

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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**REPORT TO:** Planning Committee

1<sup>st</sup> November 2006

**AUTHOR/S:** Head of Planning Services

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### KEY ACTIONS FOLLOWING THE RECEIPT OF THE MAJORS AND CPA AUDIT REPORTS

#### **Purpose**

1. To consider the implications of the key actions that are needed to be taken to address the findings of the two audits of the planning processes.
  - (a) ODPM (now Department for Communities and Local Government - DCLG)
  - (b) Audit Commission's Environment inspection

The Audit Commission's report included 5 recommendations that we are now taking forward as key actions. The recommendations within the DCLG audit, which are by their very nature relatively detailed, will be subsumed within these key actions.

#### **Background**

2.
  - (a) The Council was made a Standards Authority in respect of Major applications in December 2004. The Council was tasked with raising its performance from determining 39% of major applications within 13 weeks in 2004/05, to 57% by the end of 2005-2006. The Council achieved and indeed bettered this target reaching a figure of 62%. Nevertheless, the Government's protocol necessitated an in depth assessment of the development control section including processes and practices. A copy of the report is attached as appendix 1 and a summary of the recommendations, as appendix 2. Appendix 3 is the accompanying letter from Baroness Andrews of the DCLG, and in this letter she confirms her belief that SCDC is making "excellent" progress and adds her personal congratulations on the progress we have made.
  - (b) In July 2004, the Audit Commission published a Comprehensive Performance Assessment (CPA) category for South Cambridgeshire as "fair", and a progress assessment in December 2005 found that performance on key indicators had declined but that the decline had been halted. In May 2006 the Audit Commission inspected the Council's planning services again. A copy of the inspection report is attached as appendix 4. The inspection focussed on the development control, planning policy, conservation and planning administration.

It's important to note that the Inspectors emphasised that in the period between the 2004 CPA inspection and the 2006 planning inspection the Commission has introduced new key lines of enquiry and methodology. The effect of these changes was said by the Inspectors to significantly "raise the bar".

Notwithstanding this and the significant effects of capping on the sections concerned, the Council's planning service was still rated as "fair"
  - (c) However both reports raised concerns about the Council's capacity to meet future challenges. The Audit Commission report rated the Council's prospects for improvement as "uncertain". The DCLG's report included the

comment “it is not clear that this improvement can be sustained” and that the main reason is the financial position of the Council.

- (d) The five key recommendations of the Audit Commission inspection are extracted in appendix 5, and the proposed key actions in response are contained in the action plan at appendix 6. For information, I have attached as appendix 7, a copy of a slide presentation given to all planning staff in respective of these reports.

## **Considerations and options in Respect of the Key Actions**

### **2. Capacity issues**

#### **(a) Review skills available/required**

- (i) The reports are very positive about the quality and commitment of planning officers, and that this is recognised both internally and externally. Further, it recognises that the service is encouraging high quality development and that specialist advice is available. The development of Council staff is positive, as is innovative action such as that which created the post of Majors Champion.
- (ii) However, concerns are raised about the Council’s ability to recruit and retain experienced staff. Members will be aware that the experience profile of the section has declined as staff leave, and new staff recruited. Further, there are areas where we do not have in house skills, and this makes us reliant on outside providers such as the County Council for highways advice, and the environment Agency for drainage. In addition, ideally we should have access to urban design advice in-house and there’s a general need for training in this area given the scale and nature of the Council’s development agenda. Recent changes in legislation requiring design and access statements have also highlighted the need for increased knowledge of disability issues.
- (iii) The Major Development Manager has already reviewed the resource needed within their team, and this work needs to be built on with the production of a workforce plan to review the skills available and those required. This should be linked to a service recruitment strategy.

#### **(b) Senior Management Capacity**

- (i) Concerns are raised about the loss of the Development Services Director given the centrality of planning services to the Council’s corporate priorities and the significant challenges relating to major growth in the area. The capacity of other senior officers within the service is already stretched, and there is a general lack of project management skills within the service.
- (ii) The new Management Team will need to have regard to these issues in implementing the Council’s transformation project

#### **(c) Alternative Service Delivery Approaches**

The reports recognise the value to the service of partnership working that is already in place. We are already working with the City Council to deliver affordable housing and 'Park and Ride' services. The approach currently being pursued with respect of the Southern Fringe and Cambridge East needs to be developed

(d) ***Identify Alternative Funding to Support Key Posts***

- (i) The Council needs to consider all sources of funding. This could for example include use of money from applicants to fund for example a monitoring officer and use of charges for legal agreements to fund a legal officer. Additionally, we could look at charging for services such as pre-application negotiations.
- (ii) An officer working party should be set up to consider all additional sources of funding

