

# **Rochford District Council**

Building & Development Control

July 2002



## Improving public services

The Government has placed a duty on local councils to deliver services to clear standards – of cost and quality – by the most economic, efficient and effective means available. 'Best value' is a challenging framework designed to improve local services. Councils are required to assess their own performance and put in place measures to ensure continuous improvement in all of their services.

Councils must show that they have applied the 4Cs of best value:

- ◆ **challenging** why and how a service is being provided;
- ◆ **comparing** their performance with others' (including organisations in the private and voluntary sectors);
- ◆ embracing fair **competition** as a means of securing efficient and effective services; and
- ◆ **consulting** with local taxpayers, customers and the wider business community.

The Government has decided that each council should be scrutinised by an independent inspectorate. The Audit Commissions Inspection Service performs this role.

The purpose of the inspection and of this report is to:

- ◆ enable the public to see whether best value is being delivered;
- ◆ enable the Council to see how well it is doing;
- ◆ enable the Government to see how well its policies are working on the ground;
- ◆ identify failing services where remedial action may be necessary; and
- ◆ identify and disseminate best practice.

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<sup>1</sup> This report has been prepared by the Audit Commission ('the Commission') following an inspection under Section 10 of the Local Government Act 1999, and issued in accordance with its duty under Section 13 of the 1999 Act.

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## Summary and recommendations

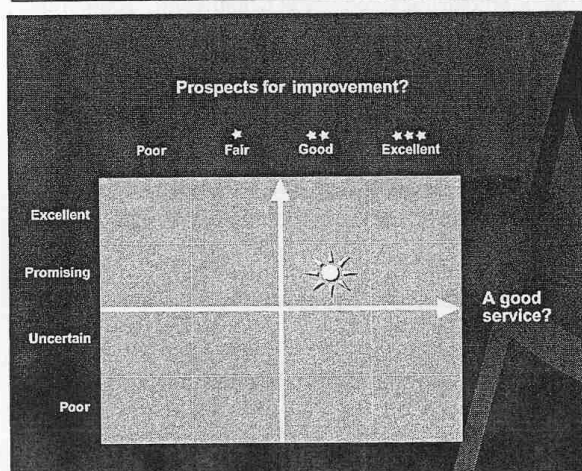
### Summary

- 1 Rochford is a District Council in the County of Essex and serves the two main towns of Rochford and Rayleigh. Rochford has an airport and good road and rail links to London and other major employment centres at Chelmsford, Southend and Basildon. Much of the 65 square miles making up the District is in the metropolitan green belt.
- 2 The population of the District is 79,300, with 1 per cent from black and minority ethnic communities. Forecasts suggest only a slight increase in population over the next ten years, of 0.08 per cent, or 1,200 people. However, the age profile is expected to change, with significant increases in numbers of people aged 45 and over. Unemployment is low, standing at 1.9 per cent, compared with the average for the eastern region of 2.7 per cent.
- 3 The Council is Conservative led, with 28 of the 39 seats. The Conservatives took control after the elections in May 2002.
- 4 The Council employs 235 (full time equivalent) staff across all services, which includes 26 in the Planning Division.
- 5 The Development & Building Control review set out to cover:
  - ◆ operational aspects of Development Control;
  - ◆ fee paying elements of Building Control; and
  - ◆ communication of the Local Plan to the public.The Local Plan was omitted from the review.
- 6 The Planning service was estimated to cost £1.2 million in 2001/02, an increase of 11 per cent on the previous year. Planning Policy cost £307,100, Development Control £472,500 and Building Control £91,200.

## Scoring the service

- 7 We have assessed the Council as providing a **'good'**, two star service that has **'promising'** prospects for improvement. Our judgements are based on the evidence obtained during the inspection and are outlined below.

Scoring chart<sup>2</sup>: Rochford District Council – Building & Development Control



*'a good service that has promising prospects for improvement'*

### A good service?

- 8 We have judged the service as a **'good'** two star service which showed the following positive features:
- ◆ local people we spoke to told us the staff are generally accessible, helpful and constructive, and the service has improved in recent years. Local people praised the enhancement work in town and village centres;
  - ◆ Building Control is recognised as being efficient, consistent and competitive and has achieved a high level of public satisfaction;

<sup>2</sup> The scoring chart displays performance in two dimensions. The horizontal axis shows how good the service or function is now, on a scale ranging from no stars for a service that is poor (at the left-hand end) to three stars for an excellent service (right-hand end). The vertical axis shows the improvement prospects of the service, also on a four-point scale.

- ◆ the Development Control Service is 'adding value' by securing a good quality of development in the District – for example by adopting a sensitive approach to the conversion of, and new uses for, redundant or architecturally important buildings and negotiating improvements to development proposals. The service is securing planning gain through the use of S 106 Obligations;
  - ◆ the Council has improved its speed of decision making in Development Control and was the most improved non-metropolitan council in England on the 8 week target in 2001. This was helped by the high level of delegation of decisions to officers (91 per cent compared to the Government target of 70 per cent) and by efficient office systems, including the use of IT in the planning process; and
  - ◆ there are good consultation arrangements for planning applications, and workshops for planning agents and Town & Parish Councils, to secure their input to the service.
- 9 There are however a number of areas which need attention, including:
- ◆ more specific links between corporate objectives, Planning Service objectives and personal development reviews;
  - ◆ review of the Local Plan, to provide an up-to-date basis for decision making;
  - ◆ committee issues, including the size of the Planning Services Committee, lack of public speaking at the Committee and Member training on planning matters, to ensure fair and consistent decisions; and
  - ◆ information about the progress of applications and decisions, including reports and reasons for refusal on delegated items.

#### Likely to Improve?

- 10 We do have concerns over the Action Plan not including all the improvements identified through the review process, that the review was scoped too narrowly to deal particularly with the relationship between Development Control and the Local Plan and that no thorough appraisal of different procurement methods was carried out. Nevertheless, we believe that the Council's prospects of improvement are **'promising'** for the following reasons:
- ◆ the best value review (BVR) identified key areas needing improvement in the delivery of the service. The Action Plan provides a comprehensive framework for improvement, which is focused on benefits to the customer and outlines clear responsibilities for action, sets out clear time scales, identifies the financial resource implications for each action, and the outcomes that service users will see;



- ◆ implementation of the Action Plan is underway, driven by an Implementation Team and translated where appropriate into local performance indicators. Information Technology improvements will bring benefits, not only to the Council in delivering a more efficient service, but also to the general public and other customers;
- ◆ the Building Control Service has responded well to private competition, and continues to market a service already well used and well thought of by clients; and
- ◆ significant improvements have been achieved by Development Control over the past two years.

