



**Rochford District  
Council**

<b>REPORT TITLE:</b>	<b>Report on the progress of work to deliver improvements to the delivery of the Development Management and Enforcement Service</b>
<b>REPORT OF:</b>	<b>Leigh Nicholson, Interim Director of Place</b>

### **REPORT SUMMARY**

In November 2022, this Committee received a report on a review of the Council's Planning Enforcement activity. In considering that report, Members made a number of specific recommendations.

In July 2023, a report into the delivery of the wider Development Management services at Rochford and Brentwood was completed. That report contained a number of recommendations, which are now being actively progressed through an Officers Planning Improvement Board, chaired by the responsible Strategic Director.

This report is tabled in order to update Members on these two, partially inter-related, pieces of work and to seek comment on the on-going improvement programme.

### **SUPPORTING INFORMATION**

#### **1.0 BACKGROUND INFORMATION**

1.1 A report on a review of the Council's Planning Enforcement activity (informed by work that had been undertaken by a task and finish group) was presented to this Committee on 8<sup>th</sup> November 2022. On consideration of that report, Members made the following recommendations:

- (1) That options are explored within the #OneTeam partnership to create additional planning enforcement capacity across both Councils with the aspiration to create one additional post that supports both Councils.

(2) That Member training be updated to include inappropriate conditions being attached to planning consents and to provide Members with a clear understanding on enforcement procedures and practice.

(3) That officers review the 'ACHIEVE' online reporting form to explore opportunities to improve the reporting process.

- 2.2 Progress against each of these recommendations is summarised below.
- 2.3 In relation to recommendation 1, a growth item for an additional Senior Planner for Rochford was approved as part of the budget process for 2023/24. The growth item was supported by a business case which set out potential savings by reducing the reliance on external planning contractors but also it was envisaged this post could assist the Planning Enforcement team. The role was therefore advertised as a hybrid role to support the services within the entire planning team. The response to the advert was low, even though the advert appeared in a professional planning journal in addition to the normal online job sites. The post was not filled. The Service have since employed a part time Senior Planner to assist the Development Management team. Additional temporary resource to assist the Enforcement team is currently being sought, with a wider review of resources for Enforcement at both Rochford and Brentwood as part of a new structure, referred to below at para 2.10.
- 2.4 With regard to recommendation 2, Members received training on the 18 May 2023 covering enforcement procedures, and on the 11 July 2023 the training session focussed on material considerations and the correct use of planning conditions.
- 2.5 Finally, in respect of recommendation 3, the online 'ACHIEVE' form for reporting an alleged breach of planning control relies on the reporter to describe the location of the breach. It was considered including a map feature within the form would possibly improve the reporting experience for the public and assist officers in correctly identifying the location, especially when there is no postal address. Officers have liaised with the web team and although a map feature with the ability to drop a pin at a location, could be included, when the form is submitted the map detail is not carried through. Only a text description of the broad location of the pin e.g. Hockley, Essex. This function could potentially be improved with the use of Case viewer and is currently under consideration.
- 2.6 In addition to the above (but to an extent inter-related), a wider piece of work was commissioned in the spring of 2023 to look holistically at the delivery of the Development Management and Enforcement functions across both Rochford and Brentwood Councils.
- 2.7 A report was finalised in the summer of 2023 and work immediately commenced to ensure the delivery of various related recommendations. The full list of recommendations is attached at Appendix 1.

- 2.8 In order to ensure the successful delivery of those recommendations, an Officers Planning Improvement Board was set up and met for the first time in September 2023. One of the Board's first actions was to agree a delivery programme consisting of 4 time-bound phases. Phase one was completed at the end of 2023. Phase 2 is now in delivery and will be completed by the end of March. Phases 3 and 4 are anticipated to be completed by the end of July 2024.
- 2.9 In relation to Phase 1, the following has been achieved:
- Updated Service Plans have been completed, with much closer links made to the delivery of the Council's wider corporate objectives.
  - A comprehensive review of systems and process has been completed, following a series of review meetings. A process note handbook has been drafted with the main purpose of ensuring consistent processing and understanding between both Development Management and Administration teams (in order to improve timeliness and efficiency).
  - Exploration of in-house planning performance monitoring capabilities (in order to inform Phase 2 work).
  - Established requirements and opportunities to deploy IDOX Enterprise and Public Access (again, to inform Phase 2 work).
  - Initial feedback to Planning Agents, Parish Councils and Major Developers on the outcome of the review work.
  - Resulting from the adoption of the new Service Plans, the production of related Delivery Plans and monitoring arrangements to ensure effective outcomes.
- 2.10 With regard to the Phase 2 work that is currently underway, the following activities are the principal focus of activity:
- Designing a draft structure for the Development Management team (including enforcement).
  - Finalising decisions on the deployment of new IT solutions (IDOX Enterprise and Public Access).
  - Drafting Terms of Reference for Planning Agent, Parish Council and Major Developer engagement panels and setting up initial meetings with these three groups.
  - Production of real time performance dashboards.
  - A review of the Planning Performance Agreement process, including associated fee schedules.
  - Improved reporting arrangements.
  - Review of S.106 processes (including reporting arrangements).
- 2.11 As previously identified, there is an inter-relationship between the delivery of these various recommendations and those arising from the previous O&S report. Whilst, as set out, the former has partially delayed the timing of the latter, it has been important to ensure a collective and joined-up approach to the implementation of the various service improvement initiatives.

