

**Development
Control
Best Value
Review
(October 2001)**

**2008 UPDATE
(June 2008)**

ADDITIONS TO THE 2001 DATA, PROCESSED IN 2008, APPEAR IN ITALICS

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PROFILE

1. Profile of the District

Setting

- 1.1 Epping Forest district is situated within the Metropolitan Green Belt, abutting the north-east edge of London, in the south west corner of Essex. It comprises the towns of Loughton/Buckhurst Hill (36,500), Waltham Abbey (16,000), Chigwell (12,000), Epping (10,000) and Chipping Ongar (6,000) together with villages, the largest of which are Theydon Bois, North Weald Bassett, Roydon and Nazeing. Many of the towns and villages are historic but those close to London grew rapidly as commuter towns. This was particularly in connection with the coming of what is now the Central line of London Underground.
- 1.2 The District has an important position in the national motorway network. The M11 runs north-south almost through the centre of the District with local road connections at Hastingwood (just south of Harlow) and Loughton (only for south-bound traffic). The M25 crosses the District east-west with a local road junction at Waltham Abbey and an interchange with the M11. The Central Line of the London Underground has stations at Buckhurst Hill, Loughton, Debden, Theydon Bois and Epping. Roydon is the only British Rail station in the district – on the line between Liverpool Street and Cambridge.
- 1.3 With the exception of the towns and larger villages the District is entirely within the Metropolitan Green Belt. The consistent application of Green belt policies has meant that some 90% of the district's 130 square miles is still open and undeveloped comprising generally attractive countryside.

Population Structure

- 1.4 The district's population was 116,000 in 1991, having remained relatively static since 1981, but had risen by 2001 to an estimated 122,000, *and by 2008 was estimated to be 123,000*. The age of the population is high for the county average (with a below average number of 0-15 and 16-29 year olds and an above average number of 49-59 and 60-74 year olds).
- 1.5 The age structure of the population is changing, in line with the county trend, in that during the 1980s there has been a marked reduction in the numbers of 0-15 year olds in the district in combination with a marked increase in the number of elderly (75+). This is assumed to result from a falling birth-rate in combination with people having an increased life-expectancy. The high cost of local house prices (as a consequence of the attractiveness of the District and its proximity to London) also has a bearing upon the changing age structure by obliging many young people to move elsewhere in search of cheaper accommodation.
- 1.6 Average household size has been in sharp decline in line with that of the county as a whole. This decline stems from a combination of social and economic reasons including an increase in single-person households, young couples moving away, a fall in the birth-rate and people living longer.

Socio-Economic Characteristics

- 1.7 In general terms, Epping Forest District is a prosperous area. During the late 1980s incomes were 30% above the national average and the number of high earners was twice the national average. This is a reflection of the district's accessibility to Central London and its attractiveness as a place to live. This itself is reflected in the fact that an above average proportion of the workforce is in professional/management/technical occupations with most of these people commuting to work. By contrast the district has a lower than average proportion of semi and unskilled workers, compared to the county as a whole, but an average proportion of skilled workers.
- 1.8 The relative affluence of the district's population in general is also reflected in the high level of car ownership. Table (a) shows the extent to which car ownership has grown in the district during the 1980s and how this compares with the average county figure. Table (b) indicates the proportion of households who have more than one car (and this has no doubt risen since 1991).

Car Ownership

a) Proportion of households with car(s)

	1981	1991	2001
Epping Forest District	75%	80%	83%
Essex	70%	75%	81%

b) Proportion of households with more than one car

	1981	1991	2001
Epping Forest District	29%	38%	41%
Essex	21%	30%	37%

- 1.9 Whilst this gives the impression that the district is relatively prosperous this does not apply across the whole of its area. There are still significant parts of the urban areas that cannot be described as prosperous although the deprivation they experience is very much less than that in the major conurbations.

The Countryside

- 1.10 The west and south of the district are characterised by gently rolling countryside dissected by river valleys. The main topographical features are the Epping Long Green and Epping Forest ridges, running generally south-west to north-east and separated by the Cobbins Brook valley. The Lee Valley forms much of the western boundary of the district. The east and north are dominated by the broad valleys of Cripsey Brook and the upper reaches of the River Roding. Generally, the land there is flatter and more open.
- 1.11 Arable agriculture is the main rural land use and this has been more intensive in the north and east. The consequent loss of many hedgerows and trees has added to the 'openness' of the countryside. Horse-keeping is quite an important land use in the south and the Lee Valley still supports glasshouse horticulture. There is only a small amount of pasture.
- 1.12 The district includes numerous small woodlands which greatly enhance the character and wildlife interest of the countryside. Many of these are ancient although Epping Forest, owned and managed by the Corporation of London, is easily the most significant remnant of the original Forest of Essex.

The Importance of the Local Environment

- 1.13 The quality of the local environment, the continuing decline in average household size and the closeness and accessibility to London mean that the district is always under pressure for residential, industrial and commercial development. Opportunities to satisfy these demands are necessarily limited by the requirements of Green Belt policy.
- 1.14 Conservation of the local environment, which includes management and enhancement, is a particular and continuing priority for the Council. This has resulted in:-
- (i) strict adherence to the objectives of Green Belt policy;
 - (ii) the establishment of the Countrycare project as a full-time service (to carry out small-scale countryside management projects throughout the district);
 - (iii) the designation of 25 Conservation Areas and the introduction of a Partnership Scheme;
 - (iv) the implementation of Town Schemes in Waltham Abbey and Ongar;
 - (v) a continuing budget to grant-aid repairs to some of the district's numerous Listed Buildings; and
 - (vi) the establishment of effective policies and procedures for tree protection and management.

