C</b>
24	B3	C3	<b>Need to make B. Regs files available for public</b>
10	B3	D3	<b>Lack of funding for Town Centre Officer</b>
33	B3	D3	<b>Inability to 'backscan' additional files including secure destruction along with quality control processes due to insufficient funding</b>
23	C2		Potential Difficulty in producing LDF to timetable
28	C2		Lack of admin support for Trees and Landscape Team
30	C2		Lack of admin support for Conservation team
2	C2		Heavy reliance upon existing staff for knowledge and expertise
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
19	C2		Data Protection issues from website and scanning files
7	C3		Skill shortage
13	C3		Injury to staff on site
21	C3		Inadequate arrangements for dangerous structure inspections
34	D2		Destruction of Planning Files
5	D2		Loss of historic records
25	D3		Limited capacity for enhanced FP and DC monitoring
18	D3		Failure of e-systems to integrate
6	E2		Loss of office accommodation through fire, etc.
20	E4		Business Directory contract



## APPENDIX FOURTEEN - RISK ACTION PLAN

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
1	<b>Planning Directorate not self-financing</b>	Promote full cost recovery of DC and BC Fees	DC/P & C awaiting agreement/direction from Central Govt BC implemented LABC Fees Sept 2010	Benchmark and agree local fee setting for Planning Applications Maximise B C Fees Rationalise funding for P & C	Asst Directors & Business Manager	Full Cost Recovery and minimise CSB Budget	3 monthly	April 2011 to March 2012
3	<b>Inability to maintain service provision due to inadequate resources</b>	Liaise with Portfolio Holder to inform of essential elements required to stabilise Planning Directorate	Set minimum targets for Performance and Customer Satisfaction.	Set up Action Plan to manage reduced resource provision for Planning Directorate	Asst Directors & Business Manager	Establish Business need to stabilise Planning Support Team	3 monthly	April 2011 to March 2012
4.	<b>Increasing Workloads largely determined by external factors</b>	Prioritise Freedom of Information requests and increased Forward Planning Workload	Prioritisation of these factors may lead to increased complaints	Monitor workloads Manage performance by arranging support for those most under pressure Re-arrangement of resources	Asst Directors & Business Manager	Demonstrate Business need required to provide support to vulnerable areas	Monthly	April 2011 to March 2012
12	<b>Potential need to address Gypsy, Roma and Traveller incidents</b>	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	<b>Inability to attract sufficient local community gains from S106 procedures</b>	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	<b>Fall in appeal success rate</b>	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	6 monthly	March 2012

**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
31	<b>Planning Support for Development Control (Applications, Validations and Customer Contact).</b>	Prioritise applications, validations and customer contact to provide best possible customer service given the shortage of resources.	Prioritisation of these factors may lead to increased complaints	Monitor workloads Manage performance by arranging support for those most under pressure Re-arrangement of resources	Asst Directors & Business Manager	Demonstrate Business need required to provide support to vulnerable areas	Monthly	April 2011 to March 2012
8	<b>Loss of budget and/or income DC, BC &amp; P &amp; C</b>	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 Govt notice on planning fee increase	Monthly	April 2011 to March 2012
24	<b>Making BR files available to the public</b>	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
10	<b>Lack of funding for Town Centre Officer</b>	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
33	<b>Inability to 'backscan' &amp; securely destroy files including quality checks due to funding shortfall</b>	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	April 2011 to March 2012

Page 114

## APPENDIX FIFTEEN - FORWARD PLANNING EVIDENCE BASE UPDATE

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

### 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 &amp; 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 &amp; 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 115</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 &amp; 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 &amp; 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 &amp; Options – Anticipated Summer 2011.</p>	

**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  Page 116	<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	Total cost: £255,950 Stage 1 Transport Model Development. GAF3 – Programme of Development (POD), Essex and Herts County Councils, Highways Agency. No EFDC contribution	Anticipated September 2010	Not yet known
Rye Meads Water Cycle Study	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.	Hyder Consulting	Total cost: £250,000 – GAF3 - POD Partnership of East Herts, North Herts, Epping Forest, Broxbourne, Harlow & Stevenage Councils. No EFDC contribution.	Report complete : October 2009  LDF CC : ??	Approx 180 pages including Appendices
Strategic Housing Market Assessment (SHMA)	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.	Opinion Research Services & Savills	£59,950 (+ £3,117.40 advertising costs)  EFDC contribution - £10,511	Report complete : January 2010  LDF CC : 17 June 2010	203 pages including Appendices

**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>
<p>Strategic Housing Land Availability Assessment</p> <p>Page 117</p>	<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>

**FORWARD PLANNING EVIDENCE BASE UPDATE OCTOBER 2010**

Study Title	Study Purpose/Content	Consultant	Cost	Anticipated / Actual Completion Date agreed by LDF CC	Length
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

Page 118

**FORWARD PLANNING EVIDENCE BASE UPDATE OCTOBER 2010**

Study Title	Study Purpose/Content	Consultant	Cost	Anticipated / Actual Completion Date agreed by LDF CC	Length
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

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### **Report to Planning Services Scrutiny Panel**

**Date of meeting: 02 December 2010**

**Subject: Planning Enforcement Protocol**

**Officer contact for further information: Jeremy Godden  
Ext 4498**

**Committee Secretary: Mark Jenkins Ext 4607**

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#### **Recommendations/Decisions Required:**

1. That the Planning Enforcement Protocol Code of Practise be reviewed as per the attached document.
2. That members confirm the revised notification procedures in the Members Bulletin for enforcement action, and whether they require further information from Planning Enforcement.

#### **Report:**

With regard to Minute 19 Item 4 of Planning Service Scrutiny Standing Panel dated 02 September 2010, Members have requested that a review is carried out of the Planning Protocol Code of Practise as it relates to the Enforcement Section.

This is due to concerns being raised about apparent delays in subsequent action once enforcement action had been authorised.

Enforcement investigation can frequently take a considerable amount of time to bring about a successful conclusion, in some cases taking 2 – 3 years to resolve. This is mainly due to the nature of the planning system, which allows for the submission and determination of retrospective applications and any appeals to be made against even self evidently unacceptable development, thereby allowing a contravener to elongate the time span of the investigation to the frustration of all other parties. Whilst the determination of applications and subsequent appeals is taking place it can seem to third parties that nothing is happening, or the case has been dropped, when in fact it is very much a live case.

The Enforcement Section provides full contact details of the investigating officer to the complainants with an invitation for them to contact the officer for updates on the progression of the case.

A Code of Practise is attached which is based on the current Local Charter and has been revised to reflect the current procedures within the Enforcement Section. The main changes are firstly the replacement of categorising complaints from 4 types for response purposes to 2 types of response, and secondly changes to how members are notified of enforcement action.

With regard to the first change, this is due to a streamlining of administrative procedures and internal working practises, but it should be noted that this is also reliant on the current levels of staffing within the Section remaining stable; should staffing numbers fall, then previous system would have to be reintroduced to allow a more discriminating time response to complaints on the basis of a far more detailed assessment of the harm each complaint was alleged to be causing to amenity.

The second change is that more comprehensive reporting and updating of Enforcement actions with regard to the issue of, compliance with, and prosecutions for breaches of Enforcement Notices in the Members Bulletin is taking place.

If there is any further information regarding the progress of cases that Members would like to see it would be helpful to know in what format they would like the information and to what level of detail, bearing in mind the possible resource implications for the administration of the Section.

**Reason for decision:**

Revise the Code of Practise to reflect the current working practises of the Planning Enforcement Section and to ensure greater transparency

**Options considered and rejected:**

Nil

**Consultation undertaken:**

Nil

**Resource implications:**

Budget provision: Nil

Personnel: Planning Officers and Members

Land: Nil

Community Plan/BVPP reference: Nil

Relevant statutory powers: Town and Country Planning Act

Background papers: Planning applications as per report

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

Key Decision reference: (if required)

**ADDENDUM ON ENFORCEMENT OF PLANNING CONTROL**

**1. Policy**

1.1 *The Council's policy on Enforcement as set out in the adopted District-Wide Plan is as follows:*

*"In determining what, if any, enforcement action to take where development has been undertaken either without the requisite planning permission or consent or in breach of a planning condition the council will:*

*(a) take prompt, appropriate enforcement action in cases where:*

*(i) it considers the development to be demonstrably harmful to public amenity or public interest and would not gain approval even with the imposition of any planning conditions; or*

*(ii) a planning application has been invited but has not been submitted;*

*(b) serve a breach of condition notice in cases where it considers that the breach is demonstrably harmful to public amenity or public interest;*

*(c) serve a planning contravention notice or seek a prompt planning application in cases where it considers that the development is demonstrably harmful to public amenity or public interest but could be made acceptable by imposing planning conditions;*

*(d) allow an appropriate and reasonable period of time for compliance with its requirements while ensuring that good planning is not prejudiced by virtue of the development having been undertaken;*

*(e) where possible, issue a stop notice in cases where it considers the development to be exceptionally harmful to public amenity or public interest;*

*(f) commence appropriate legal proceedings in cases where there is evidence that an offence has been committed."*

1.2 *The District Council's actions on enforcement of planning controls will, at all times, be dependent on available resources. The District Council undertakes to keep under constant review the resources required within the constraints of Council budgets.*

**2. Procedure**

2.1 *There may be some exceptional circumstances where the following targets are not met. The time taken to deal with an enforcement complaint will also be dictated by the time officers give to a person to comply with a request or offer to submit a planning application. The time given to a person very much depends on the nature of the planning problem and what the breach of planning control is. However, the following is the preferred level of service for enforcement.*

