



Torbay Council

Development Management Review

December 2021

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1.0 Introduction and Scope of the Report

1.1 The Planning Advisory Service (PAS) is part of the Local Government Association (LGA). PAS provides high quality help, advice, support and training on planning and service delivery to councils. Its work follows a 'sector led' improvement approach, whereby local authorities help each other to continuously improve.

1.2 The person undertaking this review is Peter Ford. Peter is a Principal Consultant at the Planning Advisory Service (PAS) and heads up the Development Management programme at PAS. Prior to joining PAS Peter was the Head of Development Management at Plymouth City Council and held that post for 12 years up until April 2021.

1.3 The review looks at three distinct aspects of Torbay's Development Management service:

Part 1: Registration and validation

A review of the current practice for registering and validating applications and how it can be made quicker and more effective to provide a better customer service. The work has involved detailed discussions with key individuals, an analysis of the current practice and assessment into why various recent process changes have not translated into improved performance.

Part 2: Staff structures

A review of the existing staff structures and role profiles against the existing and likely future work programme for Development Management. The work has involved discussions with managers and individual members of staff to understand their workload pressures alongside wider Council priorities for delivering an effective Development Management service. A detailed review has taken place of workload metrics such as application numbers, enforcement cases, appeal work etc. These metrics have helped assess the current staff capacity against what might be considered reasonable for the volume and type of work in Torbay.

Part 3: Customer service training

Interviews have taken place with a wide range of customers of the Development Management Service. This has included developers and agents; Council Members; Neighbourhood Forums; resident associations; and Council staff. A total of 16 separate interviews took place. This feedback has been used to undertake customer service training with staff in the Development Management service and the details of this training is appended to this report.

1.4 One of the issues that was regularly reported during the interviews for this Development Management review was that Torbay has a tendency to put a "sticking plaster" over problems without achieving fundamental change. Whilst this review is very selective in its scope, it is hoped that it will have a real impact on moving Torbay forward in improving the quality of its Development Management service.

1.5 There was very positive engagement from all participants at Torbay. There is clearly real passion among staff to do a great job and to support each other. This high level of morale against a position of high workloads and recognition that improvements are needed is a real testament to the quality of staff employed at Torbay. All those interviewed were friendly and welcoming and engaged fully with the process and are thanked for providing their honest opinions and feedback.

Key Recommendations

Registration and validation

- R1 Supplement the current practice of one-to-one instruction of registration procedures with simple guidance notes using annotated screen shorts from the relevant sections of the IDOX system. Use best practice from other LPAs to reduce the burden of work.
- R2 Review the allocation of responsibilities for validation so that either more responsibility is given to the Planning Support Team to carry out the more procedural aspects of validation or validation is clearly identified as a responsibility for specific officers as part of their work programme. There should be a clear allocation of responsibility to avoid uncertainty and duplication. These responsibilities should be appropriate for the grade and clearly and consistently implemented.
- R3 Implement the Enterprise module in Uniform IDOX or a similar project management tool to reduce double handling, excessive use of emails and increase the speed of the decision making process throughout the lifetime of a planning application.
- R4 Review the current Local Validation List in line with NPPF (para.44) requirements and to improve its access for non Planning specialists. Review the Council website to ensure that older versions of the Local Validation List are removed from view.
- R5 Review the content of the invalid letter to enable it to be more informative and customer friendly for the applicant and enable greater flexibility for self help through website links.