## Recommendations

- 11 To rise to the challenge of continuous improvement, councils need inspection reports that offer practical pointers for improvement. In this context, the inspection team feels that the Council should now take action to resolve a number of general, political, managerial and partnership issues.
- 12 We recommend that:
  - ◆ to ensure that the service to users improves, further work is required to address short-term issues identified in this report prior to the major improvements to information technology and the Asset Review;
  - ◆ to ensure that the service to the users improves, the Council should fully implement the recommendations of the best value review with particular attention to:
    - ◆ size of Committee;
    - ◆ site visit procedures; and
    - ◆ written information, advice and procedures, particularly on the planning process and availability of publications.
  - ◆ to ensure wider understanding of the policy basis of development control decisions and stimulate debate on the wider environment and Rochford as a place to live and work, the Council should review the Local Plan as a matter of urgency;
  - ◆ to ensure decisions are made fairly and consistently, all Councillors involved in determining planning applications should have mandatory, regular training on planning matters;

- ◆ to ensure the competitiveness of the service, a formal and thorough options appraisal of different procurement methods for both parts of the service should be carried out and reported to members; and
  - ◆ to ensure both Development and Building Control play a key role in contributing to and delivering the Council's aims, the Planning Division Performance Framework needs to be clearly linked to the corporate aims, with outward-facing objectives. Other Council strategies need to recognise the importance and role of Development and Building Control.
- 13 We would like to thank the staff of Rochford District Council, particularly the members of the Planning Services team, who made us welcome and met our requests efficiently and courteously.

**Tom Shepherd**

**Haydn Morris**

**Inspectors**

**Dates of inspection: 13 - 17 May 2002.**

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## Report

### Context

#### The locality

- 14 Rochford District Council is situated in Essex, and serves the two main towns of Rochford and Rayleigh. Rochford has an airport, and good road and rail links to London and other major employment centres at Chelmsford, Southend and Basildon. Much of the 65 square miles making up the District is in the metropolitan green belt.
- 15 The population of the District is 79,300, with 1 per cent from ethnic minority communities. Forecasts suggest only a slight increase in population over the next ten years, of 0.08 per cent, or 1,200 people. However, the age profile is expected to change, with significant increases in numbers of people aged 45 and over. Many commute to London and other commercial centres. Unemployment is low, standing at 1.9 per cent compared with the average for the eastern region of 2.7 per cent.
- 16 The main planning issues facing Rochford include the need to balance the protection of the green belt against the need to provide new land for housing and employment; maintaining the environment of towns and town centres and managing the growth of traffic; maintaining the vitality of villages and rural communities, and preserving the Districts landscape and wildlife resources and its architectural and historic heritage.

#### The Council

- 17 The Council is Conservative led, with 28 of the 39 seats. Of the remainder, 4 are held by Labour, 4 by the Liberal Democrats and 3 by the Independents. The Conservatives took control after the elections in May, 2002.
- 18 Currently the business of the Council is governed by a streamlined committee system, a variation of the traditional committee system, which was adopted recently. All members of the Council sit on the Planning Services Committee, which determines planning applications, except those which are delegated to officers. The Environmental Services Committee and Environment Overview & Scrutiny Committee approve Local Plan policy and the Best Value Review Action Plan.
- 19 The Council's overall revenue budget for the year 2000/1 was just over £7 million.
- 20 The Council's priorities as identified in the Corporate Plan are to:



- ◆ provide quality, cost-effective services;
- ◆ work towards a safer, more caring community;
- ◆ promote a green and sustainable environment;
- ◆ encourage a thriving, local economy;
- ◆ improve the quality of life for people in the District; and
- ◆ maintain and enhance the local heritage and culture.

### The Councils best value review

- 21 The Council employs 235 (full time equivalent) staff across all services, which includes 26 in the Planning Division, in the Law, Planning & Administration Directorate. Planning comprises four main services: Planning Policy (Local Plans), Development Control, Planning Enforcement and Building Control. The Planning Service is estimated to cost £1.2 million in 2001/02, an increase of 11 per cent on the previous year. Planning Policy cost £307,100, Development Control £472,500 and Building Control £91,200.
- 22 The functions of the four Planning Services are:
- ◆ **Planning Policy** – preparation of the development plan (the Local Plan), to ensure that land in Rochford is used in the long-term interests of the community as a whole;
  - ◆ **Development Control** – dealing with planning applications and appeals in accordance with the development plan;
  - ◆ **Planning Enforcement** – dealing with breaches of planning control; and
  - ◆ **Building Control** – dealing with the administration and enforcement of the Building Regulations.
- 23 The Council carried out a best value review of the service in 2001/02. The review started in September 2001 and reported to members in April 2002. It set out to cover the following elements:
- ◆ operational aspects of **Development Control**;
  - ◆ fee paying elements of **Building Control**; and
  - ◆ communication of the **Local Plan** to the public.

However, the Local Plan was omitted from the review.

- 24 The review concluded that a number of improvements to the service would have significant benefits for customers and an Action Plan was proposed. Most of the recommendations in the Action Plan related to Development Control, as public satisfaction with Building Control was high. The Action Plan included the following priority items:
- ◆ reduce size of Planning Services Committee;
  - ◆ compulsory member training;
  - ◆ open committees, allowing the public to speak;
  - ◆ cooling-off period, when members disagree with officer recommendations;
  - ◆ delegated responsibility to arrange site visits;
  - ◆ improvements to information technology, to benefit Building Control and Development Control services;
  - ◆ redesign the Planning Services reception at Acacia House; and
  - ◆ more demanding targets for the processing of planning applications.
- 25 Members accepted most of the recommendations, but rejected key proposals to reduce the size of the Planning Services Committee and to introduce compulsory member training. These measures were recommended by the best value review to improve the speed of decision making at member level and to ensure that decisions are consistent.

### **How good is the service?**

- 26 Inspectors look to see how a council has agreed the key aims for the service being inspected, how clear these aims are to the people that receive the service and whether these reflect the corporate aims of the organisation as a whole.