2. **Structure of the Council**

Political Structure

- 2.1 The Council is made up of 58 Councillors representing the 30 wards of the district. *The Councillors belong to six political groups, one of which has had overall control since 2006.*
- 2.2 The Council's decision-making structure has recently changed in accordance with the Local Government Act 2000. A leader and 'cabinet' has been introduced forming an executive for all policy decisions, with 3 Scrutiny Committees and a Standards Committee. Planning functions fall within the remit of the portfolio holder for Economic Development and Planning. *All development control decisions, however, are taken outside of the executive, by the District Development Control Committee and by 3 Area Plans Sub-Committees, or under powers delegated to officers.*

Service Areas

- 2.3 *The Council has developed a structure that consists of a Management Board made up of the Chief Executive, Deputy Chief Executive and Assistant to the Chief Executive. Additionally, five Directors have specific responsibility for the Directorates:*

***Finance & ICT
Corporate Support
Housing
Environment and Street Scene,
Planning and Economic Development***

Planning

- 2.4 *The Directorate of Planning is managed under three Assistant Directors. One group consists of Forward Planning and Environment and Countrycare; a second is made up of Building Control and includes a directorate-wide Admin team, whilst the third is Development Control.*
- 2.5 *The three service groups share accommodation off the same corridor on the second floor of the Civic Offices. This enables close staff liaison between the groups and aids an understanding of the role of each group. This integration is further supported by regular meetings of the Directorate Management Team comprising the Director and the three Assistants..*
- 2.6 Development Control also utilises accommodation on the first floor of the building for the storage of its property files.

Customer Contact Team

- 2.7 The Directorate of Planning (and that of Environment) has its own reception facilities on the second floor. This is staffed by dedicated receptionists forming part of the Customer Contact Team. They are trained in understanding the needs of callers and the roles of the various elements of the Service Areas. The reception area is well-lit and well decorated, and has benched seating for waiting customers. Information leaflets are available covering a wide spread of topics. An area for displaying information regarding the activities of Planning Services is also utilised.
- 2.8 The reception area is also supported by four general purpose meeting rooms with tables and chairs that can be used for meetings, private conversations, laying out plans for inspection, etc.
- 2.9 *The Planning Customer Contact Team is a new team created in 2006 and has been developing its role since then, providing the first point of contact for members of the public who have general queries in relation to planning matters, including screening building regulation queries.*
- 2.10 *The members of the team have had to absorb an understanding of wide-ranging data and procedures over a relatively short period. There was a period of concern when the public could not always readily speak to a planning officer in person, when there was much reliance upon voicemail and when priority could not be given to answering general queries. The formation of this team has significantly impacted upon the performance of the service area by providing an improvement in the availability of officers to answer telephone queries or at reception, and thus a reduction in reliance upon voicemail messaging and waiting for return calls. If a message has been left, it is often returned within an hour or two rather than 24 hours later.*
- 2.11 *The team's work has also enabled professional case officers to be released from dealing with more general queries and technical functions that have been transferred to the Contact Team, assisting improved performance by the applications processing teams. The performance of this team has been recognised by the specific compliments that have been received commenting on the reception service that forms part of the Customer Contact Team. The performance was also recognised in last year's Customer Satisfaction Survey which saw an overall satisfaction rating of 82% (the highest in Essex), and the rating of 74% in relation to satisfaction for "advice and help to submit an application". This represented an improvement of 28% since the last survey 3 years previously, much of which can be attributed to the work of this team.*

Development Control

- 2.12 Development Control is the implementation arm of Planning Services that controls and regulates development in line with the objectives of development plan policy. It has three main areas: the determination of planning applications and other forms of development proposals; the enforcement of planning control; and the handling of appeals against the Council's decisions.

- 2.13 The service is largely a statutory activity prescribed by the Town and Country Planning Act 1990 (as amended) and by a number of regulations and statutory instruments. A local authority must provide a development control service including the enforcement of control, even though enforcement powers are to be operated by discretion on a case-by-case basis.
- 2.14 The service is operated for the benefit of the entire population of the district; though more directly, the customers of the service are those who make planning applications or object to them and who submit appeals, and those who make a complaint about a breach of planning control. These direct customers have been growing in number over recent years. The Council has no control, of course, over the numbers or type, and the service has to react to the customer base and nature/complexity of the casework.

	1997-1998	1998-1999	1999-2000	2000-2001	2001-2002	2002-2003	2003-2004	2004-2005	2005-2006	2006-2007	2007-2008
<i>Planning applications received:</i>	1622	1745	1866	1908	1989	2115	2252	2086	1962	2033	2302
<i>Planning & enforcement appeals received:</i>	115	142	149	150	116	145	145	94	105	143	132
<i>Enforcement complaints received</i>	602	614	620	646	603	650	843	855	653	783	757

Staffing

- 2.15 *Development Control has an establishment of 18 posts. The establishment is supplemented by casual and agency assistance from time to time, and by consultants primarily working on appeals. The service is headed by an Assistant Director of Planning who has 11 professional officers, 5 enforcement officers and 1 administrative officer. A service structure appears on the next page.*
- 2.16 For some large development projects, officers of the Forward Planning & Environment group used to supplement development control staff to handle the planning applications and any subsequent approval of reserved matters required by condition. *In recent years, however, this practice has ceased.*
- 2.17 The staff are very committed to the service offered. The professional officers are well qualified, both academically and through experience, to provide a service that seeks to meet the needs of the customers, the expectations of the Council and the targets of central Government. Training needs are identified for all staff through Staff Development Reviews, and training opportunities are identified and promoted to meet the needs of the work and of continuous professional development of the Royal Town Planning Institute.

Corporate Role

- 2.18 By the nature of the development control function, it cannot operate effectively in a vacuum and consequently a great deal of consultation and interaction occurs between development control officers and other service areas of the Council. Good relationships have been nurtured with officers in Environmental Services, Legal and Housing, leading to a greater understanding of the activities and objectives of the other service areas.
- 2.19 Officers of the development control team have been members of various corporate working groups and teams, playing a role in the function of the Council as a whole.

3. Aims and Objectives

This section of the 2001 Best Value Service Plan has been superseded almost in its entirety. The revised aims and objectives of the Council Plan and the role of Planning in achieving those aims can be found in full in Planning Services Business Plan 2007-8 (pp6 & 7). Furthermore, none of the BVPIs listed in this section are reported in these ways any longer. The current BVPIs are reported later.

- 3.1 There are many sources from which the service derives its aims and objectives.