Team structures and responsibilities

- R6 Review the existing team structure so that the existing Principal Planners have formal line management responsibilities for the Planning Officers, emerging Planning Enforcement Officer post and Assistant Planning Officer posts. To compensate for this additional responsibility it will be important that the Planning Officers have the necessary skills and career progression to manage a more complex caseload.
- R7 Review the Assistant Planning Officer role so that it can be used more effectively as a career platform for entry level Planners and can make best use of the RTPi apprentice route to professional Planning qualifications.
- R8 Review the role of Principal Planner (Delivery) to better align the post to the strategic priorities in the Local Plan and to support the promotion of PPAs to fund proactive partnerships with key developers in Torbay.
- R9 Review all the role profiles in the Customer Service and Planning Support Team to better reflect the actual work that the team undertakes and also resolve the current confused roles and responsibilities.
- R10 Complete the creation of a new Planning Enforcement Officer using one of the existing Planning Officer posts to fund the post. In addition add Planning Enforcement work either as a second Planning Enforcement Officer post or as part of the Planning Officer job description to create a more flexible workforce.
- R11 Increase the existing heritage expertise within Development Management by either increasing the skills of existing Planning Officers or employing a separate heritage specialist

who can advise on more complex matters and act as the case officer for such applications when appropriate.

R12 Consider the direct employment of specialist officers such as Heritage, Urban Design, Ecology, Landscape or Trees based on the basis of a value for money exercise using the current costs of procuring these skills as a reference point. As an alternative give consideration to shared arrangements with neighbouring authorities.

R13 If as a consequence of recommendation R12 specialist officers are employed directly either create a line management structure through an existing Principal Planner post or create a separate team within the Planning service.

Customer service

R14 Undertake a follow up reflective session following the customer services training held on 8th December 2021 and agree a plan of action that will follow the learning points from the training. Communicate the learning points and actions to key consultative forums such as the Neighbourhood Plans forum and Local Agents' Forum.

2.0 Background and Current Situation

2.1 There has been a number of changes in the senior management team at Torbay Council in recent years that has impacted on the Planning service including a new Assistant Director and Service Manager. Further changes are being made to better reflect the actual work programme within Development Management including the establishment of a Planning Enforcement Officer post.

2.2 Torbay has also undergone a number of reviews that have involved different parts of the Planning service. This included a review of the Development Management service by Plymouth City Council in 2017, a process mapping exercise for technical support functions undertaken by T Impact, a workforce planning exercise undertaken by the LGA and an internal Business Process Mapping exercise.

2.3 The detailed Development Management review work followed a Planning Committee Member training event on 12th October 2021 organised through PAS with Peter Ford acting as the lead trainer.

2.4 This Development Management review aims to complement and build upon the work that has already been undertaken by suggesting practical actions that can be implemented by the Planning service to improve the speed and quality of the Development Management activity. However it is unclear from discussing these previous reviews with staff and stakeholders how they have translated into significant change in Torbay Planning over recent years and there is a clear frustration from some staff that issues and suggestions raised by them do not translate into any tangible change. It is hoped that this review will have a greater impact.

2.5 The Covid19 pandemic has had an adverse impact on the service in common with all Local Planning Authorities in the country. At the start of the pandemic the Council needed to change quickly to remote working and there remain some issues with the current arrangements which are less than satisfactory. It also coincided with a national trend for increased numbers of planning applications and enforcement activity that has put an additional strain on staff. In addition to the temporary impact on workflow some members of staff found these changes stressful and disruptive at times and this has inevitably affected performance.

2.6 On a more positive note the need to work from home due to Covid required the Development Management team to move from a reliance on paper to digitising the Development Management process. This has saved time in the need for scanning information and the promotion of electronic submissions by applicants. Whilst this has accelerated the use of the Uniform IDOX software (Planning software used by Torbay Council) capabilities it has also required staff to change their processes and to quickly learn a different approach to working.

3.0 Registration and Validation

3.1 Registration and validation is an area of particular concern to most of the customers interviewed as part of the Development Management review work and in particular to the Planning agents. There was overwhelming feedback that it is a weak link in the decision making process. Comments were made that the process is very slow and impersonal. There were comments about the difficulty of getting officers to engage in discussing reasons for applications being invalid and reasons being “petty” and inconsistent.

3.2 The use of the Planning Portal is quite widely used with applicants with an average of 79% of applications submitted via the Planning Portal over the last two years and Torbay uses the Uniform IDOX software package that is compatible with Planning Portal submissions. This should, in theory at least, make the registration of the majority of planning applications efficient and fast.

