

RECORD OF DELEGATED OFFICER DECISION

Key Decision ✓

SUBJECT: ENHANCED DISCRETIONARY SERVICES FOR CUSTOMERS OF THE PLANNING SERVICE

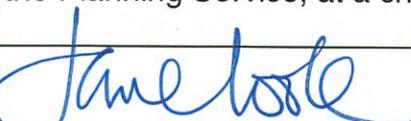
PURPOSE OF REPORT:

The purpose of the report is to consider opportunities to provide a range of enhanced services to customers of the Planning Service and to agree to the introduction of these 'paid for' services on a trial basis of 12 months.

In accordance with the Council's Scheme of Delegation, this report has been prepared to accompany the intended officer decision of the Director of Regeneration, Planning and Housing as described below

DELEGATED DECISION:

Approval is given for the introduction of new and improved services to be offered to customers of the Planning Service, at a charge, on a trial basis of 12 months


Chief Officer Signature

JANE COOK
Print Name

16.04.18
Date

The decision is taken in accordance with Section 15 of the Local Government Act, 2000 (Executive Functions) and in the terms set out in Section 5 of Part 3 of the Council's Constitution

CONSULTATION

[Handwritten Signature]

10/4/18

CONSULTEE CABINET MEMBER SIGNATURE

DATE

[Handwritten Signature]

10/4/18

CONSULTEE OFFICER SIGNATURE

DATE

CALL IN PROCEDURE RULES.

IS THE DECISION DEEMED URGENT AND NOT SUBJECT TO CALL-IN BY THE OVERVIEW AND SCRUTINY COMMITTEE:

NO

Reason for urgency:.....

If deemed urgent - signature of Mayor or Deputy Mayor or Head of Paid Service confirming agreement that the proposed decision is reasonable in all the circumstances for it being treated as a matter of urgency, in accordance with the overview and scrutiny procedure rule 17.2:

.....
(Mayor)

.....
(Dated)

NB - If this is a reconsidered decision then the decision Cannot be Called In and the decision will take effect from the date the decision is signed.

FOR CABINET OFFICE USE ONLY

PUBLICATION & IMPLEMENTATION DATES

PUBLICATION

Publication on the Councils Website:- 16th April 2018

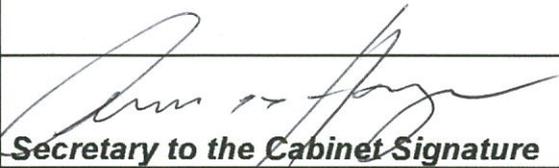
DATE

IMPLEMENTATION OF THE DECISION

Note: This decision will not come into force and may not be implemented until the expiry of 5 clear working days after its publication to enable it to be the subject to the Call-In Procedure in Rule 17.1 of the Overview and Scrutiny Procedure Rules.

Subject to Call In the implementation date will be 24th April 2018

DATE

 Secretary to the Cabinet Signature	CHRISTIAN S S HANAHAN Print Name	16.04.18 Date
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Further Information

Directorate:	Regeneration, Planning and Housing
Contact Name:	Simon Gale
Designation:	Service Director Planning
Tel.No.	01443 281114

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

KEY DELEGATED DECISION

**REPORT TO ACCOMPANY A DECISION OF THE (DIRECTOR OF
REGENERATION, PLANNING AND HOUSING)**

FEBRUARY 2018

**ENHANCED DISCRETIONARY SERVICES FOR CUSTOMERS OF THE
PLANNING SERVICE**

Author(s): Simon Gale – Service Director Planning

1. PURPOSE OF THE REPORT

- 1.1 The purpose of the report is to consider opportunities to provide a range of enhanced services to customers of the Planning Service and to agree to the introduction of these 'paid for' services on a trial basis of 12 months.