Community Plan

- 3.2 The Council's Community Plan 2000-2005 identifies and promotes the Council's key strategies, setting out the Council's commitment to developing and improving its services. The strategies are set out within cross-service themes. Planning Services, and Development Control in particular, comes under the 'Economic Development and Planning' theme. Appendix 1 reproduces the section relating to this theme and emphasises encouraging prosperity, encouraging public participation in the planning process, defending the Green Belt whilst providing for local development needs and securing benefits to the local community from development.
- 3.3 It is specifically noted as an aim that the Council will strive to continually improve the delivery of our regulatory services.
- 3.4 Whilst the 'Economic Development and Planning' theme is the most applicable to the service, the activities of the service also relate to other themes.
- 3.5 The 'People First' theme includes a social inclusion strategy to which development control can contribute; and the maintenance of Area Committees for determining planning applications advances the accessibility strategy.
- 3.6 The 'Community Well-Being' theme includes a strategy against crime, and development control can contribute in terms of planning-out crime in the very early stages of development.
- 3.7 'Protecting Our Environment' relates to the countryside and town centres, and development control can be the implementation arm of strategies such as these. The use of legal agreements under Section 106 of the Town and Country Planning Act can promote these aims.
- 3.8 Furthermore, the provision of 'affordable' housing for rent, which is secured in appropriate cases within private residential developments, is part of the Meeting Housing Needs strategy within the 'Housing' theme.
- 3.9 Consequently, the Community Plan contains many aims and objectives in which development control is involved.

Performance Plan

- 3.10 Deriving from the Community Plan, the Performance Plan sets out more focussed aims for 2001-02 and on a yearly basis. Specifically related to development control are the aims of:

- improve the time we take to process planning applications; and
- encourage people to use their cars less by reviewing car parking standards.

3.11 The Performance Plan also sets out the national Best Value Performance Indicators for the service. The following relate to development control:

- i) BV109 – percentage of applications determined within 8 weeks.

We adopted a target for the year of 60% which clearly we did not achieve. The national average is around 62%. A target of 65% has been adopted for 2001/02.

	1998-1999	1999-2000	2000-2001
% of applications determined within 8 weeks	44	48	52

- ii) BV110 – average time taken to determine all applications.

This is a new indicator which had not been measured before 2000/01.

1 st Quarter	12 weeks
2 nd Quarter	11 weeks 5 days
3 rd Quarter	11 weeks 6 days
4 th Quarter	9 weeks 5 days

- iii) BV111 – percentage of applicants satisfied with the service received. This, too, is a new indicator not previously measured in the way now stipulated by central government. The results of the survey carried out for the first two quarters of 2000/01 indicated 72% were fairly or very satisfied with the service they received, and in the third quarter this increased to 82%. Just 13% expressed dissatisfaction.

[Comparisons for these last two indicators are not yet available since they are new indicators. However, a county-wide survey in 2000 recording customer satisfaction with planning functions placed Epping Forest above all other participating district councils].

- iv) BV112 is a checklist of 10 best practice points, 5 of which (numbered 4-8) are directly related to Development Control:

4.	Do you provide pre-application discussions?	Yes
5.	Do you have a publicised charter?	No
6.	Is the percentage of appeals overturned less than 40%	Yes
7.	Does the authority delegate 70% of more decisions to officers?	Yes

8. Have you avoided planning costs awarded against you, adverse ombudsman findings or court findings? No

[In relation to point 6 above, the percentage of appeals dismissed is an indicator of logical decision-making at application stage, and of robust defence of the Council's decision.

	1998-1999	1999-2000	2000-2001
% Appeals dismissed	67	69	75
% Appeals overturned	33	31	25

The national average is around 67% (33% overturned)].

Service Plan

- 3.12 Deriving from the Community Plan and the Performance Plan is the individual service plan. This contains more specific targets within an Action Plan which is reproduced at appendix 2.

Local Plan

- 3.13 Separate from procedural and performance objectives are the objectives of the adopted Local Plan which provides a framework for the decisions within development control. The strategy is set out in terms of Objectives and Aims which is reproduced and attached as appendix 3.

4. Performance: an 11- year Overview

Applications

	1997/ 98	1998/ 99	1999/ 00	2000/ 01	2001/ 02	2002/ 03	2003/ 04	2004/ 05	2005/ 06	2006/ 07	2007/ 08
Applications received	1,622	1,745	1,866	1,908	1,989	2,115	2,252	2,086	1,962	2,033	2,302
<i>% decided in target – BV109 returns</i>											
all	54%	44%	48%	52%	70%						
'major'						26%	48%	41%	54%	67%	79%
'minor'						55%	57%	57%	71%	73%	78%
'other'						78%	79%	77%	85%	90%	89%
% decided under delegated powers	67%	69%	73%	75%	74%	75%	84%	86%	82%	89%	88%
Establishment case officers	7	8.5	8.5	9.5	9.5	9.5	9.5	10.5	10.5	10.5	10.5

Enforcement

	1997/ 98	1998/ 99	1999/ 00	2000/ 01	2001/ 02	2002/ 03	2003/ 04	2004/ 05	2005/ 06	2006/ 07	2007/ 08
Complaints received	602	614	620	646	603	650	843	855	653	783	757
Complaints resolved		570	620	493	571	470	620	751	739	848	723
Enforcement notices served	32	55	41	43	44	19	18	33	21	18	23
Planning Contravention Notices served	2	55	209	31	24	13	16	7	32	26	45
Breach of Condition Notices served	0	4	13	7	2	2	0	2	1	0	1
Injunctions sought	3	0	0	3	4	4	1	2	0	0	0
Establishment officers	3.5	3.5	3.5	3.5	4.5	4.5	5	5	5	5	5

Appeals

	1997/ 98	1998/ 99	1999/ 00	2000/ 01	2001/ 02	2002/ 03	2003/ 04	2004/ 05	2005/ 06	2006/ 07	2007/ 08
Appeals received	115	142	149	150	116	145	145	94	105	143	132
% of appeals allowed (BV204)		33%	31%	25%	24%	27%	18%	29%	22%	30%	29%
Staff numbers	There are no staff solely dedicated to appeals										

