

Report to: **Hub Committee**

Date: **7 December 2021**

Title: **Planning Improvement Plan – Phase 3 Case Management Resources and Enforcement**

Portfolio Area: **Adapting Our Built Environment – Cllr Caroline Mott**

Wards Affected: **All**

Urgent Decision: **N** Approval and clearance obtained: **Y**

Date next steps can be taken: Upon the expiry of the Scrutiny Call-in Period – 15 December 2021.

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RECOMMENDATIONS

That the Hub Committee:

- 1. Notes the changes proposed within Administration/Business support (Case Management) for Development control and the progress that has been made within planning enforcement service, and**
- 2. RECOMMENDS to Council that authority be delegated to the Head of Paid Service, in consultation with the Lead Member for Adapting Our Built Environment and the Director of Strategic Finance, to recruit additional staffing where there is a clear and demonstrable increase in planning applications and/or demand on the service, provided that the increase in staffing can be adequately covered by the additional income generated.**

1. Executive Summary

1.1. On 21 September 2021, the Hub Committee adopted the Planning Improvement Plan (minute HC.30/21 refers).

1.2. A further phase 2 report, was considered by the Hub Committee on 2 November (Minute HC.30/21 refers). As a result, the Hub Committee recommended to Council that four additional planning

specialists and two additional legal specialists be added to the establishment. These new, permanent roles to be funded from the additional planning income being generated as a result of the increase in applications and demand.

- 1.3. This report considers whether the Council can react more efficiently to an increase in the demands on the DM service and whether the process of having to formally seek the approval of Members to increase resources, when demand clearly requires it, could be streamlined. The report proposes a method of doing this going forward which is included in the recommendations.
- 1.4. This report considers the need for additional administrative/business support (case management) for the service and management arrangements to deliver the best outcomes and service performance.
- 1.5. An update on the performance within the enforcement team is also provided which demonstrates that improvements are being made to the delivery of the service.

2. Strategic Context

- 2.1. The Council's new Corporate Strategy – 'A Plan for West Devon' - sets out a range of themes and associated aims supported by Thematic Delivery Plan which have now been adopted by Members. The DM and Enforcement Service forms part of the wider planning function alongside, for example, the Joint Local Plan, Strategic Planning and Neighbourhood planning teams, which are essential to deliver against our strategic aims.
- 2.2. The recently adopted Planning Improvement Plan sets out the Council approach to improving service performance and therefore support 'A Plan for West Devon'. A key part of this is establishing a stable and skilled team with the capacity to deliver the service efficiently and in line with demand.

3. Background

- 3.1. Development Management and Planning Enforcement are key services delivered by the Council. The services are receiving year on year increases in applications and reported planning breaches.
- 3.2. It is recognised that the quality and speed of the service being provided at present needs to improve and hence the adoption of the Planning Improvement Plan.

3.3. The previous reports focussed on securing the additional specialist posts needed to manage the increased demand on the services, it is recognised that this is only one strand of the improvement needed. It is equally important that each component part of the wider planning service works together.

4. Demand and Capacity

4.1. As set out in the report to the Hub Committee on 21 September, there has been a significant rise in applications received over the past two years which equates to a 12% increase. This trend has continued into 2021 and it is predicted that demand will continue to rise.

4.2. As set out above the resource required with regards to the planning specialists and legal support was previously considered by the Hub Committee. Further work has now been undertaken and it has been identified that additional administrative/business support (case management) for the wider Development Management function is needed.

4.3. There is a need to retain within the team, on a permanent basis, three posts that have been filled by temporary Agency in response to the increase in the volume of work. These three posts will be funded by the re-allocation of existing vacant posts within the wider organisation and therefore there are no budget implications.

4.4. As a general point, it is important to note at this stage that demand on the service may increase or potentially decrease. We will continue to monitor application numbers and will adjust staffing levels, up or down, accordingly and in line with the available budget.

4.5. In addition, it is proposed that delegated authority be given to the Head of Paid Service, in consultation with the Lead Member for Adapting the Built Environment and the Director of Strategic Finance, to recruit additional staff where there is a clear and demonstrable increase in planning applications and/or demand on the service, provided that the increase in staff can be adequately covered by the additional income generated.

5. Enforcement Update

5.1 At the beginning of September 2021 the Enforcement Team had 627 Open cases. The Team was made up of 6 permanent full time staff one of which was absent due to long term illness. The Enforcement Specialist role has been vacant following the departure of the previous post holder and filling the vacancy is challenging. In view

of this vacancy we have a temporary experienced enforcement officer working within the team.

- 5.2 An enforcement workshop with the Planning Advisory Service took place on the 27 September, with members of the enforcement team. This meeting and subsequent advice from PAS was both positive and helpful. The team are working through the advice provided.
- 5.3 At the beginning of November 2021 the total number of open cases has reduced to 597. The Team is the same as it was in September with the exception that the member who was away in September has now left the Council and we will now be recruiting to this vacancy. I am pleased to report that more cases have been closed than received at a time when the team has a full time vacancy that is not being covered by temporary staff.
- 5.5 Since September a number of Enforcement Review meetings (12) have taken place with Ward Members and these will continue.
- 5.4 Despite numerous attempts to recruit, the Enforcement Specialist role has not been permanently filled and the management of the Team is currently being undertaken by Helen Smart alongside her role as the DM Case Management Team leader. As this report is being drafted, proposals are being finalised to realign a small number of posts to support the wider management of the service. These operational changes will be communicated when finalised.

6. Proposed Way Forward

- 6.1. The addition of the three Case management posts identified in this report, will help secure measurable, sustained improvement in performance at no additional cost.
- 6.2 The Enforcement Team to continue closing more cases than we receive, and will continue with a priority to focus on progressing all cases that are in excess of 36 months old. It is anticipated that as the experience of the team grows we will be able to reduce the number of open cases to below 550 in the New Year and to continue to reduce the overall number during next year. Given the volume of cases we are currently receiving it is expected that the team should have between 350-450 open cases at any one time.

8. Implications

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance	Y	It is a requirement of the Council's Constitution that any increases to the staffing establishment to be an ultimate decision for Full Council.
Financial implications to include reference to value for money	Y	The report recommends employing three additional permanent posts within DM Case Management. These are posts re-allocated from other parts of the organisation and there are no financial implications
Risk	Y	That the Council fails to deliver a Service that meets the expectations of Members and our Customers
Consultation and Engagement Strategy	N	There has been no external consultation and engagement with regard to this report
Supporting Corporate Strategy	Y	All
Climate Change - Carbon / Biodiversity Impact	N	No direct carbon or diversity impacts arise from this report
Comprehensive Impact Assessment Implications		
Equality and Diversity		N/A
Safeguarding		N/A
Community Safety, Crime and Disorder		N/A
Health, Safety and Wellbeing		N/A
Other implications		N/A

Supporting Information

Appendices:

None

Background Papers:

None

Approval and clearance of report

Process checklist	Completed
Portfolio Holder briefed/sign off	Yes/No
SLT Rep briefed/sign off	Yes/No
Relevant Heads of Practice sign off (draft)	Yes/No
Data protection issues considered	Yes/No
Accessibility checked	Yes/No