2. RECOMMENDATIONS

It is recommended that:

- 2.1 Approval is given for the introduction of new and improved services to be offered to customers of the Planning Service, at a charge, on a trial basis of 12 months

3. REASONS FOR RECOMMENDATIONS

- 3.1 This report sets out a series of potential opportunities to improve the range of services offered to customers of the Planning Service.
- 3.2 The Council's Planning team currently delivers a range of services to customers based around the pre, post and mainstream planning application process. Some of these services are statutory and attract a mandatory, nationally set fee, whilst some services are discretionary and are offered free of charge upon request.
- 3.3 Informal customer feedback and anecdotal evidence from officers suggests that there are some additional services that customers would be prepared to pay for when they engage in the planning process.

- 3.4 This report sets out the additional discretionary services that could be offered, which are;
- a) Pre-submission validation checks
 - b) Introducing an enhanced chargeable pre-application advice service
 - c) A fast track upgrade option for householder applications
 - d) Formalising and actively promoting the use of Planning Performance Agreements (PPAs)
 - e) Offering a development completion service
- 3.5 The details of these proposed new services are set out in Chapter 4 of this report below.

4. PROPOSED SERVICES

a) Pre-Submission Validation checks

- 4.1 Many applications for householder or minor development are made directly by the applicant who may not benefit from the expertise of an agent or architect, and may not incorporate professionally drawn plans.
- 4.2 Whilst such submissions are generally acceptable, it is common for applications of this kind not to meet statutory validation requirements. Regularly occurring issues include plans being absent, drawn to the wrong scale or missing sufficient detail, incomplete or unsigned application forms, or incorrect fee payments.
- 4.3 Pre-submission validation checks could be offered for householder and minor applications for a small charge of £20 enabling schemes to be ready on submission, and to prevent the frustration and wasted time on the part of both the applicant and authority caused by the generation of subsequent and repeated correspondence.
- 4.4 The impact on staff resources in offering this service can be managed, as it would front load work that would otherwise have been done later in the process. Other than the introduction of a simple form to apply for the service no further resources would be required in the first instance.

b) Introducing An Enhanced Chargeable Pre-Application Advice Service

- 4.5 Whilst there has been a steady increase in customers accessing the pre-application advice service that the Planning Service is statutorily required to offer, it is evident from engaging with a number of other planning authorities that have already taken the opportunity to establish a wider choice of pre-application advice options over and above the statutory national service, that the income they received from their pre-

application advice service is relatively healthy. This appears to demonstrate that there is a customer appetite for pre-application services over and above the prescriptive statutory scheme.

- 4.6 Therefore, it is considered that our customer offer could be improved by enhancing the range of pre-application service options we offer over and above the statutory national scheme. In addition to the potential to generate additional fee income, an enhanced pre-application scheme would also improve the level of service and options available to residents and developers. The national statutory service is quite rigid, so the enhanced service could offer bespoke meetings with relevant officers in addition to any written response and the option for further meetings and feedback for a charge. Planning officers regularly receive requests for a pre-application site meeting and fees for this can be included in the service which should be seen as complimentary to the national statutory service and tailored towards individual circumstances.
- 4.7 An example of the limitations of the national statutory scheme is how it approaches proposals for single new dwelling. The national fee for pre-application advice for a single dwelling is £250. Officers have reported conversations with potential applicants and agents, who have noted that this is not so different from the £380 fee to submit a full application, and that they "*might as well take their chances*" with the latter.
- 4.8 In this case the opportunity to provide a useful service and raise income has been lost. Furthermore, the likelihood of incomplete applications, delayed decisions, mid-consultation revisions, fewer conditions and objections or confrontation, is increased. In this instance, it is proposed to offer a pre-application service for single dwellings charged at £100 with a further £40 charge for subsequent meetings although customers will still have the ability to choose the statutory scheme.
- 4.9 In summary, the outcome of an application cannot be guaranteed, but is more likely to succeed if it is well-prepared and thought through. Frontloading in this way is not likely to have any additional resource implications as it involves working in a smarter way which will ultimately streamline the planning application process. It is therefore recommended that the Council provides an enhanced pre-application service as an addition to that offered by the statutory scheme, on the basis of the fee structure outlined in Appendix 1

c) A 'Fast Track' Upgrade Option for Householder Applications

- 4.10 There are a number of reasons why householder applicants might require a quicker decision. For example, it could be that the applicant has a builder on stand-by or engaged to start construction within a

limited timescale and therefore wants the work to be ready for a given date.