### **Are the aims clear and challenging?**

- 27 Challenge is the key to achieving significant improvements in performance and targets set by the Council and Government. Without challenge, best value will be ineffective. It requires the Council to consider and demonstrate how a service contributes to its wider corporate aims and community plans.

### **Strengths**

- 28 The Council's key priorities, set out in the Corporate Plan 2001-02, are clear and for all of them Development Control should be a major contributor. Key objectives are to:

- ◆ provide quality, cost-effective services;
  - ◆ work towards a safer, more caring community;
  - ◆ promote a green and sustainable environment;
  - ◆ encourage a thriving, local economy;
  - ◆ improve the quality of life for people in the District; and
  - ◆ maintain and enhance the local heritage and culture.
- 29 The Community Plan is currently being revised in 'Proposals for 2001-2003' which makes more specific reference to long term sustainable development underpinning the key priorities.
- 30 At a general level the Building Control and Development Control aims and objectives reflect the main themes contained within the Council's overall priorities. These are set out in the Planning Division Performance Framework, 2002-3 (a similar document did not exist previously, although service was monitored against key performance indicators). The vision set out in the Framework is:

*'To provide a high quality, responsive and accessible service for our customers that makes best use of available information technology, is delivered by a well-trained, highly motivated workforce, and in reflecting the Council's key objectives, seeks to make a difference'.*

- 31 Operational objectives are set out for each service area, for example:

**'Development Control** – to process planning applications in accordance with national and local performance targets';

**'Local Plans** – to progress the Rochford District Replacement Local Plan to adoption by 2003/4'; and

**'Building Control** – to ensure that buildings are constructed to a safe and sound standard'.

- 32 Performance indicators (including a range of national and local indicators) are measured in quarterly reports for both Development Control and Building Control.

#### Areas for attention

- 33 Given that Planning Control should be playing a major part in the fulfilment of council aims, the Services business plan lacks specific reference about how, and what, each part of the service should be contributing. Except in the general sense



referred to above, the Planning Division Performance Framework is not directly related to objectives and targets in the Corporate Plan.

- 34 Since planning applications must normally be determined in accordance with the development plan, the Rochford Local Plan also plays a key role in ensuring development within the District accords with, and contributes towards, national planning objectives. The Local Plan contains policies that reflect the Council's aims and the service should therefore, play a key part in achieving Council priorities. The current Local Plan was adopted in 1995 and contains a range of policies to protect the environment and promote sustainability whilst maintaining, and strengthening, the local economy. The plan was due to be reviewed within five years of adoption, but progress has been slow due to persistent staff shortages. A consultation draft is being prepared and is likely to be published by the end of 2002.
- 35 In conclusion, the wider council aims are clear and are reflected, at a very general level, within the performance plan for the service. However, elements of the service lack more specific aims on what, and how, they are to contribute towards the national agenda and council aims.

### Does the service meet these aims?

- 36 Having considered the aims the Council has set for the service, inspectors make an assessment of how well the Council is performing in meeting these aims. This includes an assessment of performance against specific service standards and targets and the Council's approach to measuring whether it is actually delivering what it sets out to do.
- 37 Customer expectations of a Building and Development Control Service are that the service<sup>3</sup>:
- ◆ protects wider community interest and the environment;
  - ◆ has a clear vision and focus but is flexible and innovative;
  - ◆ undertakes decision-making in a transparent, fair and consistent manner;
  - ◆ results in high quality of outcome;
  - ◆ engages skilled, competent staff with integrity;
  - ◆ provides up to date and accessible information/guidance;

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<sup>3</sup> Audit Commission, 2000

- ◆ takes a joined up approach to application advice;
  - ◆ achieves a balance between efficiency and quality; and
  - ◆ is pro-active and responsive in environmental management.
- 38 We will consider how the service delivers these customer expectations under the following headings:
- ◆ Delivering Council aims.
  - ◆ What is the quality of outcomes on the ground?
  - ◆ The decision making process.
  - ◆ Availability and consistency of advice and information.
  - ◆ User input into service delivery.
  - ◆ Efficient and cost effective service.

### **Delivering Council Aims**

- 39 The Council's Building Control Service is responsible for the administration and enforcement of the Building Regulations, 2000. The Council's Development Control Service (in conjunction with Planning Policy) has a wide role in delivering the Council aims. Under the provisions of the Town and Country Planning Act 1990 (and subsequent amendments), the Council, as the local planning authority, is required to determine planning applications in accordance with the policies set out in the Local Plan, unless other material considerations indicate otherwise.

### **Strengths**

- 40 Development Control has influenced a number of projects that contribute to the Council's aims. Examples include, improving the design of new buildings, encouraging the maintenance of historic buildings and undertaking enhancement schemes in town and village centres.
- 41 The Council has secured a variety of planning benefits through S106 Obligations (legal agreements which may be attached to a planning permission, which require a developer to provide, or contribute towards specific items for a major development). Examples include, road junction improvements related to a new housing scheme in Hockley, a permissive bridleway in Hullbridge and social housing projects. The Council has used its compulsory purchase powers to acquire buildings in the main street of Rochford, to tackle long-term problems of dereliction. It has also negotiated an appropriate scheme for the redevelopment of another prominent group of derelict buildings in West Street. It has used the

untidy site notice procedure to seek improvement in land close to Rochford town centre.

- 42 We found examples of the service working with other council sections and external bodies to secure delivery of the Council's wider aims. The authority works in partnership with the Springboard Housing Association to develop affordable housing. Examples of broad partnership projects include the town and village centre enhancement schemes, including Rayleigh and Rochford.

#### Areas for attention

- 43 Whilst we found many examples of Development Control contributing to the delivery of the Council's corporate aims, we believe that even more could be achieved, with clearer linkages between corporate and Planning Service objectives, and with review of the Local Plan. It appeared that more emphasis has been given to environmental policies compared with the need to secure employment in the area, an issue which could have been publicly debated during the preparation of a revised Local Plan.