2.2 *An incoming complaint is dated and passed to the Principal Officer.*

- 2.3 *The Principal Officer will give the complaint a priority level of either A or B and allocate the case to an Enforcement Officer.*
- 2.4 *Category A implies a severe and/or urgent case requiring immediate attention. This would include harmful works to a listed building or new physical development which would present a serious danger to members of the public; a Gypsy, Roma or Traveller incursion; works to a tree subject to legal protection; and works to a protected hedgerow. A site visit should be carried out within 7 working hours.*
- 2.5 *Category B covers all other cases that are a less severe and/or less urgent case requiring prompt attention, and a site visit should be carried out within 14 working days.*
- 2.6 *The case will be recorded on MVM and a colour coded card will be created and placed in individual Enforcement Officers boards to show the progress of the complaint. The investigation of the complaint will involve checking Council and other records, and assessing the proposal against planning legislation, policy and planning guidelines. The outcome of these investigations will determine what course of action shall be taken. This may require a report being prepared for Legal Services to commence enforcement action or proceedings. The Principal Officer will confirm any decision that it is not expedient to take enforcement action.*
- 2.7 *Depending on the outcome of the investigations the complainant and other interested parties, Councillors etc., will be advised of what steps are being taken or what the outcome of the investigation was.*
- 2.8 *There are seven key events possible in resolving an enforcement complaint:*
- (a) no action appropriate;*
  - (b) inviting and receipt of a planning application (see also 2.9 below);*
  - (c) voluntary cessation of the use, or the alteration of the development to meet approved plans, or the making of a revised proposal, which is considered acceptable;*
  - (d) serving an enforcement notice (or breach of condition notice);*
  - (e) serving a stop notice;*
  - (f) taking criminal or injunctive court action;*
  - (g) action by another service or organisation.*

*The level and nature of action will have a significant impact on the application of resources.*

- 2.9 *Retrospective planning applications will not be invited by officers where it is obvious that they have no prospect of being granted. However, this does not preclude the person/organisation responsible for the breach making any such application.*

### **3. Communications**

- 3.1 *Communications with complainants and those complained of, is an important aspect of the enforcement process. The acknowledgement letter sent to all complainants has the Enforcement Officer contact details, and invites the complainant to ring or email the Officer for updates on the investigation. The targets outlined below relate to these key events, and also have attendant administrative requirements as follows:*
- (a) *acknowledge within 5 working days receipt of external complaints by letter or email.*
  - (b) *within 5 working days of closing a case write to complainant or interested parties advising them of the findings of the Enforcement Officer.*
  - (c) *within 10 working days of the receipt of correspondence from a complainant a response will be sent provided that the correspondence does not raise complex or legal issues (this would not include repetitive or vexatious correspondence or correspondence which had already been covered in an earlier response).*
  - (d) *in the absence of a planning application, then the person/organisation complained about will be informed that enforcement action will commence, except in urgent cases or in exceptional circumstances.*
  - (e) *Regular updates will be included in the Members Bulletins about cases which:*
    - (i) *Enforcement Notice action has commenced*
    - (ii) *Enforcement Notices have been complied with*
    - (iii) *Enforcement Notices have not been complied with and prosecutions have commenced*
    - (iv)

#### **4. Confidentiality**

- 4.1 *The Local Government (Access to Information) Act 1985 indicates that certain types of information are confidential. Of relevance to Planning Enforcement, are the following:*
- (a) *the identity of those indicating breaches of planning control;*
  - (b) *financial/business affairs;*
  - (c) *where Counsel's opinion is involved or contemplated; and*
  - (d) *where prior disclosure would reveal that Notices or Orders are proposed.*

*The District Council will, in most cases, debate enforcement items in public session, as the exercise of these powers is in the public interest.*

- 4.2 *As far as possible and recognising the above limits, complaints, other than from public organisations, will be kept confidential. Similarly the affairs of operators/owners of businesses will also be respected.*

4.3 *However, it must be recognised that in pursuing certain complaints (e.g. my neighbour's apples fall in my garden and there is only one apple tree) it is obvious who the complainant must be. In addition, if written comments are made about planning applications, in other public arenas, in connection with a planning appeal, or in court, then to secure control, that initial confidentiality can no longer be relied upon.*

4.4 *At present, cases are charted on MVM and also manually on a "battle board" which includes the following territories:*

*'Pending.'* *'Under Investigation.'* *'Application Invited.'* *'Application Received.'* *'Next Committee.'* *'Enforcement Authorised.'* *'Notice Issued.'* *'Notice Appealed.'* *'Prosecutions.'*

4.5 *Each Enforcement Officer's cases are checked monthly by the Principal Officer from a list produced via MVM and live cases where the total time elapsed since first logged has exceeded three months and the case has not yet generated a planning application or enforcement action are reviewed. The target is to minimise the number of such cases and to review them each month to see if any change in approach is called for.*

## **5. Site Visits**

5.1 *In investigating breaches of planning control, or suspected breaches, Enforcement Officers or others exercising the same powers bestowed by the Authority, will not necessarily take the same approach as other officers. If they are asked to investigate someone doing something, in particular a use that others consider they should not be doing, they may well wish to monitor the situation at random. They are exceedingly unlikely to make an appointment to forewarn the operator complained of. Indeed, to do so can enable some operators to effectively hide what they are doing to the Enforcement Officer, but not the neighbour who is complaining and who then cannot understand why the Enforcement Officer cannot see what is upsetting them. Similarly, an officer arriving at a site may well briefly note what they can see before marching up to the door to announce their presence. Not all activities complained of take place in normal working hours, and Enforcement Officers do visit sites outside those hours.*

5.2 *In an age of concern about crime or worry about "who is up to what" this is difficult to reconcile with the Council's Code concerning safer communities. However, each Enforcement Officer or other officer carrying out similar duties has a name badge, and other specific rights of entry documentation which can be inspected on request and a courteous explanation of what the officer is doing will be given.*

5.3 *The rights of entry are satisfactorily used on an informal basis in the vast majority of cases and such co-operation is appreciated. The rights stem from the Town and Country Planning Act 1990 Sections 196A-196C. The rights are briefly as follows:*

- *Admission to any land at any reasonable hour*
- *Admission to dwelling house if twenty-four hours notice has been given to the occupier*

*The rights can be secured formally if they are denied and wilfully obstructing an officer is an offence.*

- 5.4 *Some complaints may be referred to other specialists, such as the Council's Landscape Officer, or to other departments of the Council, who will then be expected to process the matter. If the Enforcement Officer cannot control the matter, but knows a man who can, then the complainant/commentator will be advised whom to contact.*

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## SCRUTINY



### **Report to Planning Services Scrutiny Panel**

**Date of meeting: 02 December 2010**

**Subject: Planning Enforcement Protocol**

**Officer contact for further information: Jeremy Godden  
Ext 4498**

**Committee Secretary: Mark Jenkins Ext 4607**

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#### **Recommendations/Decisions Required:**

1. That the "possible route a planning enforcement investigation could take" flow chart be noted.

#### **Report:**

With regard to Minute 18 Item 3 of Planning Service Scrutiny Standing Panel dated 02 September 2010, Members were advised that the software available to represent the time lines for investigations was not available. A simpler presentation medium would be arranged for the flow chart.

The attached flow chart has been annotated to show the time line from the receipt of an enforcement complaint to the carrying out of a site visit. It is appreciated that the flow chart is somewhat difficult to read, but the Council does not possess the software needed to update or enlarge it.

#### **Reason for decision:**

Revise the "possible route an enforcement investigation could take" flow chart to reflect likely time lines.