- 4.11 For customers who seek a speedy decision on their planning application it is proposed to offer, for a charge, an enhanced fast track service for householder planning applications and lawful development certificates (LDCs).
- 4.12 Householder applications lend themselves to fast tracking since the development tends to be of a simpler nature and rarely requires the involvement of statutory consultees. Similarly no consultation is undertaken for LDCs as the outcome is a technically-determined one.
- 4.13 In addition, validation is straightforward so that the administration of the proposal can be accelerated. Evidence shows that once the statutory 21-day consultation has been carried out with any neighbouring properties, the majority of householder applications can be determined within a four week period and well over 90% of such applications are determined within the statutory 8 week period.
- 4.14 It is therefore proposed to offer applicants the opportunity to fast track householder applications where they would be determined within 28 days of the receipt of a valid application, and for LDCs to be determined within 14 days of the receipt of a valid application. It is suggested that the fee should be £85, which would be payable at the same time as that for the application in question. In the event of not being able to meet the target, the fast track element of the fee would be refunded but it is anticipated that such occurrences will be rare.
- 4.15 It is not anticipated that additional resources will be required to deliver this service (other than the introduction of a simple form) as it will involve work that will already be in the system but given a priority status. Consideration will need to be given to impacts on performance for 'non-fast track' householder applications. However, it is anticipated that the enhanced performance management tools and workflow packages that will be available through the upgrade to the Service's back office system (which is currently being installed) will enable any knock on effects to be minimised through more smarter and efficient ways of working.

d) Formalising And Actively Promoting The Use Of Planning Performance Agreements (PPAs)

- 4.16 Planning Performance Agreements (PPA) offer an enhanced chargeable service to developers to prioritise and project manage a scheme through the planning process. Typically used in association with larger or more complex schemes, they can improve the quality of applications and give greater confidence and certainty in the planning process.

4.17 A PPA is usually established by a short legal agreement/contract, which would detail a negotiated fee (over and above any statutory fee) and outline its scope and the responsibilities of each party. The PPA can be set up at any stage of the planning process and might include the pre-application stage, main determination period, discharge of conditions and Section 106 negotiations.

4.18 The key benefits of a PPA include:

- A designated planning officer to co-ordinate the responses between departments and consultees
- Joint agreement of a timetable and identifying key stages
- Greater certainty and clarity of the determination process
- Earlier identification of problems or unforeseen issues
- Potential to frontload an application to reduce the number of conditions
- Minimising the risks and costs associated with appeals
- Opportunity to raise significant fees
- Enable a proposal to be determined in a more efficient manner

4.19 It difficult to forecast a steady income stream given that the type of applications that would benefit from a PPA are not those likely be submitted on a regular, recurring timescale. However, as an example of the type of income that could be received, the Council has previously entered into a PPA with a wind farm developer which set out an agreement over three stages, namely the completion of the S.106 agreement, the issue of the planning permission and the discharge of the pre-commencement conditions. At the completion of each stage the developer paid £5,000, raising a total sum of £15,000.

4.20 In each future case it is suggested that the PPA fee would be negotiated with the developer and be bespoke to the nature of the proposal and the work involved.

4.21 Whilst it is acknowledged that the Planning Service can already enter into PPAs and thus the principle does not need to be agreed or introduced as such, the means by which they can be promoted, to become a regularly used tool, needs to be included in the marketing of the suite of services considered in this report.

e) Offering A Development Completion Service ‘A Clean Bill of Health’

4.22 The Planning Service receives frequent enquiries from applicants, agents and people buying and selling property as to whether previous planning developments, such as house extensions, have been carried out in accordance with the approved plans, and into the status of any pre-commencement or ongoing conditions and subsequent amendments.