#### What is the quality of outcomes on the ground?

- 44 The acid test of Development Control and the wider Planning Service in Rochford is the quality of recent development within the Borough and how this impacts on the quality of life for local people.
- 45 Users told us that the Planning Service had improved in recent years:

*'They have improved no end in planning';*

*'Rochford town centre has improved markedly in the last ten years'; and*

*'...the village developments are fantastic'.*

- 46 We undertook a tour of recently completed development sites across the Borough as part of our inspection to view the Council's planning issues and achievements. We saw a number of sites where the work of the service had made a difference to the overall quality of development. Examples of these include the following:

- ◆ the enhancement and preservation of historic buildings, including a grant scheme for the improvement of shop frontages in the Rochford conservation area;
- ◆ sympathetic designs for new buildings have been negotiated, to reflect traditional styles, such as steeper roof pitches and the use of weatherboarding in the Rochford conservation area. At Brooklands in



Rayleigh, a new building for sheltered housing incorporated a replica of the façade of the old house, which had to be demolished;

- ◆ Development Control has also influenced the conversion of redundant buildings, such as the Rochford Hospital complex, where the boiler house has been converted successfully into 26 flats, and the maternity unit has become an elderly persons' centre; and
- ◆ development briefs are drawn up by the authority to inform owners and developers of the Council's policies for key sites, such as the Etheldore Avenue/Wood Avenue site in Hockley.

## **Decision making process**

### **Strengths**

- 47 Building Control is widely regarded as providing a high quality service. The customer satisfaction survey in 2001/02 showed a high level of public satisfaction with the work of the section. The workshops of Planning Agents and Parish & Town Councils did not raise any significant issues of concern in respect of the Building Control Service. Decisions are made by officers under an efficient administrative system, which is timely and responsive.
- 48 Development Control is a complex system with a high degree of involvement by Members on applications for larger scale development. There is a good level of delegation to officers, mainly in respect of smaller scale applications (91 per cent compared to the Government target of 70 per cent), and the speed of decision making has improved in recent years. In 2001, the Rochford District Council was named by the Government as the best improved non-metropolitan authority in England, in relation to meeting the eight week target.
- 49 Development Control has an up to date service charter, efficient administrative systems and a good record of negotiating improvements to development proposals. The service has introduced a computerised system of handling applications linked to GIS, which for example enables quick and accurate collation of site data, and the identification of neighbours to ensure full consultation on each planning application. This is currently being upgraded, using Uniform seven software.

### **Areas for attention**

- 50 We found that although the advice of officers is generally felt by customers to be consistent, decisions by Members are perceived as less consistent and not always clearly related to the merits of the application and policy considerations.
- 51 All Councillors sit on the Planning Services Committee, an unusual practice, which adversely affects the speed and consistency of decisions and inhibits the

training of Members in essential technical issues. The best value review (BVR) recommended that the Planning Services Committee should be smaller and that all Councillors determining planning applications should have mandatory, regular training in planning. These recommendations were however rejected by the Council.

- 52 The Planning Services Committee does not allow the public (objectors or applicants) to address the Councillors before a decision is made. Such a practice is now common in most councils, and is welcomed by users of the service who feel they have been listened to, during the decision making process. The Action Plan approved by the authority will introduce public speaking at the committee. A published code of practice and Councillors' training, on what a material planning consideration is, will be essential.
- 53 We found that users of the service were unclear about the justification for some decisions. Application files, reports and minutes must include reasons for decisions, and full conditions.

### **Availability and consistency of advice and information**

#### **Strengths**

- 54 Users that we spoke to in focus groups told us that in general, the staff are helpful and try to assist in dealing with issues arising from applications. A duty officer is available at Rochford at all times during office hours, including lunch hours (a recent innovation). Free pre-application advice is given, which assists customers and helps to improve the quality of development and to avoid problems during the decision making process. Officer advice is generally perceived to be consistent.
- 55 There is a good range of advisory leaflets covering many aspects of Development Control and Building Control. We found that they were prominently displayed in the department's reception and that there were a good range of other documents, which were available for visitors. Useful information for customers has been placed on the Council's website.

#### **Areas for attention**

- 56 The Local Plan is not up-to-date, so customers are unclear about the policy basis for decision making, which includes Government policies announced over the past seven years on a variety of relevant issues. The Local Plan is supported therefore by other documents not readily apparent to the public. There is no schedule of documents which are relevant to Development Control. The review of the Local Plan has commenced, but it is progressing slowly.
- 57 Customers have complained that they are not kept informed of progress on deciding planning applications, which could perhaps be accomplished by putting

more information on the website. Improvements in communication with customers have been agreed as part of the Action Plan and are being implemented.

- 58 The reception area for the Planning Service at Acacia House is recognised by customers and staff as being deficient, in terms of access for all, space for private discussion, access to computerised information and the general quality of the environment.

### **User input into service delivery**

#### **Strengths**

- 59 Planning agents and Parish & Town Councils told us that they found the workshops introduced as part of the best value review helpful and constructive. These workshops led to several of the recommendations in the Action Plan, for example, the introduction of public speaking at Committee. The Council intends to continue with the workshops as a regular feature of consultation with service users.
- 60 We found that arrangements for consultation on planning applications were thorough and effective. Neighbours are identified using the GIS system and the policy for notification is generous. Letters are sent to all properties adjoining the application site. Copies of plans are sent free of charge, with a stamped addressed envelope, to consultees who are not able to travel to the Council during office hours. The Council's priority given to consultation could partly explain the authority's high level of advertised departures from the Local Plan.

#### **Areas for attention**

- 61 There is a need to ensure that all residents of the District, not only those involved directly in planning applications, are engaged in reviewing Planning Services. Development Control should make Rochford a better place to live and work for all its inhabitants. The forthcoming review of the Local Plan will assist this wider consultation, but there should also be ongoing engagement.

### **Efficient and effective service**

- 62 Users made positive comments about the helpful advice they receive from officers of the Building Control and Development Control teams. Planning applications are generally validated quickly and as referred to above the departments systems are effective. The service uses an IT system which links into similar systems used by Building Control and environmental health. This enables information to be exchanged and advice co-ordinated. Processes and procedures are well documented internally.



- 63 The two teams - Development Control and Building Control, coordinate their work, informing each other of progress and potential problems, and advising developers and builders of the statutory requirements for obtaining planning permission as well as building regulation approval and vice-versa.
- 64 There is a high level of delegation to officers in respect of Development Control. This means that many of the smaller scale applications are decided by officers without needing to go to Committee. They are therefore dealt with more quickly.
- 65 Building Control performs effectively, sharpened by the fact that most of its work is exposed to competition from other agencies. The effectiveness of the service is demonstrated by the high proportion of building regulation applications in the District made to the Council, rather than alternative providers, estimated at 98 per cent.

