

Decision by Portfolio Holder



Report reference: PAG-005-2018/19

Date of report: 28-September-2018

**Epping Forest
District Council**

Portfolio: Planning and Governance

Author: Nigel Richardson (Ext 4110)

Democratic Services: J Leither

Subject: Appointment of Agency Planning Officers

Decision:

That approval is given to waive Procurement Rule 2.9 (b) and Appendix A to continue the appointment of one or more temporary Planning Officers as Agency Staff limited to a maximum of 36 hours per week not exceeding £45 per hour or less to cover existing Planning Services establishment posts without the requirement to obtain three quotations to 31st March 2019

ADVISORY NOTICE:

*A Portfolio Holder may not take a decision on a matter on which he/she has declared a Pecuniary interest.
A Portfolio Holder with a non-pecuniary interest must declare that interest when exercising delegated powers.*

I have read and approve/~~do not approve~~ (delete as appropriate) the above decision:

Comments/further action required:

Signed: Cllr J. Philip

Date: 28.09.18

Non-pecuniary interest declared by Portfolio Holder/ conflict of non-pecuniary interest declared by any other consulted Cabinet Member:
none

Dispensation granted by Standards Committee:
Yes/No or n/a

Office use only:

Call-in period begins: 28.09.18

Expiry of Call-in period: 4.09.18

After completion, one copy of this pro forma should be returned to Democratic Services IMMEDIATELY

Reason for decision:

Planning Services are going through a period of significant change and growth. This has resulted in a higher workload for planning officers due to increasing numbers and complexity of planning applications. Initially twelve months ago there were two Senior Planning Officer posts vacant and steps were taken at the time to cover these vacant posts with two Agency Planners. However due the vacancies created very recently by the new Planning Implementation Team two existing Senior Planners were able to successfully apply for two Principal Planning Officer posts advertised for this new team. Whilst we have made recent progress in filling some Planning Officer posts, this new development has resulted in two new Senior Planning Officer

vacancies. This is the reason why authority is now sought to ensure the continuation of Senior Planning Officer cover by extending two existing Agency Planning staff for a further extended period.

Authority is sought pursuant to the Council's Procure Rules, to waive paragraph 2.9 which requires three written quotes for contract category 2 contracts (between £50,000 to £250,000) be obtained. The waiver will allow the continued service of two current agency development management senior planning officers from Vivid Consultancy for a further 6 months.

Options considered and rejected:

Immediately fill vacant Senior Planning Officer posts. This not currently possible as the advertising processes for Senior Planning Officer posts require specialist advertising and in the past we have received very limited responses. It is unlikely that we will be able to to appoint a Senior Planner before 1st March 2019.

Background Report:

1. Recruitment difficulties for Planning Officers.

Two Agency Planning Officers were engaged to cover long term maternity leave and a vacant post in 2017/18. The Senior Planning Officer is due back from maternity leave in September 2018 and the Senior Planning Officer is due to be filled by an internal recruitment process. Steps are currently underway to recruit to a Planning Officer post and Assistant Planning Officer (Planning Officer Trainee). However, see 3 below.

2. Internal staff development of Planning Officers

Planning Services in recognition of the national shortage of Planning Officer posts has for some years been developing Trainee Planning Officers. This has resulted in the appointment of a Principal Planning Officer, Senior Planning Officer and Planning Officer.

3. Newly formed Planning Implementation Team.

The newly formed Planning Implementation Team was created to deal with the Master Planning of sites carried forward from the revised Local Plan. Two Senior Planning Officers from Planning successfully applied for and were appointed to this team. However this resulted in two immediate Senior Planning Officer vacancies. In order to ensure continuity of Planning Services it was decided to retain the two existing Agency Planners who due their familiarity with Planning Casework in the district were able to immediately cover for the departing Senior Planners. A Planning Performance Agreement has helped to resource one part of these appointments.

4. Planning Application fee income.

Planning Services income has increased in real terms as follows;

2013/14 - £539,000

2014/15 - £813,000

2015/16 - £850,000

2016/17 - £975,000

2017/18 - £845,000

2018/19 – It is estimated that the Planning fee income will exceed £1.1 million.

During this period there has been little change to staff establishment of five Senior Planners and four Planning Officers. With both the fees and complexity of Planning Applications increasing it is necessary to ensure there is sufficient Planning Officer case load to cover the increased current and expected future applications.

In addition Planning Services have been generating an additional £100,000 Planning Fee Income for several years through the paid pre-planning application service, which although extremely helpful as an additional income stream do take up significant Planning Officer time.

Resource Implications:

Planning resources are linked to current and expected Planning Fee Income and Pre-Application fee income. A Planning Performance Agreement (PPA) of £25,000 has and will continue to be used to resource back filling an establishment senior planning officer who is devoting time to the subject application of the PPA.

Legal and Governance Implications:

Legal have advised that a written waiver of Procurement Rules need to be approved.

Safer, Cleaner and Greener Implications:

Nil

Consultation Undertaken:

Legal Services – Confirmed that the two temporary agency staff are within IR35 employed through Vivid Consultancy.

Accountancy – No objections raised.

Background Papers:

Nil

Impact Assessments:

Equality and Diversity:

Did the initial assessment of the proposals contained in this report for relevance to the Council's general equality duties; reveal any potentially adverse equality implications? No

Where equality implications were identified through the initial assessment process has a formal Equality Impact Assessment been undertaken? N/A

Risk Management:

There is a risk of the Council performance indicator measures for planning application turnaround times and appeal success being hampered if sufficient efficient planning officer staff is not available to support the day to day Development Management planning application work.

The use of temporary planning officers minimise the risks of not meeting performance targets.

Key Decision Reference (Y/N):

No

Equality Analysis:

The Equality Act 2010 requires that the Public Sector Equality Duty is actively applied in decision-making. This means that the equality information provided to accompany this report is essential reading for all members involved in the consideration of this report. The equality information is provided at Appendix 1 to the report.