#### **Options considered and rejected:**

Nil

#### **Consultation undertaken:**

Nil

#### **Resource implications:**

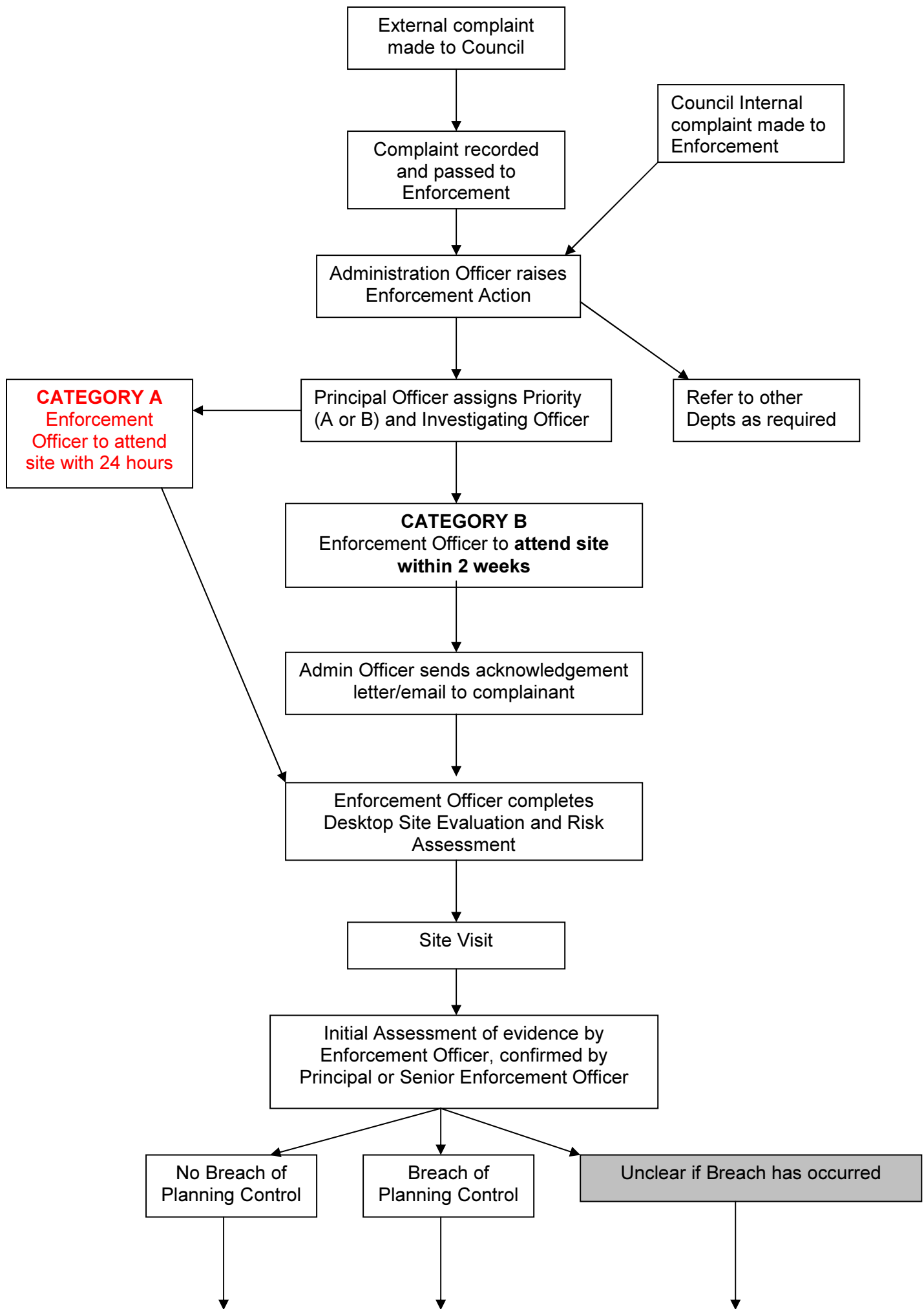
Budget provision: Nil  
Personnel: Planning Officers and Members  
Land: Nil

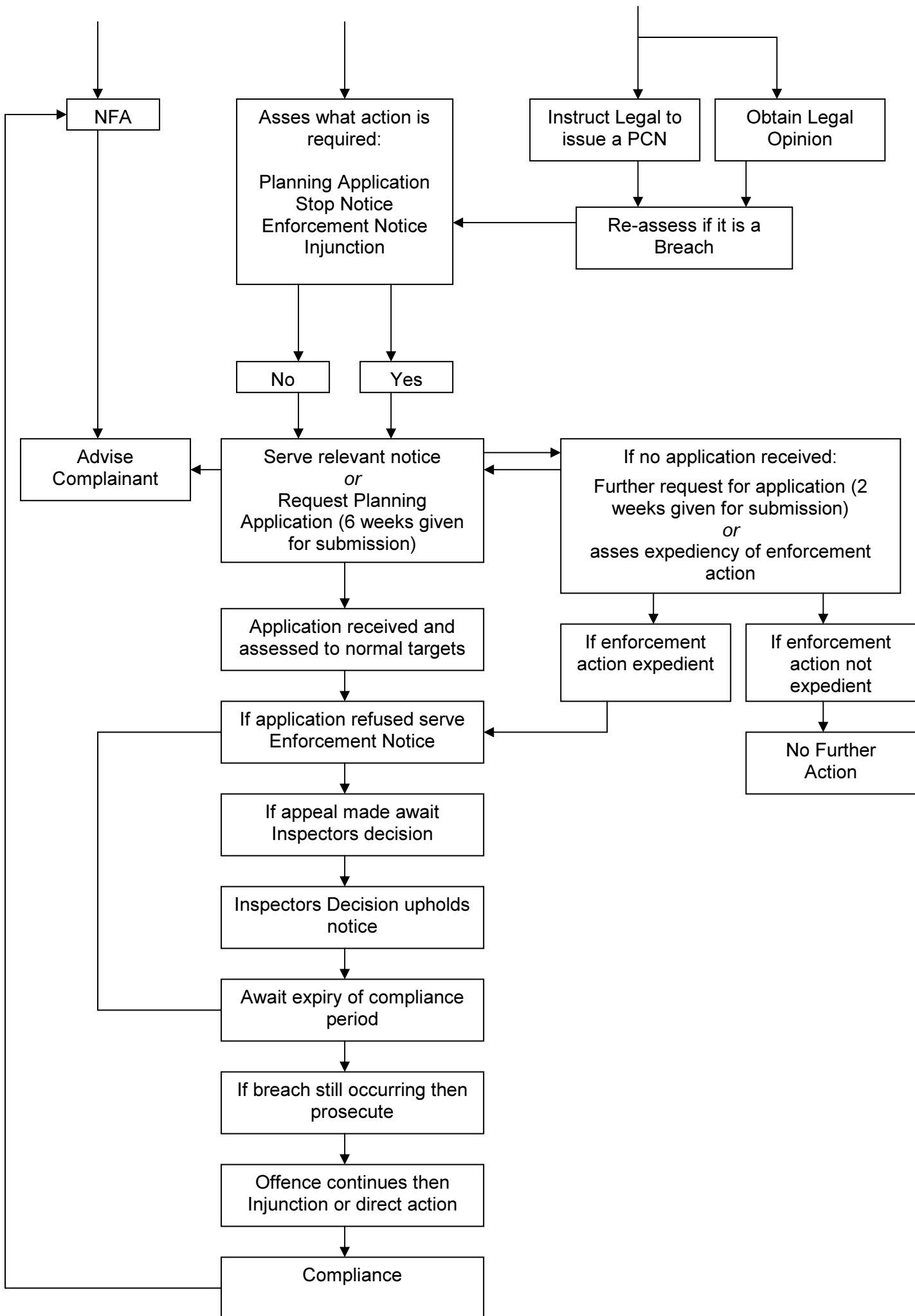
Community Plan/BVPP reference: Nil  
Relevant statutory powers: Town and Country Planning Act

Background papers: Planning applications as per report  
Environmental/Human Rights Act/Crime and Disorder Act Implications: Nil  
Key Decision reference: (if required)

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**Planning Enforcement Investigation Flowchart**





## **Report to Planning Services Scrutiny Standing Panel**

**Date of meeting: 3<sup>rd</sup> March 2011**

**Portfolio: Leader**

**Subject: Essex Local Transport Plan 3 Consultation**

**Officer contact for further information: Ian White (x4066)**

**Committee Secretary: Mark Jenkins (x4607)**

# SCRUTINY



**Epping Forest District Council**

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### **Recommendations/Decisions Required:**

**To agree the officer comments that were sent on 10<sup>th</sup> February 2011 to meet the consultation deadline of 11<sup>th</sup> February.**

### **Report:**

1. Every local highway authority, in this case the County Council, must produce a Local Transport Plan (LTP) for its area. This will be the third such LTP for Essex, but will cover a period of 15 years rather than 5 years as was the case with the first two LTPs. It will also address revenue spending as well as capital schemes – another change from the earlier plans. The LTP is intended to identify what the highway authority wants to achieve by investing in transport over the next 15 years, and to explain how this will help to achieve sustainable economic growth in the county. The consultation document splits the County into four areas, in line with the Integrated County Strategy (ICS). Epping Forest District is therefore part of the West Essex area, along with Harlow and Uttlesford Districts.
2. The consultation document lists five outcomes that the plan must deliver:
  - Provide reliable connectivity for international gateways and Essex communities to support sustainable economic growth, regeneration and well-being;
  - Reduce carbon dioxide emissions and improve air quality through lifestyle changes, innovation and technology;
  - Improve safety on the transport network and enhance and promote a safe travelling environment;
  - Maintain all transport assets to an appropriate standard and maximise network availability and resilience;
  - Provide sustainable access and travel choice for Essex residents to help create sustainable communities.
3. The consultation ran from December 2010 to 11<sup>th</sup> February 2011 but it was not possible to report this to an earlier meeting of the Panel. Officer level comments were therefore sent to meet the deadline, on the understanding that further Member comments may follow. The consultation took the form of a questionnaire, which was designed to encourage responses from individual members of the public, as well as local authorities and other relevant organisations. There were 22 questions, several of which were aimed solely at individuals, and so not appropriate for the Council to respond to. Officers opted to respond to 5 of these, and details are given below.
4. The questionnaire included an additional 15 optional questions on policies for guiding the delivery of transport in Essex. Officers elected not to address these are rather

bland statements with the option of agreeing or disagreeing where it is almost impossible to disagree with what is being said.

5. Question 5

What approach should be taken to achieve the five outcomes – three options were given, but in each case there would be similar expenditure on safety and maintenance:

Option 1 – Investing in growth – spending would be focused on improving transport connections within and between the main towns where investment is likely to have the greatest benefit to the economy. This will focus on outcome 1 with less spent on outcomes 2 and 5;

Option 2 – A better place to live – spending would be spread more evenly across the county and all the outcomes with the aim of making Essex a better place to live and work by improving access to work, education and leisure activities. There would be a balanced spread of expenditure across outcomes 1, 2 and 5;

Option 3 – A low carbon future – spending would be focused on providing travel choice and encouraging less car use to reduce CO2 emissions. Expenditure would be prioritised for outcomes 2 and 5 with less directed towards outcome 1.