#### **Areas for attention**

- 66 The BVR highlights the need for further improvement of IT, to achieve a fully interactive computer system. This is included in the Action Plan, including the introduction of new software.

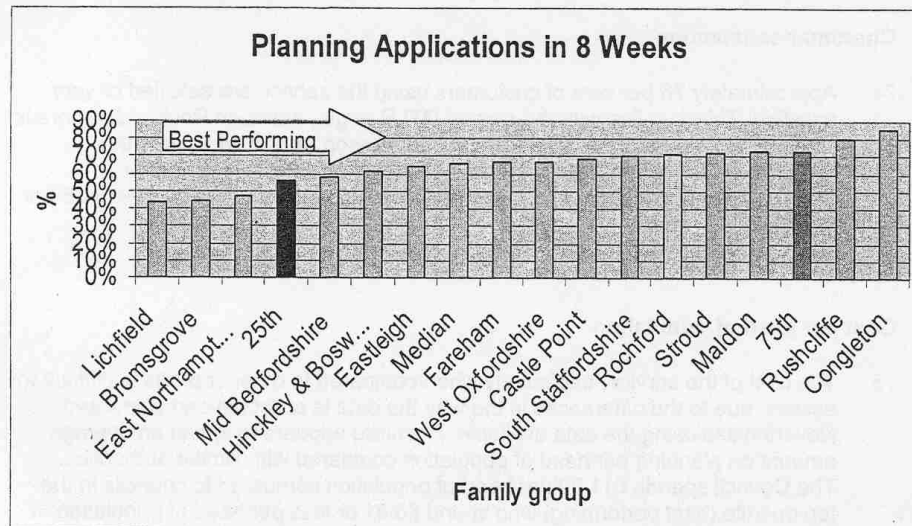
#### **How does the performance compare?**

- 67 In order to judge the quality of a service, it is important to compare the performance of that service against other suppliers across a range of sectors. The aim is not exact comparison, but an exploration of how similar services (or elements of services) perform in order to identify significant differences, the reasons for them, and extent to which improvements are required.
- 68 We have compared the Council to a group of councils that have the nearest social and economic characteristics using a model developed by CIPFA.
- 69 Comparisons were made across a range of performance, including the speed of processing applications, applications granted and refused, costs per application, staffing levels and staffing costs.

#### **Planning Applications**

- 70 The Council determined 71 per cent of its applications in eight weeks, compared to the best performer in the group which determined 85 per cent in eight weeks. Exhibit 1 shows that the Council is above average when compared to its comparator councils. In 2001-02, Rochford achieved the improved figure of 79 per cent. During 2001, the Government identified Rochford as the best improved non-metropolitan authority in England over the previous two years, in relation to the eight week target.

Exhibit 1: Percentage of applications determined in 8 weeks



Source: 2000-01 BV & ACPI Outturn Statistics - England:

#### Applications approved contrary to Local Plan

- 71 Rochford is the worst performing Council in its family group for the number of planning applications which are granted contrary to the Local Plan. This highlights the need to review the Local Plan. The Council presented evidence to show that the departures advertised were not a result of the date of the Local Plan, but were perhaps due to the Council taking an over-cautious view of departures.

#### Amount of housing on Brownfield land

- 72 The Council is achieving 64 per cent of new housing on Brownfield sites (sites that have previously been developed). This is above average for the family group and above the current Government target of 60 per cent.

#### Planning 10 point check list

- 73 The former Department of Environment, Transport and the Regions (DETR) developed a ten point checklist to score Planning Service. The checklist (which includes reference to planning policy as well as planning control) shows the Council in the bottom quartile (poor) with a score of 44 per cent (the best in the

group achieved 80 per cent). This low score is due in part to the absence of an up to date Local Plan and lack of public speaking at Committee.

#### **Customer satisfaction**

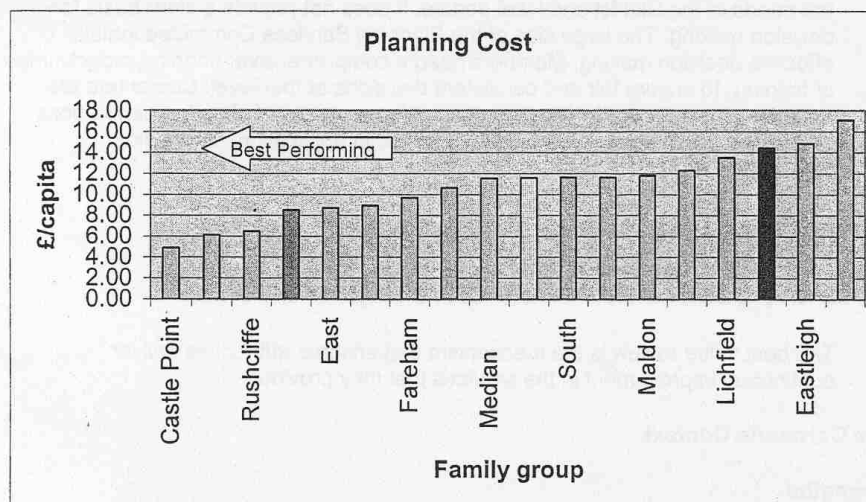
- 74 Approximately 76 per cent of customers using the service are satisfied or very satisfied. This is in line with the current DTLR target, although Rochford's score is lower than average for its family group. The reason for this was partly the concern by customers that they were not kept informed of progress in the processing of applications. The best performing council achieves a rate of 85 per cent.

#### **Cost per head of population**

- 75 The cost of the service, particularly when compared to other councils is difficult to assess, due to the differences in the way the data is collected and calculated. Nevertheless using the data available, Rochford appears to spend an average amount on planning per head of population compared with similar authorities. The Council spends £11.59 per head of population compared to councils in the top quartile (best performing) who spend £8.51 or less per head of population. It is not clear what extra services are being provided by Rochford for the additional cost incurred.



Exhibit 2: Cost (£) per head of population



Source: 2000-01 BV & ACPI Outturn Statistics - England

- 76 In conclusion, we can say that the service compares well in some respects (average time to determine applications, development on Brownfield land and cost) but needs (together with Planning Policy) to improve its performance in respect of departures from the Local Plan, the 10 point check list and customer satisfaction.