3.3 Information on validation performance shows that validation is relatively slow and this has worsened over recent years. For example, planning applications categorised in the ‘Other’ category have deteriorated from an average of 11 days to validate in 2019/20 to 23 days in 2021/22. However, interestingly Major applications are clearly being prioritised with an average of 13 days to validate in 2021/22. This was confirmed by staff as a conscious decision to prioritise Major applications. However, the speed of validation is clearly a major issue for the Council and a sector wide benchmark indicates that Councils should aim for an average of 5 working days for all planning applications. If applications are taking over 20 days to validate it becomes extremely difficult for Torbay to meet the threshold of 8 weeks to determine non Major applications.

Registration

3.4 By observing the work of a Planning Technician it appears that the registration of a planning application is clear and quite straightforward, particularly when an application is submitted from the Planning Portal. A member of the team can clearly see from the document management system the applications that require registration and work through each application in a systematic and largely chronological order.

3.5 The use of the IDOX Uniform software system appears to be clearly understood and the officer spoken to was comfortable in understanding what needed to happen to move the application from the registration to validation stage. There was a very helpful pre-validation checklist that was self populating that enabled the Planning Technician to check that all the required information had been populated and the checklist also created an area for the Planning Technician to place any notes that would be helpful to the validating officer. These notes were very helpfully highlighted in large type and in red so that the flow of information could be quickly be disseminated from one officer to the other.

3.6 Whilst the process of registration was very efficient and competently carried out there were some issues that were a concern and these are outlined below.

3.7 There appears to be no written procedures for registering a planning application and reliance is placed on new staff being taught the process through one-to-one instruction and officers making their own notes. Whilst one-to-one tutoring is very good practice and ensures that a new officer understands their role and the procedure, it is very unusual that there are no written guidance notes. Therefore the manager is totally reliant on the officer remembering what they have been taught. Furthermore when another new member of staff joins the team they will be relying on their tutor retaining all the best practice they have themselves been taught and not inadvertently passing down bad / inefficient practice.

3.8 Simple guidance notes could help to ensure that registration is carried out consistently and expediently and would usefully supplement the one-to-one instruction. These can be very straightforward using screen shots as illustrated below and if necessary officers could ask staff at other Planning Authorities to share guidance notes for adaption as Uniform IDOX is commonly used by Planning Authorities and similar guidance notes are prepared by most of these Planning Authorities.

Reception/Validation

You only have three fields to complete here. The (9) Development Type, enter the code. Now (10) to show the decision level, this is either Delegated or Committee. And finally (8) validation date (for today's date, just double click) any other date you will need to enter as follows **dd.mm.yy**; this will be the date the last piece of information was received.

The screenshot shows a web form with three main input fields. Callout 8 points to the 'Date App. Valid' field, which contains '15.07.2015'. Callout 9 points to the 'Development Type' dropdown menu, which is currently set to '21 - Householder'. Callout 10 points to the 'Expected Decision Level' dropdown menu, which is currently set to 'DEL - Delegated Decision'. There is also an 'O/S Fee' checkbox which is unchecked.

The system will send a message to Tech Support to now send out the Acknowledgement Letter to the applicant/agent. **You do not have to do any more on the validation side.**

3.9 Anecdotally the Planning Technician who was interviewed advised that it takes approximately half an hour for a very straightforward application to be registered and for a Major planning application it can take up to a day. During this registration time the officer will helpfully pick up any issues that they consider would invalidate an application (for example wrong fee, incomplete red line, no North Point etc). This information is then recorded in the pre validation checklist. However, there is no formal procedure for a Planning Technician to register validation issues even though checking such information is unlikely to take any more of the officer's time.

3.10 If Planning Officers are to remain the validating officers it might be helpful if the Planning Technician could pre check certain clearly defined procedural validation issues as part of the registration process and thus reduce the amount of time taken by the validating officer. The extent of this pre check would be a matter for the management team to agree but a simple checklist could be added to the pre validation checklist to cover these matters.