- 2.12 The position that has now been reached is considered to provide a much stronger platform for the delivery of more robust and resilient Development Management and Enforcement services.

## **2.0 OTHER OPTIONS CONSIDERED**

- 2.1 The wider review work has been undertaken by an external consultant, with extensive industry experience (including having managed a number of reviews of Councils' planning services on behalf of the LGA's Planning Advisory Service). All options and areas of best practice were considered in forming the various recommendations attached to that consultant's report.

## **3.0 RELEVANT RISKS**

- 3.1 The two biggest risks to the successful delivery of this improvement programme are the interrelated matters of finance and resources.
- 3.2 In respect of finances, the recent increase in national planning fees and other opportunities to generate addition income (for example, via the more effective use of Planning Performance Agreements), provide the ability to invest in the service and deliver the various improvements that have been identified. However, this income does not come with any formal ring-fencing requirements and there is therefore a risk that it could be utilised for other purposes. Thus, it is considered essential that the Council makes its own internal commitment to ensuring that these monies are directly invested in the service.
- 3.3 Notwithstanding the above, there is a well-documented acute shortage of planning and related professionals on the market. Consequently, there will be a need for flexible and creative solutions to ensure that the necessary skills, knowledge and overall capacity is available to ensure that the improvement agenda can be delivered and sustained. Of particular note is the need to ensure that the necessary capacity and capability is built into any new structure to ensure that the improvement agenda becomes an on-going focus of activity and that a more business-like approach to service delivery is embedded. This could be a shared function/role with Brentwood.

## **4.0 ENGAGEMENT/CONSULTATION**

- 4.1 The review work has involved engagement with a significant range of key stakeholders, including parish councils, planning agents, major developers, internal departments, and external infrastructure providers.

## **5.0 FINANCIAL IMPLICATIONS**

- 5.1 The costs associated with delivering the various recommendations are projected to be deliverable within existing budgets. However, as set out in section 3 of this report, this will only be achievable if various planning fee income streams are wholly reinvested in the service.

## **6.0 LEGAL/GOVERNANCE IMPLICATIONS**

- 6.1 There are no direct legal or governance implications associated with this update report.

## **7.0 EQUALITY & HEALTH IMPLICATIONS**

- 7.1 There are no direct equality or health implications associated with this update report.

## **8.0 ENVIRONMENT & CLIMATE IMPLICATIONS**

- 8.1 There are no direct environment or climate implications associated with this update report.

## **9.0 ECONOMIC IMPLICATIONS**

- 9.1 The ability of the Council to deliver a timely, customer-centric Development Management service is a key factor in supporting the needs of local businesses and attracting new economic activity. The improvement programme is designed having regard to these important requirements.

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## **APPENDICES**

Appendix 1 – List of service review recommendations

## **BACKGROUND PAPERS**

None

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**SUBJECT HISTORY (last 3 years)**

<b>Council Meeting</b>	<b>Date</b>
Overview and Scrutiny Committee	8 <sup>th</sup> November 2022

**Appendix 1: Service Review Recommendations (for reference)**

Context

A meeting was held with the Councils' CEO on 13<sup>th</sup> July 2023, to discuss and agree the recommendations set out in the Development Management Service Review report dated June 2023. Amongst other matters, it was recognised that full implementation will take circa 12 months and that prioritisation of the various actions would need to be agreed by the Planning Improvement Board.