BV111 – Customer Satisfaction Survey

	2000/01	2003/04	2006/07
Overall satisfaction with the service	75%	71%	82%

Current Staffing

PDC/01	ASST DIRECTOR OF PLANNING	B. LAND	1.00
PDC/02	PRINC PLANNING OFFICER	N. RICHARDSON	1.00
PDC/03	SENIOR PLANNING OFFICER	J.GODDEN	1.00
PDC/04	PLANNING OFFICER	VACANT	1.00
PDC/05	PLANNING OFFICER	P.ONYIA	1.00
PDC/06	PRINC PLANNING OFFICER	A.SEBBINGER	1.00
PDC/07	SENIOR PLANNING OFFICER	J.SHINGLER	1.00
PDC/08	SENIOR PLANNING OFFICER	K.SMITH	1.00
PDC/09	PRINC PLANNING OFFICER	S.SOLON	1.00
PDC/10	SENIOR ENFORCEMENT OFFICER	C.MUNDAY	1.00
PDC/11	ENFORCEMENT OFFICER	S HART	1.00
PDC/18	ADMIN ASSISTANT	T.FORECAST	1.00
PDC/19	PLANNING OFFICER	D.BAKER	1.00
PDC/21	PLANNING OFFICER	M.TOVEY	1.00
PDC/23	ENFORCEMENT OFFICER	D ANDREW	1.00
PDC/24	COMPLIANCE OFFICER	D WALMSLEY	0.56
PDC/25	SENIOR PLANNING OFFICER	G.COURTNEY	1.00
PDC/26	ENFORCEMENT OFFICER	D.H.THOMPSON	1.00

17.56

5. Further Detail

a) Workloads

The 2001 Review stated:

- 4.1 The application workload remained fairly static during the early 1990's at around 1,450 applications per year but since 1997 the workload has increased dramatically and continuously. The table indicates the number of applications received in each year from 1996/97 to 2000/01 and over this 5 year period the planning application workload has increased by 33%.
- 4.2 The most widely used measure of performance and the statistic upon which this service has been declared as failing, is the proportion of applications determined within 8 weeks. This showed a sharp decline as the workload increased, but with some small improvement from 1999.
- 4.3 The enforcement workload has also risen over this 5 year period. This represents an enforcement workload increase of some 12%.
- 4.4 Performance in relation to enforcement is difficult to judge. The Council has no performance measures for this aspect of the service and there is no national BVPI. The Council's administration of the service is not computerised and consequently it is difficult to collate and compare statistical data. However, it is possible to record the number of cases that have been finally resolved in recent years and the number of formal notices that have been served.
- 4.5 The appeal workload at Epping Forest is relatively high. About 1 in every 4 refusals of planning permission leads on to an appeal and 1 in 2 enforcement notices is also the subject of an appeal. In recent years the total number of appeals has arisen with other workloads.
- 4.6 Part of Best Value Performance Indicator BV112 is to look at the percentage of appeals overturned, and the Government has expected that percentage to be less than 40%. This is a useful reflection of logical decision-making and of robust defence of the Council's decisions.

The 2008 Update:

- 6.1 *The planning application workload has continued to increase – 20.6% increase over the 2000/01 total and altogether a 59% increase over the base (1,450) used in the 2001 review. However, it can be seen that the workload reached a peak in 2003/04 and then fell slightly in 2004/05 and again in 2005/06, rising again in 2006-7 and again last year.*
- 6.2 *The means of measuring application performance changed in 2002/03 when the returns were split into the 3 separate categories identified in the table above. This coincided with the Government publishing targets for authorities to achieve of 'Major'– 60%, 'Minor'– 65%, and 'Other'– 80%. These were very challenging targets in the first instance coinciding with the significant increase in the workloads. However, by the fourth year (2005/06) two of the three government targets were being met and by the fifth year (2006/07) all three were met.*
- 6.3 *However, the Council aspires to be within the top quartile of performing authorities, and we fell short in two of the three categories: Minor- 78.06% rather than 80.39%*

and Other – 89.27 rather than 91.61%. The five year journey from 2002/03 to the present performance is however noteworthy, though the top quartile measures are rising all the time.

- 6.4 *The enforcement workload has also risen. Significant increases in the number of alleged breaches of control reported occurred in 2003/04 and 2004/05, falling the following year but recovering last. This level of workload is likely to be repeated for the current year.*
- 6.5 *The appeal workload has remained fairly constant since the time of the last review, with the exception of the two years of lower activity generally. Performance, though variable for reasons well known to members, has remained better than the national average (still at about 31%).*

Procedures

The 2001 Review stated:

- 4.7 The development control service at Epping Forest has operated without written procedures. This has proved possible due to a long-serving core of staff who have undertaken training of new recruits. However, it has meant that there are some inconsistencies within the teams and there has been no systematic review of procedures.
- 4.8 In year 2001 some documenting of procedures began, coupled with a simple analysis of the way in which matters were handled. Early on, it became clear that some streamlining of registration procedures would aid performance and a tightening of procedures was put in place. See appendix 4, which sets out a Process Map relating to planning applications prepared at the time. Work on producing a procedures manual is ongoing.

The 2008 Update:

- 6.6 *There now exists a full set of Procedure Notes for the entire range of planning application activities. These are under constant review triggered by changing legislation, improved practices and lessons learnt from complaints, Ombudsman recommendations or staff suggestions.*
- 6.7 *There have been three major triggers for revising procedures in recent years:*
- (a) *The first was the adoption of a vastly improved ICT package for application processing, retrieval of information and management of planning histories. The change from Plantech to Northgate M3 in September 2005 provided a clear opportunity to review procedures, practices and workflow, so that the maximum advantage could be gained from the change. We now have a system fully operational that has saved time in application processing, improved reporting for senior officers and members, enhanced access to information at officers desktops, improved access to planning records through the Council's website and with less risk of inaccuracy.*
- (b) *The second has been the organisational restructure of Planning Services carried out in 2004 and 2005.*
- (c) *The third has been the introduction of **Anite@Work** - a document management system that involves the scanning of all application-related incoming post and allocates to officers electronically, reducing the reliance upon paper within the offices and changing working practices significantly.*

Decision-Making

The 2001 Review stated:

- 4.9 The Council for many years has granted delegated powers to the Head of Planning Services to determine a proportion of planning applications. The Council adopted the current delegation agreement in December 1997. This is attached at appendix 5.
- 4.10 The remainder of the decisions were taken at one of the four Area Plans sub committees (with a few contentious matters being determined by the Development Committee – now replaced by the District Development Control Committee).
- 4.11 Each Area sub committee meets once every four weeks and the preparation and lead-in period adds an average 2.5 weeks to the 25% of applications they take decisions on. During 2000/01, of those applications determined at committee only 9% were cleared within 8 weeks, as opposed to this years target of 65% and the Governments aim of 80%. During the same period 67% of delegated decisions were within 8 weeks.
- 4.12 Clearly some applications referred to committee are very contentious or justify the considered decision of elected members, but some applications are for minor developments that would be determined under delegated powers if it were not for the receipt of objections. A high percentage of those referred to committee for that reason were the subject of only one objection.
- 4.13 This suggests that performance could be improved by more frequent committee meetings or a reduction in the number of area committees; and/or by revisiting the delegation agreement.
- 4.14 It is appreciated that this brings into conflict issues of improved performance versus quality of democratic accountability, for it is only from May 1999 that the Council has operated an Area committee format with public-speaking.