3.11 The period between registration and validation is further hindered by the need for the Planning Technician to email the pre validation list to the Planning Support Team Leader who then undertakes a cursory check before emailing the Development Management Service Manager. The Development Management Service Manager then allocates the application to a case officer to validate the application. This all takes time and is dependent on the availability of the managers to act. Whilst the individuals concerned are clearly very diligent the process relies on this diligence and also perpetuates a culture of checking other people's work, even though it appears that very little actual checking is carried out at this stage.

3.12 The reason for the inefficient email system of communication appears to be because the IDOX project management tool known as Enterprise has not been set up for Planning even though it has been purchased. This seems to be a false economy, as the Enterprise tool would significantly improve the efficiency of the validation process and avoid the need for any email traffic. Alternatively another project management tool could be introduced to do a similar as Enterprise. There would be no need for any emails to be sent and the Service Manager could either assign applications to officers directly or simply delegate to another officer when necessary. There appears little value in the double handling through the Team Leader and, if felt appropriate, the Team Leader could undertake a quality check through Enterprise at any point in the process if the Enterprise software was used.

Validation

3.13 Validation currently forms part of the responsibilities of different Planning Officers. However, it was previously undertaken as part of an individual's responsibilities (although not on a formal basis), then a Service Manager took up the role. Further consideration is now being given to this role. Different LPAs manage validation in different ways and it is based on the team structures set up for each LPA and the skill set within those teams. There are four key principles that should underline the decision as to who carries out validation:

1. Validation should not look at the quality of an application and a large part of the validation process is procedural, using checklists and therefore can be carried out without detailed knowledge of the decision making process.
2. There is, nevertheless, a need for some judgement calls on whether the information is sufficient to allow the application to proceed without prejudicing the ability for all interested parties to understand and comment on the application. When more complex planning applications are validated they often cannot be based entirely on a checklist.
3. The process needs to be clear, transparent and consistent so that an applicant understands what is required to make the application valid and is treated fairly.
4. The process needs to be quick so that statutory performance targets can be met and acceptable development is allowed to proceed without delay.

3.14 Applicants have indicated to me that there is value in case officers validating planning applications as it ensures that they have ownership of their application at an early stage in the process.

3.15 A Local Validation List is published on the Council's website and appears to be thorough and comprehensive. However it is dated from 2018 and therefore should be updated at least every two years in accordance with NPPF (para.44) and this is particularly relevant to Torbay because of the importance given to Neighbourhood Plans that were largely absent in 2018. Torbay's Local Validation List is difficult to navigate for a non

Planning specialist and this could be improved with a more interactive document. In section 7 there are some examples of best practice. Also there appears to be an older, and less helpful, Local Validation List that appears on the first Google search.

<https://www.torbay.gov.uk/DemocraticServices/documents/s12375/Local%20Validation%20Lists%20Appendix%201.pdf>

3.16 The current invalid letter sent out to applicants has raised a number of issues with applicants as it is perceived as impersonal and insufficiently informative. There are a number of observations that can be made about the invalid letter as it is currently drafted.

- There is no link to enable the applicant to address missing validation information. An improved Local Validation List could include links to information that would help the applicant and these links could either be placed in the invalid letter or a simple link to the Local Validation List could be provided.
- There are no contact details except for a generic validation email address. Validation requirements can often be resolved very quickly with a phone call to the case officer or a validation officer.
- Many general enquiries about validation could be addressed through a website “Question and Answer” section and a link to this section of the website could be placed in the invalid letter.

3.17 Officers advise also that the current system of communication by email means that applications are sometimes “lost” between Planning Support and the case officer and this creates further delays in the validation process and therefore the determination time. Officers advise that this is a common reason for the need to ask for an extension of time.

3.18 Validation, similar to the registration process, does not include any written down procedures and therefore is reliant on one-to-one instruction and officers making their own notes. Whilst this does not appear to have caused a problem in recent times simple guidance notes with screen shots from IDOX could improve consistency and expediency to supplement the one-to-one instruction. Furthermore the introduction of Enterprise or a similar project management tool could speed up the validation process, avoid errors, excessive use of emails, applications being lost in the system, double handling and unnecessary checking of officers’ work.

