

**Meeting:** Overview and Scrutiny Board **Date:** 6 September 2023

**Wards affected:** All wards

**Report Title:** Update on Planning, Housing and Climate Emergency Service of the Future Project

**When does the decision need to be implemented?** Not applicable

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## 1. Background

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- 1.1 This report provides members with an update on the delivery of the Planning, Housing & Climate Emergency – Service of The Future Project and its impact thus far. For background following increasing concerns about performance the Chief Executive decided that there was the need to establish a formal project to make improvements in the service.
- 1.2 It is recognised that for the Council to effectively deliver the placemaking ambitions that are shared by the Council, partners and the community a high performing planning service is an integral part of the approach.
- 1.3 The Project Initiation Document (PID) was created with the first Project Board meeting occurring on 28 April 2022. It was decided that due to the interdependencies, that the entire department encompassing: Development Management and its Planning Support Service; Strategy and Project Management; and Building Control would be included within the scope of the improvement work, albeit the concerns emanating from a Development Management perspective.
- 1.4 The project is supported by the Business Improvement and Change team, with key officers meeting monthly to review progress, assess performance and agree next steps.

## 2. Project Plan

2.1 The project has always recognised that in order to see a notable improvement in the performance indicators and improved customer feedback, a series of wider (enabling) activities needed to take place. An update on the key enabling strands is set out below.

### 2.2 Technology

The project recognised the need for software solutions to improve the processes used within Development Management and Planning Support, which has been focused on the following;

System / Supplier	Description
Total Land Charges / Idox	Land searches need to be dealt with quickly and efficiently by Land Charges and Planning departments. This land charges software delivers a reduced turnaround time and reduces the likelihood of errors.
Obligations Suite / Exacom	The powerful web-based back-office Planning Obligations Suite is made up of three modules: The S106 and CIL governance modules, and the Project Module. These modules are designed for planning and CIL charging authorities to monitor, enforce and deliver community infrastructure.
The Public Facing Module / Exacom	The Public Facing Module (PFM) is a daily feed from the back-office system to a public facing webserver that allows members of the public to interrogate all aspects of planning obligations in their varying states: pending, due, received, allocated and spent. Additionally, this system allows the public to view S106 deeds and the individual covenants in them thus significantly improving transparency.

### 2.3 Redesign of Staff Structures

A review of each service's staff structure has taken place which identified that changes were needed within the Development Management, Planning Support, and Strategy and Project Management services.

#### 2.3.1 Strategy and Project Management

A restructure to incorporate the lead for Strategic Housing and delivery as well as changes in line management responsibilities.

#### 2.3.2 Development Management

Changes have been made to the Principal Planning Officer(s) posts. On the recommendation of the Planning Advisory Service, these posts now have direct line management responsibilities for Planning Officers and Assistant Planning Officers. This

change will support shared understanding and experience on cases and support a path of future career progression.

Additional resources have been allocated to planning enforcement work, facilitated by transferring an existing Planning Officer position to become a new additional planning enforcement role.

A restructure has also seen the creation of a new Principal Historic Environment Officer position as it was recognised that the service needed focussed specialist skills particularly in the area of heritage and conservation and in order to ensure the delivery of the adopted Heritage Strategy. This post has been advertised and therefore we are anticipating that the post will be filled imminently.

A restructure has occurred to address line management challenges in Planning Support, thus ensuring that there is the appropriate management support and direction.

## **2.4 Staff Engagement**

2.4.1 It has been essential that all staff within the department are engaged and kept up-to-date with the project's progress. A regular 'all staff' newsletter and staff briefings are led by the Divisional Director of Planning, Housing & Climate Emergency. These include the key messages, so officers are clear about the latest improvement activities that have occurred and the needed focus going forward.

2.4.2 The Chief Executive instigated a bespoke 'well-being questionnaire' for staff in the department. All staff had the opportunity to anonymously respond, however it was voluntary. The activity was overseen by the Human Resources department. The results of the questionnaire provided management with a greater insight in the well-being thoughts and feelings of the teams and as a result of this, a well-being action plan was created to oversee the improvements required, which included: better signposting to support services; more regular team meetings; implementation of peer support; and improved communications. This process will be repeated at appropriate intervals to gauge progress.