3. **Improve User Focus**

(a) ***Establish Engagement with Users***

- (i) User satisfaction is below average in comparison with other authorities. The group surveyed are applicants only. This is based on a Government survey generated questions. In response to this we have targeted improving communication with applicants through IT as the way forward I.e. that was the area of greatest concern.
- (ii) In addition we have written to all local agents and generated a list of those interested in being part of a Local Agents Panel/forum. Pressure of work has prevented the meetings taking place. In response to the Audits, this panel should now be constituted.
- (iii) In addition, the wider public's satisfaction should be surveyed to identify other areas where service delivery could be improved.

(b) ***Householder Advice and Guidance***

- (i) While the general quality of the advice and guidance is complimented, it is suggested that it is not as accessible to the general public as it could be. Accordingly we are already looking at the web site to improve this aspect, and at the availability of leaflets targeted at this section of the Council's service users. The South Cambs news can also be used to generate the required improvements.

(c) ***Information for Non-IT Users***

The general population is particularly IT literate, and this is demonstrated by the huge number of hits on the planning areas of the website. As above, the use of more targeted leaflets and the South Cambs News should address this issue.

(d) ***Review Committee Arrangements***

- (i) While Parish Council representatives can speak at Planning Committee, the public and applicants cannot. It is suggested that it

would significantly improve the Council's service if they could. Officers have already obtained details of best practice from elsewhere and will be assessing their impact and possible local application.. In

- (ii) It is suggested that a small working group of officers and members is set up to advise the Planning Committee on the best way on this and more general aspects of the Committee such as when it meets.

(e) ***Ensure Standards Meet User Needs***

The agents' panel and wider survey of service users can be used to explore wider satisfaction with the service. From this a service charter setting out what users can expect can be developed building on the numerous existing service commitments such as the enforcement protocol. Service First customer service standards are about to be introduced.

4. **Direct Resources at Priorities and Need**

(a) ***Identify Activities, Outcomes & Resources***

- (i) The service is already committed through the corporate performance plan to maximise delivery against corporate priorities and objectives and national priorities.
- (ii) Moving forward to next year's plan, it will need to be carefully scrutinised to ensure that it is in line with these objectives and priorities

(b) ***Clear Outcome Focussed Targets***

Understandably, resources are being targeted towards meeting the needs of the growth agenda. However this has to be balanced against the needs of the existing community and work such as the conservation appraisals and ensuring quality developments in villages throughout the District must be maintained. It follows therefore that more attention needs to be paid to this area of the service's delivery needs to given when the next Performance Plan is prepared.

5. **Systematic Value For Money Approach**

(a) ***Use Cost Information to Drive up Performance***

- (i) The Premier Division of local authority planning services(a national benchmarking and best practice group)has taken the initiative with The Chartered Institute of Public Finance and Accountancy to try and achieve more meaningful comparisons between Authorities. The existing figures are accepted even by the Inspectors themselves to be of little relevance since they are based on so many variables such as the degree of on-costs and grant available. It is suggested that if these discussions are successful that they are reported back to Cabinet though the Portfolio Holder.
- (ii) The Premier Division is also revising its comparative data, and once this exercise is completed, it is suggested that the data be included with the quarterly performance figures reported to the Planning Committee

(b) ***Use Comparative Data***

For comparative purposes, the Inspectors chose a family of other authorities. Unfortunately a significant number of these either chose to not submit their data to CIPFA (the vehicle for generating comparable statistics for Local Government) or are so small with negligible development to negate any useful comparison. Of those that can be compared, it is clear that, for example, with regard to the actual cost of Development Control, the Council provides one of the most cost effective services.

(c) ***Use Benchmarking***

The Council already uses both the County Group and the Premier Division to drive up-performance. So, for example, when the delegated reports were introduced they were based on existing practice within the Premier Division, and I have suggested earlier within this report that we base any protocol on public/applicant speaking at Committee after a trawl of existing best practice. Conversely, good practice has often gone the other way, so other Authorities within the County Group and Premier Division have adopted South Cambridgeshire District Council's system of Chairman's delegation and protocol on affordable housing involving the relevant Parish Council.

6. **Committee/Councillor Capacity**

(a) ***Clarify Roles***

(b) ***Review Delegation Agreement***

A review has already been carried out and it would be premature to carry out a further one without assessing its impact. The early signs are that there has been a reduction in the number of applications going to committee. It would be appropriate to review the situation at the end of the year.