Officer response

Option 2 is preferred, but with reservations. As resources are going to be very restricted for the foreseeable future, there is the likelihood that, even under this approach, spending will veer towards the promotion of economic growth and away from environmental objectives and projects or carbon reduction. If this option is ultimately selected (as the “safe middle ground”) it will be important to monitor implementation to ensure it does not become Option 1 by the back door.

6. Question 8

What sections of the highway network maintained by the County Council should be the priority – 8 options were given (listed below) and the top 3 were requested using numbers 1 to 3; (a) main roads between towns; (b) minor roads between towns and villages; (c) local roads in residential areas; (d) pedestrian pavements (alongside roads); (e) public footpaths; (f) cycleways; (g) street lighting; (h) street furniture

Officer response

Priority 1 – main roads between towns

Priority 2 – minor roads between towns and villages

Priority 3 - pedestrian pavements (alongside roads)

7. Question 9

Are there any issues of concern about the rail or trunk road network (ie the transport networks in Essex operated by other agencies)

Officer response

Issues of concern:

- Capacity of J7 of the M11;
- Need for new junction (7A) on M11 between Harlow and Sawbridgeworth;
- Impact on local road network (especially the A414) when either or both motorways are affected by accidents or other delays;
- Linked issue of frequency of messaging signs on the local road network (advising of motorway problems);
- Timetable/feasibility of Network Rail’s plans to remove all level crossing facilities on the Liverpool Street line – in particular, what this will mean for Roydon. Abridge over the railway line is probably impossible, and the only alternative would appear to be a bypass with significant implications for impact on the Green Belt, and long-term adverse effects on Roydon village services, and even the future of the station itself;

- Implications of increased frequency of Stansted Express trains on frequency of local services which serve local and easily accessible stations – Roydon, Sawbridgeworth, Broxbourne etc;
- Capacity of rail network at rush hour;
- Capacity of the Central Line and its associated car parks;
- Very final decision on the future of the Epping to Ongar section of the Central Line;
- Distant possibility of extension of Central Line to Harlow

8. Question 12

Priorities for West Essex – to select three from the following seven: (a) Improving the attractiveness (of) bus services to and within Harlow through packages of improvements to facilities for buses at the busiest sites (including the bus station, railway station and hospital); (b) Improving bus and rail public transport links to and between the West Essex centres – particularly from surrounding rural areas; (c) Supporting regeneration initiatives within Harlow and local centres by improving the attractiveness of streets and public spaces; (d) Supporting housing and employment growth and regeneration initiatives in Harlow and the local centres by providing transport access to development sites which encourages low carbon and low congestion travel choices (including bus, walking and cycling facilities); (e) Improving access to Harlow from the M11, particularly to improve journey time reliability; (f) Improving access to Stansted Airport by low carbon forms of transport – particularly from Saffron Walden; (g) Upgrading and improving cycling and walking networks in Harlow to encourage greater use.

Are there other priorities for this area.

Officer response

Priority 1 (with addition as noted) - (b) above adding "and key public facilities such as hospitals" after "centres"

Priority 2 – (d)

Priority 3 – (e)

In general, there is concern about the emphasis on Harlow's issues (specific mentions in 5 out of the 7 listed priorities). Yes it is by far the biggest settlement in the West Essex area, and yes it does have severe infrastructure deficit issues, but the districts of Epping Forest (50% more population than Harlow) and Uttlesford also demand more detailed analysis and understanding. As a simple example, Loughton has had 3 out of 4 phases of town centre enhancements completed so the comments under 'Local Centres' appear, at best, to be out of date. (The comment in the consultation document is "Loughton – Town Centre improvements are required to support local businesses") No mention is made of other centres, such as Waltham Abbey, which have much poorer public transport services. Parking issues are a key problem affecting all the Central Line stations and associated centres in the district. (The consultation document only names Loughton and Epping)

Other priorities (not in any specific order)

- Freight strategy for the County (HGV traffic is a particular problem in the Lea Valley area because of the glasshouse/packhouse industry and the local road connection to the M25 at Waltham Abbey;
- Car parking in the towns/villages served by the Central Line – conflict between residents and commuters;
- Congestion in the south of the district (Loughton/Buckhurst Hill);
- Traffic issues associated with two regeneration schemes – The Broadway, Loughton and St John's Road, Epping;
- NOx pollution of Epping Forest;
- Lack of easily accessible information about community transport – particular

- problem for the elderly;
- Future for business aviation at North Weald Airfield;
- Lack of bridleway networks

**Reason for decision:**

To agree the officer comments to try to ensure that this district's traffic and transport issues are reflected in the final version of the Local Transport Plan 3.

**Options considered and rejected:**

Not to respond to the consultation.

**Consultation undertaken:**

Director of Planning and Economic Development

Director of Environment and Street Scene

Attendance at workshop on the LTP organised by the County Council on 2<sup>nd</sup> February.

**Resource implications:**

Budget provision: From existing resources

Personnel: From existing resources

Land: Nil

Community Plan/BVPP reference: GU1, GU4, HN7, FL2, FL3, EP3

Relevant statutory powers: Planning and Highways Acts

Background papers: The Essex Local Transport Plan Consultation (December 2010)

Environmental/Human Rights Act/Crime and Disorder Act Implications: A wide range of environmental and social issues are involved – road junction capacity, traffic congestion, capacity of overground rail and Central Line at rush hour, road traffic pollution of Epping Forest, HGV traffic on unsuitable rural roads, car parking in centres served by Central Line, poor public transport connections and frequencies in the rural areas.

Key Decision reference: (if required)





## SCRUTINY



Epping Forest District Council

### **Report to Planning Services Scrutiny Panel**

**Date of meeting: 03 March 2011**

**Subject: Construction Damage to Highway Infrastructure**

**Officer contact for further information: Nigel Richardson Ext 4110**

**Committee Secretary: Mark Jenkins Ext 4607**

#### **Recommendations/Decisions Required:**

1. That the Panel notes the changes made to the Planning Decision Notice and how to report damage problems on-line.

#### **Report:**

At the meeting held on 2 December 2010, the Panel will recall that Emma Featherstone, Development Manager Engineer, from the County Council's Environment, Sustainability and Highways Executive attended and she advised that 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. She further explained that 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.

It was also reported that this is not a planning enforcement function because the damage itself is not subject to planning control.

However, it was agreed that further discussions will take place between the highway and the planning authorities to see how best to resolve this matter of footway damage during the construction period.

Following this meeting, the County Council have now produced simpler procedures for reporting highway problems, which would include the issue of highway damage during construction. The home page of our own website now advertises "Reporting a Highway Problem Online Has Never Been Easier". It is a case of reporting the problem and this then is investigated. The damage to verges can therefore be repaired if it on highway land, which is predominantly the case in this district. Any damage to a private verge, though, will be down to the individual owner and therefore Planning Officers will need to be made aware of this before deciding the appropriateness of including any planning condition. The County Council Maintenance Team revealed there was 3 cases over a 6 month period where they were able to prove damage caused, at a total cost damage to footways sought from the owners of about £7, 500.

Secondly, all planning decision notices, including certificate of lawful development notices, are now including an informative note that reads as follows:

"Applicants are advised **not to store building materials** on the highway not to damage highway verges, so avoid parking construction vehicles and machinery on verges. If damage occurs, the Council will require verges to be restored at the applicant's expense."

**Reason for decision:**

This goes further than other local planning authorities, who treat this whole matter as a highway, not a planning issue. As this does not fall within the remit of the Town and Country Planning Act 1990, as amended, this is correct. However, with such strong wording a planning decision notice and County Council's improvements to reporting and responding on highway problems, it is considered that there is greater control in place to take action.

**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**

# SCRUTINY

 Epping Forest District Council

**Date of meeting: 03 March 2011**

**Subject: Standard Letters - 1. Neighbour Notifications on Planning Applications. 2. Acknowledgement of Enforcement Complaint**

**Officer contact for further information: Nigel Richardson 01992 564110**

**Committee Secretary: Mark Jenkins**

### **Recommendations/Decisions Required:**

1. That the standard neighbour notification letter be noted as per the attached documents.
2. That the standard enforcement investigation acknowledgement letter be noted as per the attached document.

### **Report:**

The Panel at the meeting held on 2 December 2010, requested that an item be added to Work Programme in which they wished to scrutinise the standard letters the Development Control section send out to the public when they are consulted on planning applications and when the officers acknowledge an enforcement complaint for investigation.

The first letter attached to this report, sent out at the beginning of the planning application process, informs the recipient, who may be affected, of the proposed development submitted to the Council and gives them the opportunity to comment upon it and how they can view the plans.

We have in recent years expanded the length of the letter, through a succession of alterations, in order to make clear the different ways the application details can be viewed and how their local council can be contacted.

There are also two leaflets which are posted out at the same time and are attached to this report item.

The first is "Making Your Views Known - a guide to commenting on planning applications". This informs them of how they can find out about an application, how to comment, the proper grounds they can and cannot object upon, the decision making process and contacts.

The second is a guide to viewing the planning application online through the Council's website.

The Panel also wished to see the enforcement acknowledgement letter. A copy of this is also attached after the leaflets. It briefly explains who the complaint has been allocated to, what steps the Council can take and cross-references to the enforcement guide on the Council's website. It also importantly states that the complaint may take some time to investigate, because time evidence may need to be built up and legal advice sought in particular cases.