The 2008 Update:

- 6.8 *As suggested above, the delegation agreement was revisited in December 2002 and this lead to an increase the proportion of applications determined under delegated powers. Still the more contentious applications are determined by members at committee and those which have raised significant public interest. There are still however some very simple matters that fall outside of delegated powers and a report suggesting some minor tweaks to the agreement has now been agreed by Council.*
- 6.9 *Members will be aware that the number of Area Committees were reduced from 4 to 3 in February 2007 but not with any change in the 4 week cycle of meetings. The reduction in number was for reasons other than a means of improving performance. However, performance can be further improved by meeting on a 3 week cycle and this suggestion has now been agreed, and commenced in May 2008.*

Staffing

The 2001 Review stated:

- 4.15 Of the 23 staff that comprise the development control service, 9 posts are dedicated to handling planning applications, appeals and associated work, with a few applications handled by the Technical Support Officer, the team leader responsible for enforcement and special projects and by the Assistant Head of Service himself. This equates to about 9.5 FTE.
- 4.16 The Council carried out benchmarking of staff resources within its family of authorities and the better-performing Essex authorities for the calendar year 1998 when this Council had 7 members of staff dedicated to handling planning applications. For that year this equated to 215 applications per case officer, which was the highest within the benchmarking group.
- 4.17 For the year 1998/99 the Council increased its staff resources in this field to 8.5 but the increased workload still resulted in an average of 205 applications per case officer.
- 4.18 The following year, 1999/2000, this had increased to 220 per staff member, but once again additional resources enabled the workload for the year 2000/01 to equate to an average of 201 applications per staff member.

	1998	1998-1999	1999-2000	2000-2001
Staff	7	8.5	8.5	9.5
Applications	1509	1745	1866	1908
Average	215	205	220	201

- 4.19 Development Control has a team of administration and technical support equivalent to 6.5 FTE posts. One is dedicated to appeals, 0.5 to enforcement and 0.5 provides technical support to development control work. 4.5 posts are therefore dedicated to supporting the administration of the planning application system. Until the end of year 2000 this was only 3.5 posts but was boosted by additionally funding an additional post.
- 4.20 Additional funding from April 2001 has also enabled the enforcement officer team to be expanded from 3 officers to 4.
- 4.21 The budgets for development control also allow for the employment of consultants and agency staff. The managers of the service try to react quickly to peaks in workload and to longer-term staff absences by employing agency assistance largely to handle planning applications. Planning consultants are used mainly for planning appeal work when general workload pressures preclude officers of the team from taking on appeals and also to handle appeals that result from officer recommendations that are overturned by committee decision.

The 2008 Update:

- 6.10 *Members will have noted that the Development Control Team now consists of 18 establishment posts – administrative support staff have been formed into their own team such that none now lie within the DC Team (apart from one dedicated Enforcement administrative officer).*
- 6.11 *At the time of the 2001 Review there were a number of vacancies within the team and recruitment and retention were very important issues. Despite the national shortage of planners and competition from higher salaries available in London, the*

team has enjoyed a full establishment for much of the last 5 years. Two senior staff members retired in 2006, removing a combined total of over 60 man-years of knowledge and experience from the team, and it took time to fill the vacancies that produced, but otherwise the team consists of committed and dedicated staff with many years experience between them.

	Length of Service
Officer A	17 years
Officer B	16 years
Officer C	9 years
Officer D	8 years – 5 yrs in present role
Officer E	6.5 years
Officer F	6 years
Officer G	5 years
Officer H	5 years
Officer I	4.5 years – 3 yrs in present role
Officer J	4 years
Officer K	3.5 years – 2.5 yrs in present role
Officer L	3.5 years
Officer M	2.5 years
Officer N	1.5 years
Officer O	1.5 years
Officer P	7 years: new to present role
Officer Q	Vacant

- 6.12 It will be recognised that one post has remained vacant. This was a deliberate decision not to fill this post in the normal way since we were able to recruit additional assistance from consultants working from home on a part time basis which provided better value for money and could be paid from the savings from the vacant post. This enabled two consultants to be employed on a part-time, working from home basis handling simple, householder applications.
- 6.13 In addition, development control has had, for many years, a budget to employ consultants to handle some planning appeals. These are appeals that would either require a vast amount of staff time to prepare and present, which in-house resources could not cover; or appeals which the establishment officers would find difficult to take for professional reasons, for example, cases that had been negotiated and supported by officers but which could not be supported by members at committee.
- 6.14 The following table is similar to that appearing in the 2001 Review paragraph 4.18 above, and provides an average number of applications per establishment post case officers in recent years (including the 2 part-time consultants counted as one man):

	2001/02	2002/03	2003/04	2004/05	2005/06	2006/07	2007/08
Staff	9.5	9.5	9.5	10.5	10.5	10.5	10.5
Applications	1,989	2,115	2,252	2,086	1,962	2,033	2,302
Average	209	222	237	199	187	194	219

This is against a background where the Government advises, as a result of various studies, that the targets for handling all applications cannot be satisfactorily achieved **unless the average number of cases per case officer is in the order of 150.**

- 6.15 *The experience of this authority is that the averages displayed in the above table are too high if the Governments targets are to be consistently met and far too high if the top quartile targets are to be achieved. The Panel will recall that it was in 2005/06 budget, after years of continuous rises in application numbers and of average cases per officer well over 200, that the Council provided £100,000 to spend on additional staff resources (known as the 'Hit Squad') to deal with a backlog of applications that had built up and to significantly improve the performance figures. The first member of the squad was appointed in August 2005 with the view to employing 4 members for about 9 months. However, since members came and went with regularity and it was rare that 4 people were in post at any one time, the budget lasted until late 2006 when the final member left.*
- 6.16 *It is difficult to define 'backlog' in development control terms, but the measure we have been using is to record the proportion of applications outstanding at the end of any given period that are already beyond their target date. The following table records the effectiveness of the team during the 'Hit Squad' period:*

Quarter beginning:	Total on hand at end of month	Total already past target date	Proportion
October 2005	322	106	33%
January 2006	270	83	31%
April 2006	271	42	15%
July 2006	333	47	14%
October 2006	269	47	17%
January 2007	276	47	17%
April 2007	352	47	13%
July 2007	309	38	12%
October 2007	321	33	10%
January 2008	344	51	15%
April 2008	307	46	15%

These figures, together with the significant improvement in performance, illustrate the considerable impact the budget provision made at that time.