## Summary

- 77 We consider that the local people and users receive a good service. The staff are viewed by service users as being generally accessible, helpful and constructive and the service has improved in recent years. Building Control is recognised as being efficient, consistent and competitive and has achieved a high level of public satisfaction. There are examples of Development Control 'adding value', by negotiating improved design, securing a range of Section 106 contributions and working in partnership with other organisations. In terms of the speed of decisions, Rochford District Council was the most improved non-metropolitan council in England in 2001. There are good consultation arrangements and efficient office systems, including IT, which is being improved. There is a high level of delegation of decisions to officers.

- 78 However, more specific links are required between corporate objectives and Planning Service objectives. The Local Plan is not up to date and does not reflect the needs of the District and local people. It does not provide a clear basis for decision making. The large size of the Planning Services Committee inhibits effective decision making. Members need a comprehensive, ongoing programme of training, to ensure fair and consistent decisions at that level. Customers are frustrated by the lack of information about the progress of planning applications and by the inability of people directly involved in applications to speak at Committee.

### How likely is the service to improve?

### Does the best value review drive improvements?

- 79 The best value review is the mechanism that ensures authorities deliver continuous improvement in the services that they provide.

### The Corporate Context

#### Strengths

- 80 The review was carried out between September 2001 and April 2002. The core review team consisted of a corporate team, chaired by the Head of Planning Services, with the Planning and Building Control Managers, two Development Control Team Leaders, a Development Control Team Assistant Planner, the Head of Legal Services, and members of the Audit and Process Review Unit, with responsibility for best value reviews. The team reported to a four Councillor Best Value Review Working Group. The team recognised in the review that there is a clear customer focus to the services provided by Development Control and that there are a wide variety of potential stakeholders (although somewhat more limited in the case of Building Control).

*'Customer perspective should be in people's minds throughout the review'.*

#### Areas for attention

- 81 No use was made of an 'independent assessor/friendly critic', but the team was concerned to identify key stakeholders and set up workshops for both Planning Agents and Parish/Town Councils. It is intended that these workshops will meet every six months in the future. We feel it is important that a dialogue between the Council and users to inform service delivery continues during implementation of the Action Plan.
- 82 Nevertheless, although members of the general public are key users of the services, the Council has not agreed the recommendation to organise a Focus Group on Planning.

## Scope

### Areas for attention

- 83 In covering only Development and Building Control, the scope of the Council's review was limited. It did not include other services linked to Development Control, such as planning policy and local plans, economic development, or even enforcement (the latter is to be included in a future Regulation review). It therefore failed to look at the wider role of Development and Building Control, and how they impact upon a range of other Council services.
- 84 The inclusion of planning policy, currently undertaking a review of the Local Plan, would have given not only a more rounded view of the service and its importance to the wider working of the Council, but also brought to Councillors' attention the need to review the Local Plan as a matter of urgency. This is especially so, as we identified a lack of understanding amongst users of the policy basis of development control decisions. The review also fails to address the issues affecting the wider environment and Rochford as a place to live and work for the population as a whole.

*'Bottom-line is the residents throughout the District... residents interested in whole environment'.*

## Challenge

### Strengths

- 85 The Review Team accepted that most of the Development and Building Control functions were statutory, and that the Council was required to provide them, but the need to give pre-application advice was challenged.

### Areas for attention

- 86 The challenge was limited, and tended to focus on how to improve rather than whether the Council should provide it. We did not see any evidence that there was a challenge to the way existing services are provided, or organised, that would in turn deliver an improved service.

## Consultation

### Strengths

- 87 Consultations with a wide range of service users highlighted both service strengths and weaknesses, which were used by the Review Team in a systematic way to assess anticipated issues for the various users. Evidence to support the assessment from the consultations was noted, and assessments rated 1 to 10, whereby weaker assessments were rated 7 or lower. The weaker



assessments were analysed to establish the reasons for the rating, the quality and cost of improvements that could be made, their potential impact on customer outcomes, and the means and cost of achievement. The weaker assessments provided the basis of discussions in the Best Value Review Member Working Group and subsequently the 30 point Draft Action Plan put to Councillors for approval.

### Competition

#### Strengths

- 88 The team did look at the competition for the provision of existing services, by examining potential alternative service providers. They also examined the potential of approved inspectors to provide a Building Control Service. They concluded that the real cost of the Development Control Service was a loss of £500 thousand per annum, and therefore unattractive to private consultants, and that Building Control was offering a competitive service, being the choice for almost all residential applications in the District.

#### Areas for attention

- 89 We have no evidence to show that a formal and thorough options appraisal of different procurement methods was carried out, such as the costs and benefits of various procurement options, including joint partnership arrangements with other authorities. The District Auditor's last letter indicated that he will be discussing the potential for Rochford's involvement in Local Public Service Agreements, which might include Planning, as one aspect of procurement.

### Comparison

#### Strengths

- 90 The review process did involve making comparisons across a range of performance indicators, particularly the concern to achieve upper-quartile performance in speed of processing applications. Benchmarking was a feature of Building Control, where they participated in a group of other East Anglian councils.

#### Areas for attention

- 91 Although benchmarking of the Planning Service had been carried out three/four years ago, the exercise has not been repeated. We have no evidence to show that the Council contacted other similar councils in their family group, to assess how they delivered these services, and what could be learned from them, nor looked at Beacon Councils for examples of best practice.

### Summary

- 92 In conclusion, we feel that Rochford Council's approach to the best value review was customer-focused and receptive to the feedback of the consultations with a wide range of service users. The challenge to the provision of the services was limited by the statutory duty for the Council to provide them, but the Review Team had briefly examined alternative methods of provision, before concluding that in-house provision continued as the Best Value option. Comparisons had been made across a range of Development Control indicators, and actions and targets, included in the Action Plan for further improvement. Building Control was part of a benchmarking consortium of other East Anglian authorities, and data from this source used to evaluate the service being provided. Nevertheless, little use has been made of best practice with other authorities or providers nor has there been a fundamental appraisal of different procurement options.