(c) ***Mandatory Training***

Discussions have already taken place with the Chairman of Planning Committee and the Member responsible for training to identify a resource to provide what's necessary, and it's hoped that a training program can be agreed by the Autumn.

**Summary Options**

- (i) For each of the above there are different options. Members' agreement will therefore be necessary at each stage. However, some actions will be required if the Council is to continue to perform its planning function.

**Implications**

7.	Financial	Current funding of the posts within the relevant sections is drawn from Community Charge, Planning Delivery Grant, Planning application fees and Cambridge Horizons. The key actions may have financial implications, but at this stage they cannot be identified.
	Legal	Both the Audit Commission and the DCLG have powers that can significantly effect the delivery of the planning service within South Cambs
	Staffing	If the long term financial challenges are not met, staff resources would not be sufficient to discharge the Council's statutory functions
	Risk Management	If the Council does not address the Audit Commission recommendations, they would take further action. Ultimately, Government could put in place alternative means of delivering the planning service. Failure to meet targets could result in a significant loss of income currently provided by the Planning Delivery Grant
	Equal Opportunities	The Council works hard to apply planning law and policy fairly and consistently to development across the district. This is embedded in the Council's policy on Traveler issues, which also highlights the commitment to "uphold the rights of all local residents and Travelers to live peacefully and safely, with mutual respect for the rights of others". If as a result of the key actions, we fail to meet this target, then we could be subject of an investigation by the CRE

### **Consultations**

9. None, other than internal officer discussions with the Planning Portfolio holder and the Chairman of the Planning Committee.

### **Equal Opportunities Implications**

10. In line with general and specific statutory duties under the Race Relations Act 1976 and the Race Relations (Amendment) Act 2000, the Council operates a Race Equality Scheme (RES) in order to eliminate unlawful discrimination and to promote race equality and good race relations. This was last revised and agreed by the Council in July 2006, with an update of the 2005 - 2008 action plan. The Council is committed to treating everyone fairly and justly, whatever their race or background. The Scheme gives priority to actions relating to Travelers as the biggest ethnic minority in the district (around 1.0% of the district's population). Statistics from the 2001 Census also show that, whilst only 2.9% of the district's population is made up of black and minority ethnic (BME) groups, there are three wards (Girton, Milton and Teversham) where the BME population is two or three times as much."  
The Council needs to ensure that in going forward on the key actions, regard is had to its statutory duties in this area.

### **Conclusions / Summary**

11. The key actions arising out of the project plan will need to be addressed and this will include the following:
- (a) A revised workforce plan be produced
  - (b) A service recruitment strategy be prepared

- (c) The transformation plan needs to address the capacity of senior management
- (d) An officer working group be put in place to identify alternative areas of funding
- (e) A local agents panel/forum be established
- (f) A wider satisfaction survey of service users be carried out
- (g) Householder advice be made more accessible through the web and through other means including leaflets and use of the South Cambs News
- (h) Introduce Service First Standards
- (i) Establish an officer/member working party to recommend on revised Committee arrangements including public/applicants speaking
- (j) Ensure Service Plan properly addresses maximising service delivery of corporate priorities and objectives
- (k) Report results of Premier Division on comparative costs to Cabinet
- (l) Report benchmarking comparisons within Premier Division to Planning Committee
- (m) Review delegation protocol at the end of the year
- (n) That the conclusion of both reports about the financial uncertainties threatening service delivery be made part of the Council's case in respect of next year's Council tax

**Recommendations**

That the above summary conclusions be adopted as an action plan to address the key actions required in response to the audit reports

**Effect on Annual Priorities and Corporate Objectives**

12.. Affordable Homes	The reports recognise that the authority is already a leading authority when it comes to providing affordable housing. However. The key actions will help maintain this position.
Customer Service	Satisfaction levels of applicants need to be improved, and that of the wider public surveyed.
Northstowe and other growth areas	Resourcing to address this challenge needs to be addressed
Quality, Accessible Services	The key actions will result in improvements
Village Life	The key actions will result in improvements
Sustainability	The key actions will result in improvements
Partnership	The key actions will result in improvements

**Background Papers:** the following background papers were used in the preparation of this report:

- Moving Forward performance Plan 2005

- BMG research Report BVPI Planning Survey May 2004
- Planning and Development Stats 2004 CIPFA
- Audit Commission Report Environment Inspection SCDC July 2006
- Best Value Standards Report 2005/06 Evaluation of SCDC June 2006

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