4.0 Team structures and responsibilities

4.1 Currently there are 11 members of staff within the Development Management team including: 2 Planning Assistants; 5 Planning Officers; 3 Principal Planners (including a ‘Delivery’ Planner); and a Service Manager. Within the Customer Service and Planning Support Team there are 9 members of staff (excluding Land Charges specific staff), including: 4 Technicians; a Planning Obligations S106 / CIL Officer; a Service Development Technician; a Team Leader Service Development; a Team Leader Service Support; and a Service Manager – support. However progress is being made for one of the Planning Officer posts to be changed to a Planning Enforcement Officer post and all the Planning Support posts are under review.

4.2 One of the issues with the Development Management team is the lack of a clearly identified team structure, but from the job descriptions all posts appear to report directly to the Service Manager.

4.3 When considering workload capacity it is very difficult to make a clear assessment at this point in time due to the very unusual circumstances that have resulted from Covid. Last year in particular was a very unusual year because there was a sharp drop in planning activity at the start of the pandemic. This was followed by a higher than usual workload during the second half of the year with a particularly high volume of householder applications and enforcement investigations. However below is a best fit assessment of Torbay's development management caseload

Activity	2020/21 figures	Average over last 3 years	Average over last 5 years
No. of householder pre apps received	74	68	
No. of non householder pre apps received	87	74	
No. of Major applications determined	15		
No. of non Major applications (exc. Conditions, prior approvals, LBCs, LDCs etc)	705		
Major appeals considered	1	2	
Minor appeals considered	17	22	
Other appeals considered	25	35	
Enforcement enquiries received	327	301	302

4.4 With the number of staff in the Development Management Team and Customer Service and Planning Support Team the volume of staff looks reasonable. It is very difficult to accurately forecast the number of staff needed for a Development Management service because it is so dependent on the types of applications received and priority that is given to matters such as pre applications and Planning Committee.

4.5 The number of appeals is relatively high for a Council of the size of Torbay and 37% of the appeals were upheld in 2020/21 which is above average. There are also a very high number of applications that are "live" and some of these date back prior to April 2019. On 18th November 2021 there were 369 live applications.

4.6 The number of applications and associated work received at Torbay should enable workloads to be manageable at Torbay and not exceed the rough benchmark for an acceptable caseload of up to 40 – 50 cases (including all work) or 150 cases per year. However it is complicated by the large number of live applications that are carried over year to year and the relatively large number of appeals.

4.7 The Development Management Team has a good range of officers from Assistant Planning Officers dealing with simple, non complex applications, to Planning Officers who deal with the mid range applications, to Principal Planning Officers who deal with the more complex applications and have some supervisory responsibilities, to the Service Manager

whose role is to ensure the effective operation and management of Development Management.

4.8 However, the team has a very flat structure with all post reporting to the Service Manager. This means that ten members of staff report to the Service Manager which is? High, particularly considering the strategic level that the Service Manager must operate at. However, the Principal Planners have line management responsibilities and therefore it would seem reasonable that a better structure might be for the Principal Planners to report to the Service Manager with other officers in the team reporting to one of the Principal Planners. See below for further implications of such an arrangement.

4.9 The role profile for the Assistant Planning Officer post is rather unusual for a Development Management Team. This would normally be an entry level position for a Planning graduate, but in Torbay's case it is pitched at a much lower level requiring only GCSEs. This could be seen as quite a bold statement by Torbay indicating quite rightly that the most simple planning applications do not need a qualification in Planning and would be an opportunity for a Support Service Technician to develop their career in Planning. However, it is pitched at such a low level that an Assistant Planning Officer is never likely to progress to a Planning Officer since this post is at a considerably higher grade (from F grade to I grade) and requires a Planning qualification or equivalent. Therefore any aspirations to 'grow your own' is unlikely to be successful.

