

East Herts District Council

Overview and Scrutiny Committee

Date of Meeting: 8 November 2022

Report by: Head of Planning and Building Control

Report title: Development Management - Update

Ward(s) affected: All

Summary

- This report sets out the current position with planning applications. It explains the current challenges and actions being taken to improve the service provided to our customers particularly in regard to addressing the backlog of planning applications, the speed of decision making and improved communication to customers.

RECOMMENDATION FOR Overview and Scrutiny Committee that:

(A) The Committee considers the content of the report and provides any observations to the Executive Member for Planning and Growth.

1.0 Proposal(s)

- 1.1 This report sets out the current position with planning applications. It explains the current challenges and actions being taken to improve the service provided to our customers particularly in regard to addressing the backlog of planning applications, the speed of decision making and improved communications with customers.

2.0 Background

- 2.1 The Council deals with around 2500 planning applications a year (on average we receive 50 to 60 applications per week) and is the 9th busiest District Council planning service (out of 188) in England.
- 2.2 There has been an increase in the number of planning applications over the last two years. This is being experienced across the country and is thought to be a consequence (in part) of changing working patterns and people looking to create extra space to work from home.
- 2.3 Alongside this increase in planning applications, there has been a high turnover of staff, with the team dealing with planning applications most affected. Whilst recruitment for some posts has been successful, recent recruitment has not been as successful.
- 2.4 Given the challenges filling vacant permanent roles it has been necessary to explore alternative options to maintain service delivery, some of these have been more successful than others. Arrangements were put in place for an external company to provide support, but this did not work as anticipated because the quality of staff offered/provided was not acceptable and the company was also suffering from staff shortages. Other companies have been approached but there are not staff available to help. Agency staff are used to help for temporary periods but again the quality of officer is not consistent, and the use of agency staff is not financially sustainable in the long term.
- 2.5 Challenges around retention and recruitment of staff is not unique to East Herts and it is no worse than other authorities. The shortage of planners is a national issue alongside other

interrelated issues such as the lack of capacity to deal with increasing workloads, high staff turnover and retention issues, lack of experienced planners at the senior and principal level, with an increasing shift of staff moving from the public sector to the private sector.

- 2.6 Developers in the private sector are experiencing similar staffing issues (although not to the same extent as the public sector) with the lack of planners across both sectors being of real national concern.
- 2.7 The Government are aware of the issue and in 2020 did indicate that they would develop a comprehensive resources and skills strategy for Planning. Nothing detailed (apart from an indication that planning fees will be reviewed) has emerged, despite mounting evidence that the system is struggling with the current level of resources.
- 2.8 The Royal Town Planning Institute (the professional body representing planners in the UK) issued a report in September 2022 setting out the current challenges being faced by Local Planning Authorities across England; in the report it states that:

'Planning is one of the most important strategic and decision-making functions that local authorities have to improve resident's lives. Without better quality planning services, communities will miss opportunities to level up, deliver vital housing and tackle climate change. However, Local Authorities face significant funding, recruitment, skills and performance challenges as evidenced in this report.'

- 2.9 Like many Local Planning Authorities, the turnover of staff at East Herts has impacted service delivery. This has also, in part, contributed to a significant backlog of planning applications.

- 2.10 The backlog has been compounded significantly by delays in responses from statutory bodies who provide essential specialist advice when processing applications, such as the Lead Local Flood Authority. These bodies are also struggling with resources and staffing. In addition, the service is still recovering from the impacts of the pandemic when site visits were restricted contributing to significant delays in processing applications.
- 2.11 A Service Review for Planning was undertaken in July 2021 and refreshed again in April 2022. This review took a holistic approach rather than just focussing on the structure of the service. Along with a refresh of the structure of the service, it recommended a number of operational improvements. These included improving opportunities to generate income, reviewing business processes and performance management measures, developing a customer improvement plan and a recruitment and retention plan.
- 2.12 In terms of business processes, both enforcement and planning validation processes have been through a lean process review with various recommendations being taken forward to improve the process and information to customers.
- 2.13 Following on from the Service Review work, a focussed restructure of the service took place in summer 2022. The main proposals included:
- Creating capacity for Service Managers to focus on strategic co-ordination of the teams and administrating DMC.
 - Building resilience, capacity and support at the team leader level in order to enhance the overall effectiveness of the service.
 - Creating progression opportunities for planners within the team through career grading to provide incentives for

career development.

- Creating a culture of developing the team with opportunities put in place: to progress; to generate home grown talent; increased competence and capability through investment in individual and team development.
- Encouraging Officers to be flexible and to work as one team depending on the needs and priorities of the service to help increase capacity and resilience and enable Officers to develop and expand their skills set.
- Strengthening the planning resource for the Gilston Area.
- Strengthening the urban design and conservation resource to continue to support the implementation of strategic sites and enable the continuation of proactive conservation work.
- Establishing a GIS and digital resource to assist in meeting the government's digital agenda.
- Reviewing the admin and technical support in line with the Council's aspiration for a central business support hub.

2.14 Recruitment for the new posts is currently in train with a recruitment campaign scheduled to launch in November 2022.

Hertfordshire Planning Resilience Work

2.15 In addition to the work that is being undertaken within the service, Hertfordshire Growth Board has established a Task and Finish Group to explore ways of improving planning resilience across Hertfordshire. This group includes representatives from local authorities, the private sector and Higher and Further Education institutions. The chair of HIPP, Cllr Linda Haysey is the political sponsor for this work, with Amanda Foley CeX at St Albans City and District Council the Chief Executive sponsor.