- 6.17 ***However, this has only been possible with the further contribution to the budget of Planning Delivery Grant, which has enabled further agency and consultant resource to be bought in to further improve performance.***
- 6.18 *Since the last of the Hit Squad members left the Council at the end of 2006, we have been able to secure the employment of a local, qualified, senior planner to handle a planning application caseload who has been with the authority since early summer 2006 paid for out of Planning Delivery Grant allocation. However, this staff resource costs the Council about £50,000 in a full year, which is more than the full cost of a senior planner on the establishment.*
- 6.19 *Even should the establishment be increased by this senior planner to 11.5 case officers, this would still represent an average caseload of over 200 cases per officer at lasy year's total – still significantly above the Government's recommendation and yet at a level at which Officers consider performance can be successfully managed.*

6. Cost Analysis for Development Control

The 2001 Review stated:

Introduction

- a) As part of this review it is necessary to analyse the service's costs in order that assessment can be made as to whether costs are any cause for concern. All figures used are taken from 2001-2002 budget for the services concerned (with revised estimates for Income derived from October 2001 review). An appendix of the services direct costs is attached (Appendix 6).
- b) The report analyses information over a three year period where figures are available to highlight trends in cost differences.
- c) The report is broken down into three areas: Key Information, Evaluation of Information, and Key Findings. Key information and Evaluation of Information will concentrate on highlighting the details of costs within the budget and transferring them into data that can be measured. Key Findings highlights particular issues discovered during the analysis and actions that need to be undertaken as a result of this.

Key Information

	1999-2000	2000-2001	2001-2002
DC net budget £	429,300	577,230	512,050
DC total expenditure for year £	736,800	875,930	937,280
Expenditure on third party payments £	451,980	518,750	600,700
Support Services contribution to DC £	249,460	266,230	286,240
Managerial & Professional contribution to DC £	154,020	168,770	212,990
Supplies & Services contribution to DC £	35,360	90,950	49,890
DC Income	301,500	363,000	360,000

- d) There are 23 direct positions working within development control with a total cost of £501,710. These posts are set out in an organisational structure on page 11.
- e) In the current year Development Control estimates to process about 1900 planning applications compared to 1908 in 2000/01 and 1866 in 1999/2000.

Evaluation of Information

	2000-2001	2001-2002
% gross cost of service provision for DC	Up by 19% since 1999-2000	Up by 7% since 2000-1 Up by 27% since 1999-2000
% net cost of service provision for DC	Up by 19% since 1999-2000	Up by 13% since 2000-1 Up by 34% since 1999-2000
% staff costs for DC	Up by 21% since 1999-2000	Up by 5% since 2000-1 Up by 34% since 1999-2000
Staff costs as % of DC total cost	47	53
Staff costs per application for DC £	217	255
% increase of DC income	18	
DC income to total cost percentage	40+	38
Income divided by applications £	190	189
Average gross cost of application £	459	493

The 2008 Update:

The Key Information table has been updated and projected, plus adding information specifically about staff costs.

This is followed by an updated Evaluation Table. It will be noted however that the first 3 rows have been deleted since the analysis is not regarded as meaningful.

Key Information

	1999-2000	2000-2001	2001-2002	2002-2003	2003-2004	2004-2005	2005-2006	2006-2007	2007-2008	2008-2009 Est Out- turn
DC net budget £	429,300	577,230	512,050	337,248	359,541	681,083	620,898	506,356	625,670	483,670
DC total expenditure for year £	736,800	875,930	937,280	766,101	899,633	1,130,199	1,233,611	1,089,652	1,190,450	1,110,990
Expenditure on third party payments £	451,980	518,750	600,700	617,699	661,070	736,750	658,285	740,760	801,800	831,350
Support Services contribution to DC £	249,460	266,230	286,240	115,196	132,906	123,572	128,535	136,557	126,110	179,840
Managerial & Professional contribution to DC £	154,020	168,770	212,990	41,087	45,780	56,112	43,040	50,382	70,260	82,960
Supplies & Services contribution to DC £	35,360	90,950	49,890	33,206	54,052	191,270	146,751	196,979	214,120	88,680
DC Income	301,500	363,000	360,000	428,853	491,092	378,547	546,713	535,171	509,600	604,640
Staff FTE	N/A	N/A	N/A	22.06	23.5	24.5	24.5	18	18	18
Staff costs inc Super & NI	N/A	N/A	N/A	553,000	640,010	710,290	713,490	558,540	604,070	628,170
Average Staff cost inc (Staff costs divided by staff FTE)	N/A	N/A	N/A	25,070	27,235	28,991	29,122	31,030	33,560	34,900

Evaluation of Information

	1999 - 2000	2000 - 2001	2001 - 2002	2002 - 2003	2003 - 2004	2004 - 2005	2005 - 2006	2006 - 2007	2007 - 2008	2008 - 2009 Est Outt urn	
Staff costs as % of DC total cost	50	47	53	72	71	63	58	51	51	54	Staff costs divided by total Gross cost as %
Staff costs per application for DC £	201	217	255	261	284	341	363	274	297	309	Staff costs divided by Planning Applications received
% increase of DC income		18	-1	19	15	-23	44	-2	-5	19	Increase or decrease in income over previous year as %
DC income to total cost percentage	40+	40+	38	56	55	33	44	49	43	54	Income divided by Gross cost As %
Application to income charges £	165	190	189	202	218	181	279	263	251	297	Total Income divided by planning applications rec'd
Average gross cost of application £	395	459	493	362	399	542	629	536	586	546	Total Gross costs divided by planning applications received

The 2001 Review stated:

Comparison

- f) At this point, it would be useful to compare the costs of this authority with those of other authorities. A table comparing costs is included in the Compare Section of this report but it would be useful to reproduce it here.