4.10 An alternative approach could be to grade the Assistant Planning Officer post at a higher level where at least A levels are required and include a career grade structure – possibly grade F to H – to encourage Assistant Planning Officers to gain greater experience and pursue professional qualifications through a degree / post graduate Planning route. The Planning Apprentice route is the most obvious opportunity for Assistant Planning Officers to progress their careers and this is operated through the RTPi and through local University Planning Schools such as the University of Plymouth.

4.11 The Planning Officer and Principal Planner responsibilities provide a clear career path for a Planner to progress in levels of experience and responsibilities with the Principal Planner taking on additional supervisory responsibilities for more junior staff. However it is important to ensure that the balance of senior to more junior positions is maintained based on the volume and type of applications received. If, as suggested in this report, Principal Planners take on greater management responsibilities it will be important that there are sufficiently skilled Planning Officers to deal with the more complex planning applications. It is also important that the career grading is used effectively to allow a Planning Officer to gain in experience and responsibility.

4.12 The Principal Planner (Delivery) is a proactive delivery role and one that enables one of the Principal Planners to step away from a mainstream Development Management role and focus on a small number of key regeneration projects. However, it is unclear how this post operates in practice and how a project is defined for this post rather than the other Principal Planners. A clearer link with the Strategic priorities within the Local Plan could be a way of better articulating the purpose of this post. Also, as the post is linked to Planning Performance Agreements (PPAs), the post could also be used as a way of funding additional posts as and when appropriate based on the success of negotiating PPAs for specific key regeneration projects.

4.13 Curiously the post of Principal Planner (Delivery) appears to have a role in reviewing the Council's website. It is clearly beneficial that this role helps to promote inward investment to Torbay and the website can help to achieve this. However it could be

interpreted that this role is responsible for maintaining and updating the website that would seem inappropriate.

4.14 It is difficult to draw too many conclusions from the Customer Service and Planning Support Team structure as the team covers a greater area of responsibility than simply Development Management and some of the job descriptions appear very out of date. However these job descriptions are currently under review which is positive and an opportunity to better define the roles where they are associated with Development Management.

4.15 The rationale behind the Customer Service and Planning Support Team seems to be a good one whereby the team covers a range of activities including Development Management but also wider Planning areas and Land Charges where staff can be deployed as required. However in practice this seems to fall down as is illustrated by the issue of validation where the Service Manager appeared to be undertaking this role even though it does not seem to appear on any job description either in the Customer Service and Planning Support Team or the Development Management Team. Validation is addressed in section 3 but is an indication of confused job roles manifested in clearly out of date job descriptions that need a major overhaul.

4.16 It is positive that progress is now being made to create a Planning Enforcement Officer post as this is an obvious gap in the current team structure. Planning Enforcement is an essential and high profile area of Planning that gains particular attention by councillors and so it is important that it is properly acknowledged in job descriptions either as part of a wider generic Planning Officer job description or a separate job description.

4.17 At present there is clearly a resource issue with Planning Enforcement with 343 live enforcement cases open in November 2021 and an average of over 300 cases received each year which is fairly typical for a Council of the size of Torbay . Planning Enforcement is usually most effective when it is a clearly defined role that individuals undertake as their main activity rather than being part of a wider function such as a generic Planning Officer title.

4.18 It appears that the current proposal is for one separate Planning Enforcement Officer to be identified in the structure. However one post could potentially create a "single point of failure" situation whereby only one individual has the knowledge and training to undertake Planning Enforcement work. Therefore consideration should be given to having two Planning Enforcement Officer posts and the current workload would certainly justify two dedicated posts. Another alternative could be to have a defined Planning Enforcement Officer but also to include Planning Enforcement within other Planning Officer job descriptions. In this way any Planning Officer could be asked to undertake Planning Enforcement as part of workload management and will also be able to substitute for the Planning Enforcement Officer as necessary. This is not an ideal scenario as outlined in para. 4.17 but could be a pragmatic solution if there are budgetary constraints.