## **2.5 Business Processing**

2.5.1 Process maps (a term used to describe the recording of work-flow activities) have been created. The initial maps are called 'As Is' maps and then a second set, that include the improvements are referred to as the 'To Be' maps. Staff from the services input into the creation of the maps and contributed thoughts on what changes could result in wider benefits, so as to standardise and simplify processes. Examples of this include;

- The registration and validation processes have been mapped and changes implemented.
- There is clearer communication on validation processes and a revised Local Validation Checklist currently being consulted upon.
- Improved details on the Council Website regarding planning processes.
- An amended plans protocol has been established to standardise the approach to revisions to schemes.

## 2.6 Customer Engagement

- 2.6.1 Effort has been made to ensure that the wider external stakeholders are updated as to the project. Updates on the improvements being made across the department are shared at the Agents and Neighbourhood Forums.
- 2.6.2 The department is also making every effort to gain feedback from the customers who use the planning services. When a letter is sent to a customer regarding their planning decision it includes a link for the customer to take part in a feedback survey.

## 3. Challenges the Project has faced

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- 3.1 Like all change projects that run over a sustained period of time, recruitment and retention of staff is important, but staff leaving is also to be expected. In the case of this project, the Head of Development Management left her post in February 2023. The post is key to delivering the changes that are needed within the Development Management Service. This has resulted in some delays to project activities and slowed some progress. The transformation and continuous improvement focus forms an important part of the new post holder's job role with a commencement in post of 21 August 2023.
- 3.2 During this time, the department has also experienced a number of staff absent with significant ill-health, which inevitably has impacted upon performance of the KPIs.
- 3.3 When the project was first initiated, the Development Management Service had a vacant Enforcement Officer post. This was contributing to further delays in relation to the enforcement activities the council was able to respond to, however this has now been filled.

## 4. Performance and benefits of the Project

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- 4.1 A significantly positive outcome of the project to date, is the sheer volume of shared learning that has taken place. Whilst there has been a focus on the KPIs within Development Management and Planning Support Services, the cohesiveness, shared management team responsibility and shared learning has been essential for the overall service now and into the future.

### 4.2 Performance - Building Control

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- 4.2.1 The performance indicators used to monitor and measure the Building Control Service show that the service is performing very well and meeting its targets.
- As at June 2023, customer satisfaction was recorded at 100% (satisfied or very satisfied). An electronic survey is sent out to all customers who use the services.
  - Income for Quarter 1 2023/24 is on target.
  - Market share for the service as at June 2023 was reported as 82%.
- 4.2.2 The process mapping showed that the work processes were already efficient, and no additional changes were needed.

- 4.2.3 The service operates within the recognised BSI9001 standard and was externally inspected by the British Standards Institution in May 2023. Yearly inspections take place by the Local Authority Building Control Inspectors who check performance against the nationally recognised performance indicators, which demonstrates that this service is performing well.
- 4.2.4 The Building Control Services are going to be subject to changes in their legislation, specifically the Safety Act 2022. These changes include the requirement that: all Building Control Services will be monitored by the building safety regulator that sits within the Health and Safety Executive; Building Control Services will be required to meet a set of operational standard rules and monitoring arrangements; and finally, all Building Control Inspectors will have to take exams once every four years to evidence that they comply and meet the expected competency level.
- 4.2.5 The changes to the legislation will require all Building Control Inspectors to have passed new exams before April 2024. The officers within the Council's Building Control Services are currently preparing and plan to sit their exams before the end of December 2023.

### 4.3 Performance – Strategy and Project Management

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- 4.3.1 The performance indicators used to monitor and measure the Strategy and Project Management Service are typically gathered on an annual basis and much of the data reported on is outside of the team's control.
- 4.3.2 The team consists of three distinct work areas and the measures for each are very different. There is no single output that would monitor performance of the whole team.
- 4.3.3 Measures of performance for the Strategic Planning area of work are more related to the status and validity of the Local Plan, evidence base, and support policy documents. This is recorded annually in the Authority Monitoring Report where progress against the key policies is noted as well as recording the development of any updates to the policy documents.
- 4.3.4 The Authority Monitoring Report will track housing numbers as a key driver, with teams in other areas of the Council tracking affordable housing outputs. The housing numbers are recorded annually and are a critical target when understanding the validity of the Local Plan.
- 4.3.5 The Climate section has required a considerable amount of work liaising with many different areas of the Council to assess and understand the current position the Council is in with regards to carbon emissions. With no environmental policy resource for a number of years the data records were not maintained either for the Council or wider Torbay area. Work continues on developing more clarity and confidence in the data and therefore the measure of carbon emissions.
- 4.3.6 In respect of the Strategic Transport work, the Local Transport Plan (LTP) includes objectives which give the best measure for performance of the team.