COSTS

Source: CIPFA 2000/01 Estimates

	Staff per 1000 pop.	Staff Costs per 1000 pop.	No. of Appeals (99/00)	Appeal Costs per 1000 pop.	Alleged breaches investigated (99/00)	Enforcement Costs per 1000 pop	Application Numbers
Essex District Councils (for which returns are in source)							
Epping Forest	0.29	£5,993	149	£1,628	687	£1,720	
Braintree	0.18	£3,556	45	£860	593	£2,783	
Chelmsford	0.28	£7,561	112	-	339	-	
Colchester	0.28	£3,165	-	£313	-	£467	
Harlow	0.14	£2,861	6	£506	6	£312	
Maldon	0.36	£6,126	56	£922	742	£1,915	
Rochford	-	-	23	-	249	-	
Tendring	0.22	£3,512	80	-	869	£1,833	
Uttlesford	0.47	£5,811	73	£823	220	£1,934	-
Audit Commission "Family" (for which returns are in source)							
Braintree	0.18	£3,556	45	£860	593	£2,783	
Reigate & Banstead	0.22	£5,339	107	£907	396	£1,514	
Hertsmere	0.29	£5,928	55	£378	408	£1,337	
Dacorum	0.31	£6,227	69	£708	220	£977	
East Hampshire	0.42	£7,605	107	£925	493	£1,815	
Tendring	0.22	£3,512	80	-	869	£1,833	
Colchester	0.28	£3,165	-	£313	-	£467	
Chelmsford	0.28	£7,561	112	-	339	-	
Epping Forest	0.29	£5,993	149	£1,628	687	£1,720	

- g) Firstly it can be seen from this comparison that staff numbers and staff costs vary considerably over the samples but, leaving aside Harlow, that as a new town has a different regime of controlling development, this authority sits well within the range of staff numbers – 0.18 to 0.47 per 1000 population – and the range of staff costs - £3,556 to £7,605 per 1000 population.
- h) Furthermore, although the cost of the appeals service is high in itself and enforcement costs are at the higher end of the range (though by no means the highest), the unit costs bear comparison. Appeal costs appear high but this authority handles almost 50% more appeals than the other authorities quoted and the unit cost, i.e. the cost of each appeal per 1000 population is £10.9 – the lowest for Essex authorities and not wildly different from the range in the Audit Commission “Family” - £6.8 to £10.2.
- i) For enforcement, the unit cost of investigating one alleged breach of control per 1000 population is £2.50 for this authority within a range of £2.10 to £8.79.
- j) A similar exercise has been carried out dividing the net expenditure in development control (excluding appeals and enforcement) per 1000 population by the number of applications handled, using the same source. Excluding the highest and the lowest, this produced a range from £1.68 per application to £2.79. This authorities unit cost was £2.29.

Key Findings

- k) Over the past 3 years costs have risen by £200,430 or 27%. This compares with income increases of £60,000 or 19%. Inflation over the period was less than 6%.
- l) However, the greater proportion of this increase is staff costs. These have increased by 21% over the period which is less than gross or net costs but still above inflation. It is apparently disproportionate to increases in applications, but it reflects the increased establishment over this period with additional staff being employed reflecting the recognised shortfalls and responding to public expectations. An additional administrative post, enforcement officer and case officer positions have all been added to the establishment over the past three years. Staff numbers and staff costs do not differ widely from other comparator authorities.
- m) However, net costs over the period have risen by £147,930 or 34%. This highlights that the gap between income and costs is increasing. It is clear therefore that although staff costs are increasing, the fee income has not kept apace.
- n) Unit costs in handling planning applications, in enforcement and in appeals compare favourably with other similar authorities.

The 2008 Update:

The Costs Comparison Table has also been updated. However, the information is not so comprehensive, firstly because CIPFA no longer make the same requirements on Local Authorities to supply the information, and secondly the categories they now ask for have changed. However, there are also other useful comparison indicators available, and these have been added to the tables. The tables show a number of different comparison groups, and for each of these a ranking is shown for Epping Forest District Council based on the number of respondents to each question.

Local Authority	Area Hectares	Estimated		Staff per 1000 Population FTE	Breaches			Number of Units of Affordable Housing	Section 106 Value of Other Benefits £'000	Total Average Planning Receipts During 2006-07 £	Average Planning Fee During 2006-07 £
		Total Population at 30th June 2007	Population Density per Hectare		Applications Submitted for Authority	of Planning Control Investigated 2006-07	Number of Appeals Lodged 2006-07				
ESSEX											
EFDC Ranking	2/6	3/6	6/6	2/6	2/6	2/4	2/5	1/5	1/4	3/6	5/5
Basildon	..	..	..	..	..	..	..	..	..	..	..
Braintree	..	..	..	..	..	..	..	..	..	..	..
Brentwood	..	..	..	..	..	..	..	..	..	..	..
Castle Point	4,508	87,900	19.5	0.27	927	**	25	14	0	223,033	241
Chelmsford	34,225	160,000	4.7	0.60	2,836	1,070	97	203	1,852	767,032	270
Colchester	..	..	..	..	..	..	..	..	..	..	..
Epping Forest	33,898	122,200	3.6	0.53	2,276	783	130	268	3,457	535,171	235
Harlow	3,054	78,000	25.5	0.29	456	100	0	10	**	313,952	688
Maldon	..	..	..	..	..	..	..	..	..	..	..
Rochford	16,951	79,500	4.7	0.40	1,220	**	**	**	**	**	**
Tendring	33,774	143,000	4.2	0.23	1,956	564	90	10	75	565,066	289
Uttlesford	..	..	..	..	..	..	..	..	..	..	..