4.19 The responsibility for determining Listed Building applications and advice on heritage falls within the various job descriptions when previously Torbay employed its own heritage expert. Raising the skills of Planning Officers to consider heritage matters is a positive approach and many listed building matters can be addressed without specialist advice. However Torbay has over 850 listed buildings and 24 Conservation Areas. With such a rich heritage it is difficult for a Development Management Planner to have the necessary skills to assess the different heritage issues in Torbay and consideration should be given to either

provide existing Planners with the necessary training to lead on heritage matters or employ a separate heritage specialist.

4.20 Linked to the point above regarding heritage specialism is the lack of other specialist skills either within Development Management or elsewhere in the department. In particular specialisms in urban design, ecology, landscape and trees. Many of these skills are procured at Torbay through service level agreements and other consultancy frameworks. However it is questionable whether this provides value for money. These skills are needed on a regular basis in a Council the size of Torbay and will continue to be needed in the future. Thought should therefore be given to either employing specialists or negotiating a shared arrangement with neighbouring authorities.

4.21 If a decision was made that it was cost effective to employ specialists rather contract the specialism the posts could either be employed within a separate team within the Planning service or within the Development Management Team under the management of one of the Principal Planners. The advantage of being located within the Development Management Team is that the more senior posts are already in place and there is likely to be better synergy with the work of Development Management. However if Principal Planners are to take on these extra responsibilities then workload management will be an issue as the Principal Planners are critical to ensuring that the service has sufficient skills for the more complex planning applications.

4.22 It is positive that a Planning Obligations (CIL / S106) Officer is in place within the Planning Support and Customer Services Team. This should ensure that the collection of CIL and S106 payments can be properly managed, monitored and enforced. It is important that through the review of the Team Leader and Service Manager job descriptions that this role is properly managed so that a “single point of failure” position does not arise and that other officers can ensure the smooth running of this essential process in the absence of the Planning Obligations (CIL / S106) Officer.

5.0 Customer service

5.1 The customer service that officers provide at Torbay has been reviewed through interviewing a wide range of customers and also by looking at performance data. A workshop was held on 8th December 2021 where officers in the Development team reflected on the needs of their customers and the feedback received from customers. The issues and outcomes are summarised in a customer services presentation – see appendix 1

5.2 Officers actively participated in the customer services training and reflected on the things they do well and where there are learning points. All the individuals interviewed to inform the training felt the initiative was positive and were keen to see the outcomes of the training. In the same way officers emphasised that they were keen that the customers of the service should also learn from good customer service practice.

5.3 It is important that this customer service training is followed up through discussions both amongst officer and between officers and customers to agree how behaviours may change in the future. Useful forums for such discussions could include staff meetings, the Neighbourhood Plan forum and Local Agents' Forum.

6.0 Overall Conclusions

6.1 The Development Management service at Torbay Council has, and is, going through a major period of change. There have been significant new appointments in the last couple of years that has improved management capacity. Other shortfalls in the team structures are being addressed and include a new job description for Planning Enforcement and the updating of the Planning Support role profiles.

6.2 Staff continue to be motivated and professional in the way they deal with clear pressures in their workload and have adapted very well to the changes that have been required during the pandemic. Staff are to be congratulated for their efforts in this respect.

6.3 One of the underlying themes expressed through the interviews undertaken was the “sticking plaster” approach Torbay Council appears to have with addressing problems particularly in the Development Management service. This was expressed as trying to fix individual problems when they arise rather than looking at the whole service and how the different elements of the service interlink. The brief for this review could be perceived as perpetuating this approach by just looking at parts of the Development Management service rather than the service as a whole and therefore it is essential that this review is considered as part of a wider review of Development Management in Torbay.

6.4 Another underlying theme raised in many interviews and with some staff in particular is that Torbay Planning is slow to implement change with many issues and suggestions not acted upon. It is hoped that the practical suggestions raised in this report are deliverable and achievable.