**Reason for decision:**

The Panel are requested to note these documents. The letters are periodically reviewed and it should also be noted that they satisfy their function of advising the recipients of where relevant information is obtainable and how their views can be made.

**Options considered and rejected:**

Nil

**Consultation undertaken:**

Nil

**Resource implications:**

Budget provision: Nil

Personnel: Nil

Land: Nil

Community Plan/BVPP reference: Nil

Relevant statutory powers: Town and Country Planning Act 1990 (as amended)

Background papers: Documents attached to the report

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

Key Decision reference: (if required)

Date: 15 February 2011

Our Ref: PL/JS/EPF/0242/11



**Directorate of Planning & Economic Development**

Civic Offices  
High Street  
Epping  
Essex CM16 4BZ

Telephone: 01992 564000

Facsimile: 01992 564229

DX: 40409 Epping

Owner/Occupier  
The Fish And Eels  
Dobbs Weir Road  
Roydon  
Harlow  
Essex  
EN11 0AY

**If you have any queries about this application please contact the case officer directly:**

Jill Shingler, 01992 564106,  
[jshingler@eppingforestdc.gov.uk](mailto:jshingler@eppingforestdc.gov.uk)

Dear Sir or Madam

**Town and Country Planning Act 1990: Notification of Planning Application**

**Address:** Rosemary and Dobbs Weir Cafe, Dobbs Weir Road, Roydon, Harlow, Essex

**Proposal:** Replacement cafe and change of use of dwelling to Bed and Breakfast accommodation.

This letter is to advise you that an application for planning permission for the above development has been submitted to this Council and that you have 21 days from the date of this letter in which to comment on the proposals should you wish to do so.

You can see the application, the plans and any other submitted documents, at the Civic Offices in Epping from 9.00am to 4.45pm Monday to Friday.

Alternatively, you can normally view them online by visiting our website [www.eppingforestdc.gov.uk/iPlan](http://www.eppingforestdc.gov.uk/iPlan), where you can also track the progress of this application or make your comments online, but please allow 2 working days from your receipt of this letter before visiting the website, to allow time for all the documents to be fully uploaded.

If you have any queries about this case you can contact the case officer using the contact details shown in the black box above. In addition, a duty planning officer is normally available at the Civic Offices between 10.30 and 12 noon on 01992 564477 to answer any general queries you may have, or, if you call in person at these offices, you may speak to a planning officer between 9 am and 12 noon each weekday.

Anyone who wishes to comment on this application should comment via the website, or write to me at the Civic Offices, High Street, Epping, Essex CM16 4BZ within 21 days, quoting the application number **EPF/0242/11** in any correspondence. We will take these comments into account when we decide whether to give planning permission but, generally, we are unable to enter into correspondence on issues raised. I also encourage you to copy any comments to your local Town/ Parish Council because we do not forward them on, but please allow enough time for them to meet their similar 21 day deadline to respond. Contact details for your Town/Parish Council are available on line at [www.eppingforestdc.gov.uk/local\\_democracy](http://www.eppingforestdc.gov.uk/local_democracy) and when on this page of the website click on 'Parish Councils' under Contents section on the left-hand side.

If you made comments to us on a previous application number for this address, these are not carried forward so you will still need to write to us again, even if your views are the same.

Please note that any representations you make on this planning application cannot be confidential, they form part of the public record and can be seen by the applicant and may be available to view at the Civic Offices, or on our website. If the decision on this application is subsequently appealed, your comments will be forwarded to the Planning Inspectorate, and may also be made available to view on their website.

Please note that if this is a householder planning application (e.g. extensions to an existing dwelling, or a building incidental to and within the grounds of such a dwelling) there will be no opportunity to make further representations after the Council makes its decision, should this matter go to an appeal. Therefore please make your comments as full and as clear as possible.

If you are not the owner of the property, please pass this letter on to the owner so that they are aware of the application and have an opportunity to comment too.

**The enclosed leaflets provide a guide to the process and to matters we can take into account, and also to how you can view material online.**

Yours faithfully

*John de Wilton Preston*

J de Wilton Preston, BA (Hons.) MRTPI, MCIM.  
Director of Planning & Economic Development

There is a right for three speakers to put their cases directly to planning committees, one for the applicant, one for the objectors and one for the local parish or town council. You will need to let us know by 4pm at the latest on the day before the meeting if you wish to speak. A leaflet - Your Voice Your Choice - gives more information on speaking at meetings.

However the application is decided, we will notify everyone who wrote to us of the decision.

### **What about appeals?**

If a planning application is granted approval, there is no right of appeal by objectors. However, if an application is refused, or if conditions are placed upon permission or the application is not considered within a certain timescale, the applicant can appeal. The decision is then taken out of the hands of the Council and given to a Government appointed Planning Inspector

If we wrote to you or you made comments or an objection to an original planning application that then goes to appeal, we will write again to ask if you wish to make further comments to the Planning Inspector. However, there is an exception - due to changes in the Planning Act, we will write and inform you of a 'householder appeal' (extensions or outbuildings to dwellings), but you cannot make further comments. In all cases though, we will still send your original letter.

### **Who can I talk to?**

You can see us by visiting the Planning Reception on the second floor of the Civic Offices in Epping. You can look at a planning application at any time during office hours. Without an appointment, case

officers to help and advise you are usually only available from 9am to 10.30am and a duty planning officers is available up to 12 noon.

Try to make your written comments clear and concise. Anonymous objections carry very little weight so please give your name and address.

You can also contact your local district councillor(s). Their contact details are available on the Council's website ([www.eppingforestdc.gov.uk](http://www.eppingforestdc.gov.uk)); by phoning 01992 464288 or from our Information Centres.

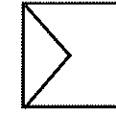
You may wish to copy any correspondence to your local Town or Parish Council. They do not decide the planning application but are a consultee. Your local council details are also available through our website or Information Centres.

### **How to contact us?**

You can either phone, write or email us, marking any letters for the attention of the relevant case officer and quoting the application number (often prefixed EPF).



01992 564000



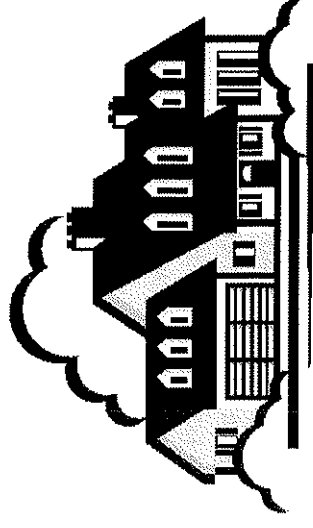
Epping Forest District Council  
Directorate of Planning and Economic  
Development Control  
Civic Offices  
High Street  
Epping  
Essex  
CM16 4BZ



[www.eppingforestdc.gov.uk/planning](http://www.eppingforestdc.gov.uk/planning)  
Email: [contactdc@eppingforestdc.gov.uk](mailto:contactdc@eppingforestdc.gov.uk)

# **Directorate of Planning and Economic Development**

## **Development Control**



# **Making Your Views Known - a guide to commenting on planning applications**



## Introduction

Our surroundings are in a process of constant change. Old buildings are demolished and replaced. Changes are made even to buildings familiar to generations of local people.

Sometimes the changes are cosmetic such as a new advertising sign for a shop. Sometimes they are more substantial such as an extension or constructing an entirely new building.

Changes to buildings are governed by planning law. In most cases the developer needs to apply to the Council for planning permission before the changes can be made and in all cases the Council has to consider the application seriously.

We all have our own views on what makes a good road planning application. You don't need to own a property to make a planning application and you don't need to be a neighbour to object. No matter how trivial, major or outrageous you may think an application is, you have the right to object.

This leaflet explains how.

## How can I find out about an application?

We automatically write to next-door neighbours when we receive a planning application. We include a brief description of the application and which officer is dealing with it. The letter includes an invitation to view the detailed application at our offices or online, and a date by which we should receive written comments. We also give each local town and parish council a weekly list of new applications. Planning applications are public documents and anyone can ask to see one.

Sometimes we place a yellow notice on or near the site to publicise the application. If we believe it needs more publicity we will also put an advertisement in the Public Notices section of the local newspaper. Many of the local newspapers also choose to include stories about large or controversial planning applications in their editorial sections.

All planning applications can be viewed at the Civic Offices in Epping. After a week or so, applications for Loughton, Chigwell and Buckhurst Hill can also be viewed at Loughton Information Centre in the Library at Traps Hill. Some local Town and Parish Councils also hold plans.

Applications can also be viewed on our website [www.eppingforestdc.gov.uk/iplan](http://www.eppingforestdc.gov.uk/iplan)

## What are proper grounds for objection?

By law, we can only take your objections into account if they address relevant planning considerations. Relevant considerations include:

- Is the new building or proposed use appropriate to the area?
- Is the appearance of the new building satisfactory?
- Will the development cause pollution, noise, flooding or other environmental problems?
- Will there be loss of light to important rooms?
- Will the development overlook and create loss of privacy?
- Will the building appear bulky, overbearing or out of scale with neighbouring properties?
- Is road safety or public footpaths adversely affected?

In other words, will the development make the area a less pleasant place in which to live or work. Loss of value to your property, motives or circumstances of the applicant, or any impact upon private rights and covenants are not relevant planning considerations. Generally, we are not able to enter into correspondence about the issues you raise.