### How good is the improvement plan?

- 93 A best value review should produce an improvement plan that sets out what needs to improve, why, and how that improvement will be delivered. It should contain targets that are not only challenging but also designed to demonstrate and ensure the continuous improvement necessary to put the service amongst the top 25 per cent of councils within five years.

### Strengths

- 94 The review process resulted in identifying key areas for improvements that would have significant benefits to the user. The Action Plan is specific in its allocation of responsibility to a named officer, with Committee approval where appropriate. It identifies the financial resource implications of each action, sets target dates for implementation, new local performance indicators, and states clearly the objectives/expected outcome for each target.
- 95 We believe that the Action Plan identifies the key areas needing improvement that were identified in the review, which if delivered in full, will result in significant user improvements. It contains targets, including local performance indicators, which will maintain or achieve top 25 per cent performance, and actions which will increase customer satisfaction and improve the Planning Service. We are also satisfied that (with the notable exception of improved reception facilities), where specific costs have been identified, particularly for IT improvements, these have been resourced and allocated.

### Areas for attention

- 96 However, the Action Plan does not contain all the improvements identified through the review process. In particular, the following proposed actions were not agreed:

- ◆ reduce the size of the Planning Committee;
  - ◆ member training as a pre-qualification for sitting on the Planning Committee;
  - ◆ remove requirement for ward member consultation, when agreeing minor amendments to applications first determined by the Planning Committee; and
  - ◆ organise a regular Focus Group on Planning.
- 97 Some recommendations were deferred by the Council:
- ◆ site visits to be made in advance of Planning Committee meetings (deferred for further consideration by the Environment Overview and Scrutiny Committee); and
  - ◆ the re-design of planning reception in Acacia House (deferred to await the outcome of the forthcoming Asset Review).
- 98 The Action Plan contains no actions to show how Development Control and Building Control will work on cross-cutting corporate issues, such as with Economic Development and Local Agenda 21, or with external agencies such as the Police on crime prevention design measures, although Building Control does intend to introduce a new procedure for consultations with the Fire Service on building regulation applications. We consider this a missed opportunity, which should be addressed when the link between corporate policy and the Planning Division Performance Framework is made more explicit.

#### Summary

- 99 The thorough and systematic approach of the review process resulted in the identification of 30 key areas for improvement, which would have significant benefits to the user. As approved, the Action Plan outlines clear responsibilities for action, sets out clear timescales, and identifies the financial resource implications for each action, and the outcomes the service users will see. However, we are concerned that of the proposed 10 priorities, two were not agreed and two deferred, with inevitable consequences on improvements to customer-related issues.

#### Will the Council deliver the improvements?

- 100 Inspectors look for evidence that a council will deliver what it has set out in the improvement plan. We look for a track record of managing change within the Council and, ideally, within the service itself. The plan should also have sufficient support from Councillors, management, staff, service users and other stakeholders, particularly those responsible for delivering it.



## **Commitment and Support**

### **Strengths**

- 101 In our discussions, both with outgoing Councillors and the newly appointed Chairman of the Planning Services Committee, we were impressed by their perception of Development Control as a high profile activity for the District Council. In our discussions with staff at all levels in both Development and Building Control, we were impressed by their awareness of what they do well, and what they could do better, and their commitment to deliver improvements that will bring about benefits for service users. There is a strong commitment from senior officers to do things in a better way, with energetic leadership of the Planning Division and good staff morale within Development and Building Control.

### **Areas for attention**

- 102 In our discussions with Councillors, we noted their concern over the democratic aspect of allowing all Councillors a decision-making role, and enabling voter representation from all wards. However, we are concerned at the failure to reduce the size of the Planning Services Committee. In particular, the recent elections will result in 17 new members of that Committee who do not have to undertake training as a pre-requisite to sit on that Committee. This could hinder important outcomes of the Action Plan in terms of consistency and speed of decision-making.
- 103 Detailed staff concerns need also to be addressed on streamlining the internal approval process for reports and schedules, which appeared to be a source of some frustration.

## **Track Record**

### **Strengths**

- 104 The Council has a track record of decisive action arising from previous best value reviews, particularly of Leisure Services, where the Council has taken the decision to award a new long-term contract to manage the District's leisure facilities to Holmes Place Leisure Management PLC to achieve the improvements identified in the improvement plan. They are also pursuing a corporate approach to asset management, and the future of the Council offices in Rochford. The Council is also addressing the need to develop the current arrangements with respect to performance management, and trying to put into place a performance management framework.
- 105 The Planning Service has also made a start on implementing the Action Plan. An Action Plan Implementation Team has been set up within the Planning Division with those members of the Division involved in the Review Team, and has

already preceded two of the Action Plan items – removal of the need for seven day ward member consultation, and the preparation of a feedback report on planning appeals.

### **Implementation and Progress Monitoring**

#### **Strengths**

- 106 The resource implications of the Action Plan improvements have been assessed, and where significant improvements (such as the upgrade of the I.T. system), have been costed and the expenditure agreed by Council. A number of other improvements will save staff time as a result of minimal expenditure, such as the review of guidance leaflets.
- 107 The delivery of the Action Plan is being informed through the development of seven local performance indicators for both Development and Building Control. These are scrutinised in a Quarterly Performance Report by the Planning Services Management Team, together with a schedule of BV106 to BV112 National Indicators which measure development of Brownfield land, planning costs, approved departures from the Local Plan, speed of determining planning applications and scores the Council against a checklist of planning best practice.
- 108 The process maintains rigorous monitoring of progress in achieving the delivery of the aspects of the Action Plan and the measurement of achievement against national and local indicators. The Planning Service also has Personal Development Review process in place, which assigns targets to individuals so that they are aware of what they are expected to achieve.
- 109 Councillors have approved a comprehensive customer satisfaction survey to demonstrate that improvements have been made in the delivery of the Planning Service and to continue obtaining the views of customers on the performance of the service.

#### **Areas for attention**

- 110 However, we can see certain shortcomings that will impede the full delivery of the improvements in service to the public. In particular, the link between corporate objectives and their delivery through the Planning Division Performance Framework, the Building Control Service Plan (there is not one for Development Control), and individual Personal Development Reviews, remains undeveloped. This deficiency is being worked on at the corporate level.
- 111 The future shaping of the delivery of the Planning Service will not now be informed through a Focus Group of the general public, which would have provided direct feedback on the delivery and perception of the Planning Service within the District, although it is intended to continue the twice-yearly Agents and Parish/Town Council workshops.