6.5 The registration and validation process operates effectively but there are some clear areas where it could be improved. It fails to take advantage of project management tools that Torbay has procured through Uniform IDOX or similar tools. The reasons given are due to capacity reasons even though the implementation of a project management tool would free up capacity. Therefore the validation process is slowed down by multiple handling and email communication that is reliant on the diligence of individual officers rather than letting technology help.

6.6 Registration and validation is also significantly hindered by the lack of any written instructions or manuals and therefore the quality and speed of the process is entirely dependent on one-to-one tutoring and individuals remembering how to carry out a task. This is very unusual and means the process is susceptible to errors and bad practice due to no fault of any individuals concerned.

6.7 It is also hindered by the lack of self help information on the Council’s website and an out of date and difficult to use Local Validation List.

6.8 The responsibilities for validation are very confused and appear to change on a regular basis not on the basis of efficiency but on the basis on finding individuals able and willing to carry out the task. This has clearly caused resentment with some staff. There is no one right solution for the responsibility for validation but it is essential that a decision is made and that the responsibilities are reflected in job descriptions. It is also important that the decision does not create a “single point of failure” situation that seems to have been the case in the past.

6.9 The number of staff available to undertake the volume of planning applications and enforcement cases seems reasonable but there needs to be a review of all the posts to ensure that officers have the right skill set to manage the type of applications / enquiries

received. The Assistant Planning Officer role is at a very low level and not appropriate for planning applications of any complexity. If the Principal Planners are to take on a greater level of responsibility it is important that capacity is drawn from the Planning Officer roles and it is important that Planning Officers have the correct skills to deal with more complex applications. The introduction of Planning Enforcement Officers will be a positive one but it is really important that it does not result in a “single point of failure” position.

6.10 Regarding Planning Support the key issue is one of clarity of roles and responsibilities and a review of all job descriptions is therefore urgently needed so that staff are carrying out work appropriate to their grade at all levels within the team and there is not a “single point of failure” issue.

6.11 There is a clear lack of specialist support within the Planning teams and this has been compensated either by procuring external support or simply asking Planning Officers to do more. It is questionable whether this is a good use of resources and cost efficient and, as with most LPAs in Torbay’s position, a better balance of in-house resources supplemented by shared arrangements and external procurement is likely to be beneficial.

6.12 There are clearly issues with customer service but also some excellent practice provided by staff and the workshop held on 8th December 2021 hopefully helped staff to gain skills to improve customer service. It is now important that the learning points from the training are reflected upon by staff and help to improve relationships with the customers of the Development Management service.

7.0. Further support

7.1 A range of support from PAS is available at <https://www.local.gov.uk/pas>.

7.2 Planning Advisory Service (PAS) support offers:

Planning Committee Support

7.3 The [Planning Committee section](#) of the PAS website contains lots of advice and hints and tips on running good planning committees.

Development Management Training & Materials

7.4 There are a range of tools available on the PAS website to help improve your Development Management Service. In particular the following may be of help.

[Development Management Challenge Toolkit](#) provides a health check for your Development Management service and covers 15 separate topic areas. It includes a specific section on registering and validating planning applications

[Good Development Management practice](#) provides practical tips for Development Management

Other best practice examples

Use of websites to provide frequently asked questions

St. Albans City and District Council <https://www.stalbans.gov.uk/planning-fags>
South Staffordshire Council <https://www.sstaffs.gov.uk/planning/planning-advice-2.cfm>
Spelthorne Borough Council <https://www.spelthorne.gov.uk/article/17709/Planning-applications-FAQs>

Examples of good Local Validation Lists

Plymouth City Council <https://www.plymouth.gov.uk/sites/default/files/ValidationList.pdf>
Doncaster City Council <https://www.doncaster.gov.uk/services/planning/how-do-i-apply-for-planning-permission>
North Devon Council <https://www.northdevon.gov.uk/planning-and-building-control/making-a-planning-application/the-local-list/>

Appendix 1 – Customer service skills presentation

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