4.3.7 For public transport there is quarterly tracking of bus passenger numbers with monthly reporting of concessionary patronage.

## 4.4 Performance – Development Management and Planning Support

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4.4.1 The performance indicators used by Government to monitor Development Management (last updated 2022) are measured by the proportion of applications that are dealt with within the statutory time, or an agreed extended period, with the quality of decisions made by local planning authorities measured by the proportion of decisions on applications that are subsequently overturned at appeal. Torbay continues to perform well within these government performance indicators.

4.4.2 Through the project however we monitor performance a wider set of KPIs, and we have set localised improvement targets. With the enabling works still in progress, we would not expect to see performance yet at the levels that we need to achieve, indeed given the need to focus on the enabling work it was always recognised that there could be a deterioration in performance in the short term so as to achieve sustainable improvements for the long term.

4.4.3 On an examination of the most significant KPIs it can be seen that for the most part there has been fluctuating performance within an overall positive trajectory. although not yet reaching the level of performance we are aiming for.

### 4.5 Number of major applications determined

With small numbers involved, these have all consistently been determined within statutory time limits when agreed extensions are taken into account. If we exclude the extensions then performance against the 13-week timeframe is variable, but this is to be expected given the complexity of the major applications that can come forward.

### 4.6 Number of minor applications determined

Our baseline performance for minor applications, including with extensions of time was at 42.11%. As at June 2023, performance was the highest yet at 89.29%. Whilst there has been variability over the period, since January 2023 this has never dipped below 65%. If we exclude extensions then performance against the 13-week timeframe is variable, with a baseline performance of 10.53% in May 2022. As at June 2023 the performance was at 53.57%. There was an unwelcome dip in February 2023 as a result of acute absences, but other than that month, performance has consistently been above 43%, again demonstrating an upward trajectory.

### 4.7 Number of other applications determined

This area has the highest volume of applications and where baseline performance was ahead that of the other types of applications. For applications including extensions of time

the baseline performance was 66.67%. Since January 2023 performance has ranged between 74.55% and 90.7%, with the latest position being 79.25%. If we exclude extensions the baseline performance in May 2022 was 39.58%. Performance in this area has remained stubbornly stuck, with the highest point reached in May 2023 of 53.85%, but there have been a number of occasions where performance dipped slightly below the baseline. Since the turn of the year, save in April 2023, there has been an improved consistency of performance above 45%.

#### 4.8 Validations within 5 working days of required information being received

The target set for this is at 7 days. For minor and other applications, this target was achieved for the first time in June 2023, however for major applications in the same month there was a significant deviation from that target at 17 days. Improving the standards of applications received with a revised Local Validation List is expected to improve performance in this area.

#### 4.9 Enforcement cases

The number of Enforcement cases received continues to be significantly high, adding to the number of cases already open. Despite a focus on resolving cases the latest performance shows 528 open cases, just slightly lower than the peak of 538. Anecdotal evidence is suggesting an increasing complexity of cases are being received, significantly with heritage assets. It is hoped that the recruitment to the new Principal Historic Environment Officer, alongside the vacant Head of Development Management post now being filled, this will assist significantly with the right focus and expertise in these matters. The Divisional Director is currently undertaking an assessment of resources focussing on enforcement to present to the Chief Executive, which will take into account concerns expressed recently by the Local Government Ombudsman as to the delay the occurred in a case referred to them.

## 5. Next Steps

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### 5.1 Enabling work continues to be delivered, with the following work being delivered in the next period;

- complete the consultation on the Local Validation Checklist and finalise and publish the revised checklist,
- Complete the Householder Design Guide, consult and adopt.
- Review the approach to training and develop training plans for individual officers, with officer improvement targets to be set.
- Complete the implementation of new IT systems:
  - the Enterprise Dashboard module in IDOX Uniform for development Management.
  - Implementation of Idox Total Land Charges System

- Performance data to be automated using Power BI, including further reports needed to assist individual Planning Officers
- Updating of our website
- Review of resourcing for Enforcement.

5.2 Whilst this work is progressing it is essential that we continue to focus on driving up customer service standards that our customers experience in their interactions with these services. Specific training and support is being undertaken for staff in respect of 'Customer Care' and 'Tone of Voice.'

## 6. Recommendation(s) / Proposed Decision

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6.1 That members note the report and make any recommendations they would wish Cabinet to consider in relation to the project.

## Background Documents

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Planning Service Fit for the Future project - Project Initiation Document

PAS (Planning Advisory Service) 2021 report

Planning Service Improvement Plan 2021