The table below proposes a prioritisation programme that will be delivered in accordance with the following phases and timescales:

- Phase 1 – September to December 2023
- Phase 2 – January to March 2024
- Phase 3 – April, May 2024
- Phase 4 – June, July 2024

	<b>Recommendation</b>	<b>Phase</b>	<b>Rationale</b>
<b>R1</b>	The link between the key priorities set out in the councils' corporate strategies and service plans needs to be strengthened. Planning has a crucial role to play in the delivery of a number of those corporate priorities and needs to ensure that it is best placed to deliver. Staff at all levels should be fully engaged in this process, in order to best inform the outcomes and engender buy-in. This should be supported by a more robust approach to appraisals and individual training and development plans.	1	Understanding what the Service's key priorities are is essential to assessing and agreeing resource requirements
<b>R2</b>	Communication and reporting arrangements need to be strengthened in order to ensure a more effective two-way dialogue which supports the delivery of council priorities. This need relates primarily to the management of major development schemes which require wider corporate involvement and to more general approaches to service delivery.	2	This will in part be informed by the completion of R1
<b>R3</b>	There is a need to ensure that financial resources are more effectively utilised. Alongside the identification of key priorities, this should be the starting point for considering new team structures and joint working arrangements that will provide greater resilience and the	1	Need to be carried out in parallel with R1

	necessary range of skills and experience to deliver. In addition, the new service structures should build in the capacity to deliver the recommendations contained in this report (in the short term) and on-going enhancements to service design and delivery.		
<b>R4</b>	There is evidence to illustrate a lack of clarity over the roles and responsibilities of officers and members and the requirements of the councils' constitutions. A desk-top review should be undertaken of the relevant parts of each council's constitutions and related codes of conduct. Aligned to this, on-going training should be provided so that this current lack of clarity can be addressed.	4	The timing will be partly informed by wider reviews of the Council's constitution
<b>R5</b>	A comprehensive review of systems and processes should be carried out (including IT platforms), with a view to improving efficiencies, building capacity and making the services more resilient. Alongside R3, this will help to inform new team structures and the opportunities for effective joint working arrangements.	1	Again, linked to parallel work on R1 (and R3)
<b>R6</b>	There is a need for a communication strategy to promote the work of the services and the outcomes that are delivered. This should be linked to the service planning process and an improvement planning cycle that should continually drive the enhancement of service design and delivery.	4	This can follow when priorities have been agreed and new arrangements have been embedded
<b>R7</b>	An end-to end review of existing s106 procedures is required which should contain a focus on stakeholder engagement, monitoring arrangements and the delivery of outcomes.	2	Important work, which needs to follow the immediate Phase 1 actions
<b>R8</b>	A OneTeam culture needs to be clearly defined and embedded, in order to positively support the delivery of outcomes, the successful implementation of the recommendations contained in this report and a positive on-going approach to improving service delivery. This should	4	Need On-going, but needs to be embedded by Phase 4



	be linked to the councils' emerging work on values and behaviours.		
<b>R9</b>	A strategic approach to addressing current recruitment and retention challenges needs to be developed. This should include revisiting the use of apprenticeships, career grading, remuneration and robust training and development programmes (linked to personal development plans). It should also consider linking with bodies such as EELGA and ASELA in order to explore wider solutions to addressing these challenges.	3	Will require wider preparatory work, but should be targeted for implementation in Phase 3
<b>R10</b>	Building on the emerging work on values and behaviours, a Planning Customer Charter should be put into place, in liaison with key stakeholders, with a view to enhancing the customer experience and providing mechanisms for service users to help inform on-going improvements to service delivery.	3	The timing will be partly informed by wider corporate work on values and behaviours
<b>R11</b>	Linked to the management of finances and the delivery of high-quality outcomes, the approach to dealing with pre-application and planning performance agreements needs to be re-visited. Central to this is the need to ensure that charging schedules are appropriately set and delivery specifications are designed so as to attract the use of these services to ensure that they are deliverable.	2	Need to follow the phase 1 work on financial management
<b>R12</b>	The is a need to enhance engagement with planning agents and major developers. This needs to be centred on creating mechanisms which allow the co-design of on-going improvements to service delivery.	4	Linked to R6
<b>R13</b>	Effective communication channels should be established with Parish Councils, with a focus on developing closer working relationships and informing any on-going requirements for enhancing the way in which services are designed and delivered.	1	Parishes need to help inform a number of elements of the wider phase 1 work

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<b>R14</b>	Appropriate channels and mechanisms need to be put into place to ensure that the needs and expectations of members are captured and acted upon as appropriate. This should be coupled with the introduction of robust approaches to the provision of feedback on ward matters, complaints and performance.	1	Members need to help inform a number of elements of the wider phase 1 work
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