## Who makes the decision?

About three-quarters of planning applications are decided by our planning officers. Only the most significant or controversial proposals are submitted to councillors on our planning committees plus those councillors call to committee as special cases. If your comments are on an application due to go to a planning committee we will do our best to let you know the date and venue of the meeting.

## How do I comment?

Your objections or support for a planning application should be made to the Council in writing. We will accept your comments as late as possible but you are advised to try to reach us within the deadline set in our letters and notices to guarantee consideration of your views.

When we receive your letter, we will write back to acknowledge receipt and let you know the next stage. Your comments or objections are not confidential. They form part of the public record when we consider the application and can be seen by the applicant.

You may also be able to speak directly to councillors at a plans meeting - see **'Who makes the decision'** below for details.

Comments can be submitted electronically by going to our website [www.eppingforestdc.gov.uk/iplan](http://www.eppingforestdc.gov.uk/iplan)



# How to view Planning Application material online

August 2008

Version 1.0

Page  
07

A quick guide on how to access Plans and other material related to an application that we are consulting you on.

## Background

- There is a large amount of information about planning applications online, this now includes plans and other documents submitted with the application.
- You can view this material from your own PC at home, and we also have PCs available for you to use at the Civic Offices in Epping. You should also be able to use PCs in places such as libraries to access this information.
- This means that information is now available to you outside of our normal office hours, and also means that you do not have to travel to the Civic Offices to view details of a case.

## Online Basics

- The main planning website is available at [www.eppingforestdc.gov.uk/planning](http://www.eppingforestdc.gov.uk/planning), this holds information about local policy, guidance notes, lists of applications and decisions, downloadable forms, etc.
- The interactive part of the website is titled **iPlan** and allows you to search our records, (where they are available electronically) and view many documents online, this can be accessed at [www.eppingforestdc.gov.uk/iplan](http://www.eppingforestdc.gov.uk/iplan), to view details about the case this is the page you need to start from.

## Navigating around iPlan

- When **iPlan** opens the main screen gives you a list of quick links in the middle of the screen
- Click on **Search Planning records**


## Searching Planning Records

- You use this screen to search for planning applications by using a combination of search criteria. You can enter as much or as little information as you like, and use as many or as few search criteria as you wish.

- On the letter you have been sent there is an application number (for example EPF/1380/08), you will find this at the top left corner of the letter, you can ignore any letters before the EPF part.


- You should enter this number in the box labelled **Application Number**, making sure you type the number as shown on the letter.

Application Number EPF/1380/08

- Once you have entered the number, scroll down to the bottom of the screen, and click on the  button in the bottom right hand corner.

- A new screen will open which displays summary details of the case

Application Number	Site Address	Development Description	Status	Date Registered
EPF/1380/08	Essex Woods Farm, South Lane, Epping, Essex, EPG 3EL	Demolition of existing vacant single storey school building and erection of proposed nursing home	REGISTERED	09-07-2008

- If this is the correct case click on the **Application Number** (highlighted in green) to view full details of the case, these will open in a new window.
- If this is not correct click on the button labelled  to look again.

## Viewing Case Details

- The boxes at the top of the screen will give you key details and dates for the case. Of most interest will be the date when the application was registered with us, and what the deadline is for any comments to be received.

Application Registered	09-07-2008
Comments Until	05-08-2008
Date of Committee Decision	
Appeal Lodged	
Appeal Decision	



Date:

Our ref: ENF/

Your ref:



**Directorate of Planning &  
Economic Development**

Civic Offices  
High Street  
Epping  
Essex CM16 4BZ

Telephone: 01992 564498

Facsimile: 01992 564229

DX: 40409 Epping

**Town & Country Planning Act 1990 (as amended) :**

Thank you for drawing to my attention the suspected breach of planning control at the above address. I am the officer responsible for the investigation of the case and my contact details are shown above. If you have any questions about the progress of this matter please contact me by email or on the phone. If the circumstances of the allegation change, or you have any further useful information about this matter, please email or write to me quoting the above reference number.

The Council takes the enforcement of breaches of Planning Control seriously and there is a full guide to the service we provide on the Council's website at [www.eppingforestdc.gov.uk](http://www.eppingforestdc.gov.uk) under the Planning Page – Development Control – Planning Enforcement – Downloadable Guide

We will investigate to find out:

- (a) Whether formal permission is actually required, as many types of development are exempted from planning controls.
- (b) If not, whether there is a valid planning permission authorising the matter complained of
- (c) If not, whether the owner/occupier has made or is willing to make a planning application to regularise the situation
- (d) If not, whether the Council can and should properly take any of the steps available to it against unauthorised development having regard to the Council's current planning policies and any relevant planning law, and having regard to any harm that is being caused.

Such steps can be very effective although they may, on occasions, take over a year to come to a conclusion. The more factual information you can give me about the matters complained of, the more effectively I will be able to investigate.

For the above reasons it may take some time before any conclusions can be made. However, I will write back on the completion of my investigation to let you know whether or not enforcement action will be taken.

Please be assured that all reports of possible breaches in planning control are thoroughly investigated and whenever we find good reason to enforce compliance with planning controls, we take appropriate action.

Yours sincerely

Planning Enforcement Officer



### ***Report to Planning Services Scrutiny Standing Panel***

***Date of meeting: 03 March 2011***

**Subject: Officer Delegation - Local Council stating No Objection but comment that application go to Area Plans Sub-Committee**

**Officer contact for further information: Nigel Richardson x4110**

**Committee Secretary: Mark Jenkins**

#### **Recommendations/Decisions Required:**

1. That no further changes be made to Officer Delegation.
2. Assistant Director (Development) write to remind Local Council's of the "call-in" power of District Councillors to bring planning applications to the relevant Area Plans Sub-Committees covered by their Ward and that their comments should be clear as to why they have reached their conclusion, even if they have stated no objection.

#### **Report:**

Minute 34 (Any Other Business) of Agenda Item 5 of Planning Service Scrutiny Standing Panel meeting dated 11 October 2010 requested that this Panel discuss the current delegated powers of the Director of Planning and Economic Development in respect of determining planning applications where the Local Council have raised no objections to a planning application but still request that it be reported for determination by the relevant Area Plans Sub-Committee.

As this matter was to be discussed at Local Council's Liaison Committee on 10 November 2010, the Panel requested that the relevant minutes of this committee also be forwarded to them. These are attached, as are the current delegated powers last reported to District Development Control Committee on 7 December 2010.

This issue had come about following a comment on a planning application made by Waltham Abbey Town Council who, despite making clear they had raised no objections, commented further that it should be reported to the Area Plans Sub-Committee.

Under the current delegation powers, there is no provision for such planning applications to be reported to planning committees. As reported to the Local Council Liaison Committee (LCLC), it was made clear that there were two provisions, among others, where planning applications were reported to planning committees that involved Local Council comments. They were:

- (a) Applications recommended for approval contrary to an objection from a local council which were material to the planning merits of the proposal; and

(b) Applications recommended for refusal but where there was support from the local council and no other overriding planning consideration necessitates refusal.

The LCLC was reminded that local council's had two further delegation options which triggered applications going to planning committees.

The first being that they could comment, as they occasionally do, in a more positive way where it was felt necessary. The second option, that a local District Councillor can request a planning application be reported to their relevant Area Plans Sub-Committee within the first four weeks of notification.

The LCLC resolved "That the report concerning Local Council's Comments on Planning Applications be noted". The Minutes of 10 November 2010 is attached, as requested.

**Reason for decision:**

Rather than change delegation for what so far has virtually been a lone comment by a local council, as noted by the LCLC, the Panel are reminded that the best course of action would be that in these cases, the local council ask a district councillor, representing a ward within that Area Plans Sub-Committee, to "call-in" the application.

The Panel are also reminded that in 2010, changes were made to planning application delegation and one rejected change suggested by Councillor Knapman to make the interpretation of the views of local council's more flexible was not supported by this Panel and not supported by Overview and Scrutiny Committee. The preference was for improved advice from Planning Officers to local council's on how they should make their view clear. This is included under the second part of the recommendation above. The issue of the subject matter could be addressed in this way so that the Local Council could be clearer as to why they wish the matter to go to an Area Plans Sub-Committee meeting.

**Options considered and rejected:**

Nil

**Consultation undertaken:**

Local Council Liaison Committee 10 November 2010

**Resource implications:**

Budget provision: Nil

Personnel: Nil

Land: Nil

Community Plan/BVPP reference: Nil

Relevant statutory powers: Nil

Background papers: Minute Item 26 of Local Council Liaison Committee – 10 November 2010

Minute Item 30 of District Development Control Committee meeting 7 December 2010

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

Key Decision reference: (if required)

## **Minute Item 26 – Local Council’s Liaison Committee 10 November 2010**

The Committee received a report from Mr N Richardson, Assistant Director of Planning and Economic Development, regarding Local Council’s comments on Planning Applications.

At the Planning Services Scrutiny Standing Panel on 11 October 2010 members suggested that local councils, responding to consultations on planning applications, had, on occasion, requested that where they had raised no objections and asked for an application to be reported to the relevant planning committee, the application in fact had been dealt with under delegated powers.

Under delegated powers, there was no such provision for these applications to be reported to planning committees. The delegated agreement made it clear that there were two provisions that determined applications were reported to planning committees, where it involved local councils comments. They were:

- (a) Applications recommended for approval contrary to an objection from a local council which were material to the planning merits of the proposal; and
- (b) Applications recommended for refusal but where there was support from the local council and no other overriding planning consideration necessitates refusal.