- 112 Finally, the Action Plan has a maximum five-year time horizon, particularly with regard to the delivery of a fully interactive planning internet system, and improvements to office facilities through the Asset Review. We consider that further work is therefore required on the Action Plan to examine short-term measures to the longer-term problems that the Action Plan seeks to address. These could include more information on the Rochford website on progress on deciding planning applications and minor internal alterations and improvements to the reception area.

### Summary

- 113 The Action Plan sets a comprehensive framework for improvement, with future delivery by staff assisted by a strong commitment to do things better, and by the Personal Development Review process clarifying individual accountabilities. However, we are concerned that not all the proposed improvements have been approved due to Councillor attitudes to the planning system and to their accountability to their own ward electorate.
- 114 We are also concerned that the best value review was scoped too narrowly to deal with concerns we heard from users over issues of enforcement, and misunderstandings by users of the policy basis for development control decisions. Nevertheless, significant resources have already been committed to a phased programme of IT improvements with the ultimate aim of an interactive planning internet system with major benefits to the public and other customers. Continued dialogue through workshops with users is also planned. We feel, therefore, that the prospects for improvement are promising.



## Appendices

### What the inspectors did

The purpose of best value inspection is to make two judgements. The first is, how good is the service being inspected? The second is, how likely is it to improve? We carried out a range of different activities to enable us to reach our judgements.

### Documents reviewed

Before going on site, we reviewed a range of documents which had been provided in advance by the Council for us. This included the following:

- ◆ Corporate Plan 2000/2
- ◆ Annual Audit Letter – District Audit, December 2001
- ◆ Planning Fees – Internal Audit Report, 1999
- ◆ Best Value Performance Plan, revised June 2001
- ◆ Best Value Review Assessment Analysis, 2001/2
- ◆ Best Value Review and Action Plan, March 2002
- ◆ Best Value Review Group Minutes, 2001/2
- ◆ Best Value Review Staff Bulletins, 2001/2
- ◆ National & Local PI Data
- ◆ Performance management documents
- ◆ Local Agenda 21 Strategy, 2000
- ◆ Economic Profile
- ◆ Local Plan, 1995
- ◆ Staffing structure
- ◆ New Committee Structure
- ◆ Performance Management Information
- ◆ Minutes of: Council Committees; Planning Agents Focus Group; Town & Parish Councils Focus Group

During the inspection we were given a number of additional documents including:

- ◆ Design Brief – Etheldore Avenue/Wood Avenue, Hockley 1997
- ◆ Quarterly Performance Report 01.01.02 – 31.03.02
- ◆ Quarterly Performance – Comparative Statistics October 1999 – December 2001
- ◆ Notes of B.V. Implementation Team 26.04.02 and 03.05.02
- ◆ Minutes of Environment Services Committee 09.04.02
- ◆ Report to Council of 25.04.02 of Environment Overview and Scrutiny Committee of 18.04.02
- ◆ Minutes of Council 25.04.02
- ◆ Report to Environment Overview and Scrutiny Committee 26.03.02

### Reality checks undertaken

When we went on site, we carried out a number of different checks building on the work described above in order to get a full picture of how good the service is. These on site 'reality checks' were designed to gather evidence about what it is like to use the service and see how well it works on the ground. We also followed up on issues relating to the management of the review and the improvements flowing from it. Our reality checks included:

- ◆ Tracking a planning application through the office system.
- ◆ Observing enquiries being dealt with in reception.
- ◆ Reviewing the IT system.
- ◆ Viewing the Planning Service website and intranet site.
- ◆ Checking Local Plan to see what policies and guidance are given to developers.
- ◆ Examining the procedures manual, and additional planning guidance.
- ◆ Examining samples from Planning Services Weekly Complaints Log.
- ◆ Visiting development projects in the District, including planning successes, problems and schemes in progress.

- ◆ Discussions with customers – planning agents.
- ◆ Discussions with community representatives – Town and Parish councils.

### List of those interviewed

We met with a range of different people involved with the service and held three focus groups, as shown below:

Stewart Frith	District Audit Manager, PKF
Shaun Scrutton	Head of Planning Services
John Whitlock	Planning Manager
Ben Jones	Building Control Manager
Paul Warren	Chief Executive
Janice Willsher	Best Value Officer
Albert Bugeja	Head of Legal Services
Helen Drye	Head of Corporate Policy
Kevin Steptoe	Development Control Team Leader
Peter Whitehead	Development Control Team Leader
Nick Barnes	Enforcement Team Leader
Dave Deeks	Head of Financial Services
John Honey	Director, Law, Planning & Administration
Cllr Joyce Giles	Chair, Best Value Working Group (to May 2002)
Cllr Richard Vingoe	Chair Planning Services Committee (to May 2002)
Martin O'Brien	GIS Officer
Jamie Cole	Assistant Planner, Local Plan



Yvonne Dunne	Clerk, Development Control
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Cllr Peter Webster	Leader of Council (from May 2002)
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### Planning Agents Focus Group

Brian Davidson	Brian Davidson Associates
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Ron Hudson	R Hudson Designs
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John Jackson	Architectural Design Associates
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Terence Key	
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Martin Kearney	MK Planning
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R Radley	Ronald G Radley Associates
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Bob Scott	
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### Parish & Town Councils Focus Group

Lilian Campbell Daley	Hullbridge Parish Council
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Jacqueline Hall	Ashingdon Parish Council
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Janice Rigby	Rochford & Stambridge Council
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Matthew Rankin	Rochford & Stambridge Council
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Lynne Van Houten	Canewdon Parish Council
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Basil Osborne	Rawreth Parish Council
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Jean Collins	Rawreth Parish Council
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Margaret Saunders	Rayleigh Town Council
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Barbara Larkin	Rayleigh Town Council
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**Staff Focus Group**

Yvonne Dunn	Team Clerk, Development Control South
Lee Branch	Team Clerk, Building Control
Graham Green	Senior Building Control Officer
Dave Beighton	Assistant Planner, Enforcement
Chris Board	Assistant Planner, Development Control South
Jamie Cole	Assistant Planner, Local Plans
Maureen Costello	Office Administrator
Lorna MacLean	Assistant Planner, Development Control South
Julie Marcsik	Planning Administration