2.16 An Action Plan has already been established with it focussing

on the following:

- Actions to promote joint working, sharing of capacity and resources.
- Recruitment and retention - Careers fairs, apprenticeships/grad scheme and mapping entry routes in to place based careers; and
- Career progression and promotion – CPD event, mentoring programme, career progression scheme, skills development programme.

3.0 Considerations

Addressing the backlog of planning applications and associated planning delays

- 3.1 The planning service is currently working through a backlog of approximately 450 planning applications, these are mostly minor and householder applications. The backlog is largely a legacy of the service limitations during the Covid 19 pandemic, but also a consequence of a sharp increase in application submissions over the last three years, coupled with ongoing challenges around recruitment and retention of planning Officers. In addition, many applications have gone over-target because of a significant lag time in receiving statutory responses from some external bodies which are critical to the assessment of certain development proposals.
- 3.2 The backlog of applications and associated delays to decision making has understandably been a cause of frustration for applicants and Members. Whilst ideally the service would want to focus on determining the over-target applications first, it is important to carefully balance this against determining in-time applications to ensure statutory determination targets are met. These are set by the government and can result in special measures and planning powers being taken away from the

Council if they are not met.

3.3 Despite the current challenges, performance in recent years has been good, with national targets still being met. For the year 2021-2022 the Council determined 79% of major applications within the statutory time period (the national target is 60%) and 85% of minor and householder applications within the statutory time period (the national target is 70%).

3.4 Whilst determination of in-time applications remains good, addressing the backlog remains a key priority for the service. Progress is being made to work through the backlog and speed up decision making in general. This demonstrates that many of the measures put in place to date are working, however there is still a way to go, and Officers recognise that further interventions are required to speed up this process; these are summarised below and include:

- Establishment of a focused “Backlog team” with dedicated Officers working solely on backlog applications. A quarterly report will be issued to members confirming the number of backlog decisions taken. Officers are targeting the determination of 100 applications plus per quarter over the next 12 months. The first report will be issued at the end of the year for Q3.
- Fast-track straightforward/non-contentious applications that have not received any objections. This is supported by a fast-track report template that was introduced in mid-October.
- Look to avoid unnecessary and resource intensive appeals by peer reviewing recommendations for all “on balance” cases and undertaking a forensic review of applications approved at appeal to identify trends and factor this into decision making.
- Re-introduce the pre-application service for minor development proposals to help streamline the formal

application process. Data on the uptake of this service will be reported quarterly to members.

Being a responsive and customer focused Planning Service

- 3.5 As a service we recognise the importance of communicating to our customers and keeping applicants, members and residents up to date on the progress of their planning application. A particular concern has been raised about Officers not responding to telephone calls.
- 3.6 Officers spend a large part of their time out on site or in meetings and for this reason they are not always able to respond to calls immediately.
- 3.7 A number of actions have been implemented to address this, summarised as follows:
- Officers required to respond to all phone calls during office hours when desk based. This is being monitored through regular spot checks by managers which will be reported back on at the end of Q3.
 - Measures have been put in place so Officer calls can now be redirected to the Tech Support Team when Officers are not desk based. Messages are taken and Officers are required to respond to messages within 1 working day. This is being monitored by managers and response rates will be reported back on at the end of Q3.
- 3.8 In addition to the above we continue to encourage our members to use the member booking system for their queries as this assists us greatly in directing them to the appropriate Officer and enables us to monitor response rates that can be reported back on.

4.0 Conclusions

4.1 The actions presented in this report set out measures that will assist with addressing the backlog of planning applications, the speed of decision making and communications to customers. It sets out positive action and tangible outputs that can be monitored and measured to demonstrate to members and the public that progress is being made.

5.0 Implications/Consultations

5.1 There are no specific consultation implications arising from this report. There are specific regulations which guide consultation on planning applications and details are set out in the Council's Statement of Community Involvement.

Community Safety

There are no specific community safety recommendations arising.

Data Protection

There are no specific data protection issues arising from this report. All planning applications are validated and processed in line with GDPR.

Equalities

There are no specific equalities arising from this report.

Environmental Sustainability

There are no specific environmental sustainability implications arising from this report. However, environmental sustainability may be a factor in determining planning applications.

Financial

The report outlines that agency staff are used as an interim measure whilst recruitment for permanent posts takes place. However, this is not financially sustainable in the long term and other options are

being considered across Hertfordshire in order to provide great resilience and assist with recruitment and retention difficulties.

Health and Safety

There are no specific health and safety issues arising from this report. Site visits are required as part of determining planning applications and any health and safety issues covered by the agreed risk assessment for the Planning Service.

Human Resource

There are no human resources recommendations arising from this report. The HR team have been assisting with recruitment of vacant posts.

Human Rights

There are no specific human rights issues arising from this report.

Legal

There are no specific legal issues arising from this report. An applicant can appeal a planning decision and that may involve the legal team. Similarly, there may be some difficult planning issues that arise during the course of a planning application that requires legal advice.

Specific Wards

None.

16.0 Background papers, appendices and other relevant material

16.1 Empowering Public Sector Planning published by the Royal Town Planning Institute September 2022.

Contact Member

Councillor Jan Goodeve, Executive Member for Growth and Planning
jan.goodeve@eastherts.gov.uk

Contact Officer

Sara Saunders, Head of Planning and Building Control, Tel: 01992 531656. sara.saunders@eastherts.gov.uk

Report Author

Karen Page. Service Manager (Development Management and Enforcement), Tel: 01992 531580. karen.page@eastherts.gov.uk