The first of the above (a) regularly triggered applications going to area plans committees, whereas the second (b) was occasionally a trigger, because local councils appeared to be a little less forthcoming in stating support for development and more comfortable in stating no objection.

Officers advised that local councils could provide a more positive response where necessary, subject to justifying this opinion and also they can approach a District Councillor of the relevant area planning committee to request a planning application be reported to that area plans committee within the first four weeks of notification.

Members said that elements of applications sometimes required a comment.

It was suggested that local councils should state the reasons for supporting or objecting to an application. A local council could ask a district councillor to “call-in” an application.

### **RESOLVED:**

That the report concerning Local Council’s Comments on Planning Applications be noted.

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### **Minute Item 30 – District Development Control Committee 7 December 2010**

The Committee considered officer delegation arrangements in respect of Development Control and Forward Planning functions. The Committee had before them schedules that had been circulated as a further supplementary agenda. It was noted that existing planning related delegation arrangements exercised by the Director of Corporate Support Services were unaffected by the proposals.

The Committee, in agreeing the proposals, were of the view that substantive changes should be the subject of report to the District Development Control Committee.

#### **RESOLVED:**

- (1) That the Director of Planning and Economic Development be delegated, as of 8 December 2010 until further notice to authorise suitably qualified and/or experienced persons to exercise those functions relating to the management and provision of the planning service as set out in the attached schedules of functions, (i) "Development Control", and (ii) "Forward Planning and Allied Functions";
- (2) That the Director of Planning and Economic Development be authorised to update the schedules of functions as a result of legislative and routine updating changes, subject to the agreement of the relevant portfolio holder(s) but with any substantive changes being agreed by the District Development Control Committee;
- (3) That the Director of Planning and Economic Development shall maintain an up to date record of the internal scheme of delegation of particular functions; and
- (4) That, accordingly, the appropriate amendments to be made to the Schedule of Delegation to Officers be referred to the Constitution and Members Services Standing Scrutiny Panel for incorporation in the Council's constitution.

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## **Report to Meeting of Planning Services Scrutiny Standing Panel**



**Date of meeting: 3 March 2011**

**Subject: General Approach to Assessing Impact on Light**



**Officer contact for further information: Nigel Richardson**

**Committee Secretary:**

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### **Recommendations/Decisions Required:**

1. That Members note the general approach taken by Officers when assessing impact of extensions on daylight and sunlight to neighbouring dwellings.

### **Report:**

2. Members have asked officers to advise how they assess the impact of new development on daylight and sunlight to neighbouring dwellings. A particular concern is the impact of extensions to houses.
3. The purpose of assessing impact on light is to gauge whether the living conditions of the neighbouring dwellings would be excessively harmed by the development. While some harm is accepted as a reasonable balance between safeguarding the amenities enjoyed by neighbours and the right of residents to enlarge their house in order to improve their own living conditions, development that is assessed as likely to cause excessive harm to amenity is resisted.
4. The British Research Establishment report "Site layout planning for daylight and sunlight: a guide to good practice" sets out an accepted approach to measuring the impact of development on daylight and sunlight received by neighbouring buildings. That approach is very time consuming and in order to make best use of resources it is only used in very exceptional circumstances, normally only where the Council's decision is challenged at appeal and the appellant makes a case based on the BRE practice guide.
5. In respect of extensions to dwellings, the BRE practice guide advocates quick methods for assessing the impact of extensions on daylight and sunlight. These are generally applied by officers and described below.

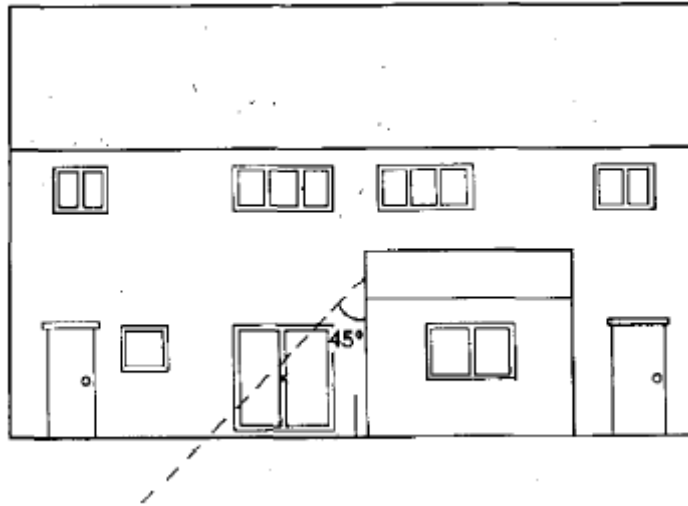
### **Sunlight:**

6. Impact on sunlight is assessed by considering the relationship of the proposal to the passage of the sun across the sky from dawn to dusk that is typical during the equinox. That allows a general indication of where the development would cast a shadow throughout the day. Windows orientated in any direction within 90° of due south will enjoy reasonable to good levels of sunlight. If it appears that a shadow would be cast towards them by a new development then further consideration needs to be given to the matter of impact on daylight. In general, development to the north of any window in an adjoining house would not cause a loss of sunlight to that window and consequently would not impact on daylight. Because of the variation in orientation of windows greater weight is normally given to impact on daylight when assessing development.

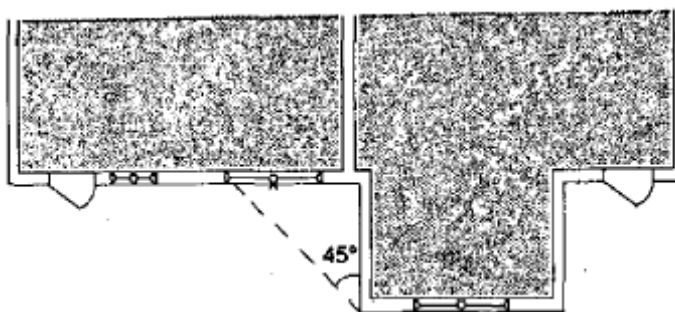
### **Daylight:**

7. Most extensions built are to the front or rear of a house. They are normally orientated at right angles to any potentially affected window. When assessing their impact on daylight the following quick method advocated by the BRE practice guide is applied by Officers:

- a. Take the elevation drawing showing the potentially affected window in relation to the extension. Then draw a line at  $45^\circ$  to the vertical from the highest part of the extension to ground level across the elevation containing the window.

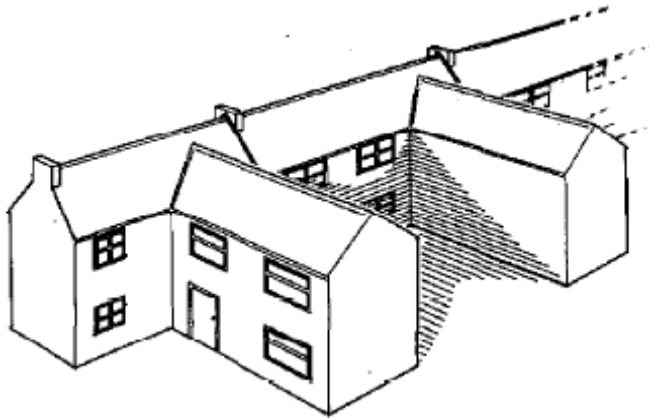


- b. Take the plan drawing that corresponds to the floor including the potentially affected window in relation to the extension and draw a line at  $45^\circ$  from the end of the extension nearest the property boundary back to the wall containing the potentially affected window.

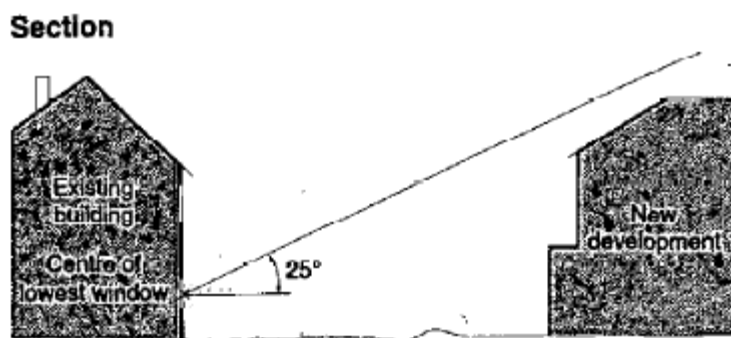


8. For the purposes of gauging impact on living conditions potentially affected windows are taken as being those that serve habitable rooms, i.e. bedrooms, living rooms and, in most cases, kitchens. The BRE practice guide advises that where the centre of the potentially affected window lies on the extension side of BOTH  $45^\circ$  LINES, the extension may well cause a significant reduction in daylight received by the window.
9. The guide advises a flexibly approach when using these methods. For example, if the

extension has a much larger building behind it then the daylight from that direction may be blocked anyway. If the extension has a pitched roof then the top of the extension can be taken as the height of its roof halfway along the slope. Special care needs to be taken in cases where an extension already exists on the other side of the potentially affected window to avoid a tunnel effect.



10. Where an extension would be situated opposite a potentially affected window, a different approach to assessing impact on daylight is required and set out below.
11. Take a section drawing that shows the wall of the building containing the potentially affected window and the new development in relation to each other. Then draw a line from the centre of the potentially affected window towards the new development at an angle of  $25^\circ$  to the horizontal.