Local Authority	Area Hectares	Estimated			Breaches				Total	Average	
		Total Population at 30th June 2007	Population Density per Hectare	Staff per 1000 Population FTE	Applications Submitted for Authority	of Planning Control Investigated 2006-07	Number of Appeals Lodged 2006-07	Number of Units of Affordable Housing	Section 106 Value of Other Benefits £'000	Planning Receipts During 2006-07 £	Planning Fee During 2006-07 £
Nearest neighbours											
EFDC Ranking	3/8	2/8	5/8	2/7	4/8	1/8	1/8	1/7	2/7	6/7	7/7
Brentwood	..	..	..	..	..	..	..	..	..	..	..
Broxbourne	5,144	86,500	16.8	0.30	1,301	370	72	53	8,770	371,408	285
Dacorum	..	..	..	..	..	..	..	..	..	..	..
East Hampshire	51,440	110,100	2.1	0.51	2,363	520	93	32	887	689,000	292
East Hertfordshire	..	..	..	..	..	..	..	..	..	..	..
Epping Forest	33,898	122,200	3.6	0.53	2,276	783	130	268	3,457	535,171	235
Hertsmere	..	..	..	..	..	..	..	..	..	..	..
Mid Sussex	33,402	128,100	3.8	0.43	2,241	719	97	85	963	687,948	307
North Hertfordshire	..	..	..	..	..	..	..	..	..	..	..
Reigate & Banstead	..	..	..	..	..	..	..	..	..	..	..
Sevenoaks	..	..	..	..	..	..	..	..	..	..	..
South Oxfordshire	..	..	..	..	..	..	..	..	..	..	..
Spelthorne	5,116	92,100	18.0	0.29	1,021	352	67	50	72	**	**
Test Valley	62,754	114,000	1.8	0.59	2,358	493	66	100	2,077	625,000	265
Three Rivers	8,882	85,400	9.6	**	1,738	697	95	54	714,000	411	
Tunbridge Wells	33,132	106,200	3.2	0.51	2,785	611	85	**	647	588,880	211
ONS LA Cluster											
EFDC Ranking	2/3	2/3	3/3	2/2	2/3	2/3	1/3	1/3	1/2	3/3	3/3
Chelmsford	34,225	160,000	4.7	0.60	2,836	1,070	97	203	1,852	767,032	270
Epping Forest	33,898	122,200	3.6	0.53	2,276	783	130	268	3,457	535,171	235
Sevenoaks	..	..	..	..	..	..	..	..	..	..	..
Three Rivers	8,882	85,400	9.6	**	1,738	697	95	54	714,000	411	
Hertsmere	..	..	..	..	..	..	..	..	..	..	..
CDRP Family Group											
EFDC Ranking	4/8	2/8	4/8	3/6	3/8	2/6	1/6	1/5	1/5	5/6	5/6
Brentwood	..	..	..	..	..	..	..	..	..	..	..
Chelmsford	34,225	160,000	4.7	0.60	2,836	1,070	97	203	1,852	767,032	270
Dacorum	..	..	..	..	..	..	..	..	..	..	..
East Hertfordshire	..	..	..	..	..	..	..	..	..	..	..
East Staffordshire	39,001	106,100	2.7	0.68	1,830	327	62	0	1,861	702,000	384
Epping Forest	33,898	122,200	3.6	0.53	2,276	783	130	268	3,457	535,171	235
Hertsmere	..	..	..	..	..	..	..	..	..	..	..
Lewes	29,209	95,400	3.3	0.49	1,707	471	34	14	2,102	437,893	257
Maidstone	..	..	..	..	..	..	..	..	..	..	..
North Hertfordshire	..	..	..	..	..	..	..	..	..	..	..
Sevenoaks	..	..	..	..	..	..	..	..	..	..	..
Tewkesbury	41,441	78,400	1.9	**	1,932	**	**	**	**	**	**
Three Rivers	8,882	85,400	9.6	**	1,738	697	95	54	714,000	411	
Tonbridge & Malling	24,011	112,400	4.7	0.47	2,133	**	**	**	**	**	**
Tunbridge Wells	33,132	106,200	3.2	0.51	2,785	611	85	**	647	588,880	211

Further analysis of these costs have not yet taken place prior to the Panels review of the information available.

However, it is worthy of note that in the Draft 2007 Use of Resources Auditor Judgements just published by the Audit Commission under the heading 'Value for Money' it states at page 15:

"Value for money has been improved in three major areas of expenditure: ... and development control.....Investment has been made in Planning, which is showing improvement in performance."

Analysis of the data provided by the Audit Commission (although there are issues with the how up to date this data is) show how Epping Forest District Council compares in terms of costs per application

<i>Planning Total £'s /head Authority name</i>	<i>Popn</i>	<i>Total Spend</i>	<i>Apps</i>	<i>Cost per App</i>	
EFDC Ranking				8/16	
<i>Borough of Broxbourne</i>	6.18	88,900	549,402	912	602.41
<i>Brentwood Borough Council</i>	11.09	70,900	786,281	1,103	712.86
<i>Mid Sussex District Council</i>	13.36	129,100	1,724,776	2,057	838.49
<i>East Hertfordshire District Council</i>	14.4	132,600	1,909,440	2,143	891.01
<i>South Oxfordshire District Council</i>	15.9	128,100	2,036,790	2,195	927.92
<i>East Hampshire District Council</i>	19.35	110,100	2,130,435	1,986	1,072.73
<i>Spelthorne Borough Council</i>	11.43	90,500	1,034,415	941	1,099.27
<i>Epping Forest District Council</i>	18.53	122,900	2,277,337	1,923	1,184.26
<i>Dacorum Borough Council</i>	15.66	138,400	2,167,344	1,753	1,236.36
<i>Test Valley Borough Council</i>	23.22	113,600	2,637,792	2,039	1,293.67
<i>Sevenoaks District Council</i>	23.45	113,700	2,666,265	1,911	1,395.22
<i>Three Rivers District Council</i>	21.24	85,500	1,816,020	1,278	1,420.99
<i>Tunbridge Wells Borough Council</i>	27.89	104,600	2,917,294	2,031	1,436.38
<i>North Hertfordshire District Council</i>	17.7	121,500	2,150,550	1,477	1,456.03
<i>Hertsmere Borough Council</i>	13.89	132,600	1,841,814	1,236	1,490.14
<i>Reigate and Banstead Borough Council</i>	20.65	129,800	2,680,370	1,709	1,568.39

DEFINITIONS OF APPLICATIONS

*Major - any scheme on any site of over 1 hectare;
a residential scheme on any site over 0.5 hectares or
a residential scheme providing more than 10 dwelling units; and
a commercial scheme of over 1000 square metres floorspace.*

Minor - any other commercial development or new dwellings

Other - householder applications (extensions to houses, etc), advertisements, listed building applications, and applications for certificates of lawful development.