- 4.23 Fulfilling such requests can take a considerable amount of time and research, particularly when the consent was subject to a variety of conditions and where the relevant information has been stored in archives.
- 4.24 It is proposed to offer a charged for service whereby applicants, agents or any interested party can apply for a 'letter of comfort' from the LPA which would state whether or not the planning permission had been carried out in accordance with the approved plans, and would also confirm the status of any conditions or approved amendments, if applicable.
- 4.25 The service could include desk based research and investigation (£50 fee) and for an additional £50 a site inspection as well. Where any issues of non-compliance are found, this would be brought to the applicant's attention and there would be an opportunity for any breaches of consent or un-discharged conditions to be resolved through a further planning application.
- 4.26 In terms of resources, work of this type is already undertaken in the Service on an informal business. It is possible that through promotion and marketing the number of requests could increase and therefore the impact on overall service delivery and capacity needs to be carefully monitored during the 12 month trial period.

5. EQUALITY AND DIVERSITY IMPLICATIONS

- 5.1 An Equalities Impact Assessment scoping exercise has been undertaken that indicates that there would be no such implications.

6. CONSULTATION

- 6.1 It is not considered that any consultation is required prior to implementing these additional services, however, any feedback received from customers during the trial period will be taken into account in deciding whether to continue the services or amend them at the end of the trial period.

7. FINANCIAL IMPLICATION(S)

- 7.1 It is difficult to forecast with any accuracy the likely take up of the proposed paid for services and therefore it is recommended that these services are introduced on a trial basis of 12 months in order to monitor and review the level of income generated, gain customer feedback and

analyse the impact on resources and officer capacity. The report has been prepared in consultation with the Director of Financial Services.

8. LEGAL IMPLICATIONS OR LEGISLATION CONSIDERED

- 8.1 The proposed services sit within the powers granted to Local Authorities to charge fees for services under the Local Government Act.

9. LINKS TO THE CORPORATE AND NATIONAL PRIORITIES AND THE WELL-BEING OF FUTURE GENERATIONS ACT.

- 9.1 Efficient and effective planning services will contribute to the achieving of the corporate priorities of 'Economy – *Building a strong economy*' and 'Place – *Creating neighbourhoods where people are proud to live and work*'
- 9.2 Sustainability and well-being goals are embedded in the planning system in Wales and form an intrinsic part of the decision making process. Any additional front loading of the planning process will give enhanced opportunities to ensure that these goals are maximised in the delivery of the developments that are proposed.

10. CONCLUSION

- 10.1 There is nowadays an expectation that many customer-facing businesses will provide enhanced packages and services to their users, however small or large. This can range from the Post Office offering to check a passport application for £20, to specifying upgraded appliances in a new kitchen.
- 10.2 Many of the calls received by staff in the Planning Team indicate that there is a demand for the types of discretionary 'upgrades' considered within the report above and in the light of what other Welsh planning authorities are providing by way of enhanced chargeable options, these services will provide opportunities to provide enhanced services to our customers, over and above what they would already receive should they wish to pay for the options.
- 10.3 It is proposed that the additional services are initially introduced on a 12 months basis in order to monitor and review the level of income generated, gain customer feedback and analyse the impact on resources and officer capacity.

Other Information:-

***Relevant Scrutiny Committee - Public Service Delivery, Communities
& Prosperity***

Contact Officer: Simon Gale (Service Director Planning) 01443 281114

Appendix 1

Proposed enhanced pre-application advice service charges		
Type of application	Fee	Additional officer meeting
Householder	£50	£25
Single dwelling	£100	£40
Minor development	£300	£150
Major development	£700	£350
Large major development	£1200	£600

National Statutory pre-application advice service charges	
Type of application	Fee
Householder	£25
Minor development	£250
Major development	£600
Large major development	£1000