12. The BRE practice guide advises that if the new development projects above that line then it is likely to cause a significant reduction in daylight received by the window. Again, the guide advises some flexibility when using this method. If a development breaks the  $25^\circ$  line, good daylighting may still be achievable if it does not amount to a continuous obstruction and is narrow enough to allow adequate daylight around its sides
13. Members are requested to note this report on the basis that it describes a “rule of thumb” approach to assessing the impact of development on daylight and sunlight that is appropriate and proportionate to apply in nearly all planning applications.

**Reason for decision:**

None required

**Options considered and rejected:**

N/A

**Consultation undertaken:**

None

**Resource implications:**

Budget provision: None

Personnel: Planning Officers and Members

Land: None

Community Plan/BVPP reference: None

Relevant statutory powers: Town and Country Planning Act 1990

Background papers: British Research Establishment report "Site layout planning for daylight and sunlight: a guide to good practice" and Epping Forest District adopted Local Plan and Alterations

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

Key Decision reference: N/A

## **Item for Meeting of Chairmen, Vice Chairmen of District Development, Area Plans Committees and Chairman of Planning Services Scrutiny Panel 10/02/11(The “Chairs” Meeting.)**

1. The Director of Planning & Economic Development has been to several meetings of the above to observe, and be seen to be taking an interest in these meetings, as well as those which he more generally attends.

2. I thought it useful to share my key observations, because a feature of previous “Chairs “ Meetings has been to reflect on the meetings to see what improvements can be made.

3. The key points are as follows:

- **Display of plans, elevations, aerial and other photographs.**

4. There is a very considerable contrast to when I recall being a lead officer at these meetings; then the officer stood with a set of plans attempting to display them on the rather less than clear main screen in the Council Chamber.

5. Now there are a series of PowerPoint presentation slides with clear plans, titles and which include elevations, plans aerial and other photographs; these are used to give very high quality presentation by the Officers, and assist members in their deliberations. These do require quite an effort to be assembled, but that effort is plainly worthwhile.

6. What was particularly noticeable is that even when speakers are making points which are in opposition to the views of officers, that the plan or photograph is displayed relating to the speaker’s point. This is a worthy professional arrangement. It would not necessarily be detected from the webcast or the minutes of the meeting; it is only seen by those present.

- **Quality of presentations by Officers**

7. I witnessed quite a number of staff from the Directorate giving presentations, which were all given professionally. There are only minor points of improvement for a few individuals.

8. There is a view in some quarters that Essex is flat, when the topography of some sites is quite complex, and subtle level differences can have quite an impact upon the Member assessment. If someone is describing the site as being on a steep incline that should be clear from the plans and/or the report.

**It is recommended that presentation methods will be reviewed with this objective in mind.**

- **Quality of reports**

9. For the most part the quality of reports, and the depth of the information provided appeared to be pitched at the right level. Areas for improvement include;

- One item had made the agenda of an area Committee which should have gone straight to the District Development Committee.
- One item was the unusual reporting of a Certificate of Lawful Development application to the Committee for determination; this was deferred for a lawyer to be present; in future such cases, the need for the lawyer to be present needs to be factored in.
- There are more minor points about whether all necessary conditions have made it to the agenda.

- **Venues**

10. Whilst I understand the benefits of having the largest Area Committee having its meeting within its local area, there are clearly some considerable logistical issues in getting all the necessary staff and equipment to the school. I sat in the front row of seats within the audience, and I did not consider that the Councillor name badges are particularly visible; the font size, possibly the black on white and the orientation of the signs may help the webcast, but was not clear for someone in the audience, particularly if this was their first time at such a meeting.

**The Chairmen's meeting recommended that Area Plans South are asked to review the pros and cons of meeting at this location.**

11. It may be helpful in the Chairman's opening introductions to introduce all members present, so that the public then know who is



present. This is then reinforced when the Chairman invites particular members to speak.

**It is recommended that Chairmen introduce the other Councillors present during the opening introductions.**

- **Consistency**

12. I witnessed different styles from different Officers, and from the different Chairmen. I see no issue with their being different styles, but there is plainly the opportunity for different approaches to be used, which others would then consider to be inconsistent, or possibly unfair. It has been suggested to me that the receipt of information such as letters or photographs has been dealt with differently at different meetings, although I did not witness this.

13. I understand that colleague Officers and Members who have dealt with at least one case that was considered by the Standards Committee queried the practice of their being more than one Chairman for the Area Committees, and that some comparisons were made between what the rules indicate, and what Chairmen were doing. Whilst there is always going to be a need for discretion for Chairmen, it is clear that the public will test the ways things are handled, especially if they do not get the decision they seek.

14. **It is recommended that these points could be a useful topic for future training (both for Officers and Members)**

- **Summarising**

15. My attention has been drawn to the importance of the Chairman providing a short summary of the decision that has been made; this would be generally, where there has been a debate about the item, but especially where there has been a complex or contentious debate and where there may have been protracted discussion, and to make a positive habit of doing this.

16. There is a live case (not determined at a Committee when I was present) in which there is a Judicial Review. Some reliance was being placed on the short minute about that case, but when the webcast is viewed, the Chairman had usefully summarised matters as follows:

## Transcript of recommendation

Chairman: *“Those in favour of granting permission with conditions”*

Committee Clerk: *“Those in favour 5 Chairman those against 2 Chairman, Abstentions 4”.*

Chairman of Plans West Committee:

*“So permission is granted with the recommendation to the Lea Valley Park Authority that this permission is granted. They have two weeks to react and they may require us to call this into the Secretary of State. So although Epping Forest Council Plans West is granting permission there may be further obstacles along the path. I think we should be aware of that. Anyway, permission granted from this commission. Thank you for your attendance”*

17. I understand that some of these points have been picked up by Members in considering how meetings have been conducted, and that role play training is useful in emphasising the importance of such summaries.

**It is recommended that Chairmen summarise the decision taken after complex discussions or debates before moving to the next item.**

- **“An old favourite”**

18. Cases involving extensions to residential properties within the Metropolitan Green Belt have been a regular feature of Committee deliberations for many years. Such cases also produce a regular stream of appeals, whilst many are determined under delegated powers. The fundamentals are not new, and there will probably always be some cases where the public airing of the cases does produce some decisions where the weighing of the evidence produces a different decision; all professional officers have to cope with seeing some decisions go against their advice, that is democracy.

19. However, the number of such cases does concern me, particularly because major consultation exercises in recent time on the Sustainable Community Strategy, and the Community

Visioning results in connection with the Core Planning Strategy, both emphasise the value the local community places on the protection of the Green Belt.

20. There is most definitely a discussion or training issue here. Put colloquially one is supposed to keep the Green Belt as open as possible.

21. A residential property in the Green Belt has permitted development rights which have been made more generous over the years.

22. Developments exceeding permitted development require planning permission. The objective assessment of those cases where EFDC or an Inspector is considering the planning application can be seen to fall into two categories. One category contains those instances where Government advice and Local Policy have set parameters, and the proposal is a limited/reasonable extension to the existing dwelling (and recognises how the dwelling has already been extended since the Green Belt has existed) On the basis of experience, and reflecting appeal decisions, an extension which takes the dwelling to 40% above its original size is about the limit of that category. Such cases fall within policy, and many are so granted. The 40% may recognise that some demolition of other domestic structures such as previous extensions can be factored in. Such cases are recognised as appropriate development in the Green Belt, and reduce the openness of the Green Belt to what is a strictly limited degree.

23. It is also possible to demonstrate that very special circumstances exist, and there may always be cases where Members determine, or an appeal Inspector determines, that such circumstances exist and that permission can unusually be granted. They will involve inappropriate development being sanctioned, which is against the principle of keeping the green belt as open as possible, and such cases should be rarities.

24. There must be a concern if the decision which is reached under delegated powers, or at appeal is similar, but that there is much greater variability of decision at Committee. The risks are obvious; a similar development may not be getting a similar outcome, and that opens the Authority to challenge.

**25. It is recommended that a discussion session or a training session is organised to consider these matters objectively.**

- **Procedures**

26. Members at meetings are required to consider and to declare certain interests; that is only proper, but the volume of those declarations at Area Committee South was considerable, and this was a feature of the minutes of their previous meeting. It raises a question about whether those who are Tree wardens and are on Local Councils could be able to be taken as having given a standard declaration that covers their non prejudicial declaration for those reasons? I understand having spoken with colleagues that this would require amendment to the National Code of conduct, although that code is due to be discontinued and what will be contained in its replacement is not yet clear .

27. I further note that there is also an issue about the 'quality' of the declaration. When the Councillor has considered their position (whether advised by the Monitoring Officer, or whether they are following the lead of others, or not) It is important to clearly state the relevant words personal/prejudicial/non-prejudicial. It is not sufficient to say 'as before,' 'the usual' or just 'Town Council'

28. Specific training in relation to interests/ planning protocol is run by the Monitoring Officer/Deputy Monitoring Officer/ Assistant Director of Planning (Development.)

**It is recommended that when the National Code is removed or amended that consideration is given to whether non prejudicial interests can be clearly recorded in a standard manner.**

**It is further recommended that Members are reminded about the need to clearly state the words personal/prejudicial/non-prejudicial, and not to use other words or abbreviations.**

**Conclusion**

29. I enjoyed attending the meetings so far. I recommend that it would be beneficial for some targeted training for Officers and Members on the points raised above.

30. I have discussed several of the points I noted with the Monitoring Officer and the Deputy Monitoring Officer in compiling this note, and I thank them for their assistance.

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