

SUPPLEMENT TO THE AGENDA FOR

General Overview & Scrutiny Committee

Tuesday 26 July 2016

10.00 am

**Council Chamber, The Shire Hall, St Peter's Square, Hereford,
HR1 2HX**

	Pages
5. SUGGESTIONS FROM THE PUBLIC	3 - 4
To consider suggestions from the public on issues the committee could scrutinise in the future.	
9. DRAFT WORK PROGRAMME AND TASK AND FINISH GROUPS	5 - 16
The update to the executive response to the Task and Finish Group report on Development Management (Planning) (as referred to at page 93 of the agenda papers) is attached.	

GOSC – 26 JULY 2016

Suggestions from the Public

Mr M Willmont, Hereford

For me one topic that the Committee could investigate is the contract with BBLP in respect of highway maintenance. I both drive and cycle and in my opinion the contract for maintenance surely cannot be working. Many of the roads in the city are in very poor condition – e.g. the A4103 between Aylestone Hill roundabout and Lugg Bridge and the A438 between Kings Acre Halt and Stretton Sugwas.

Poor surfacing and poor repairs are evident on the majority of roads. It would be interesting to know how many claims for vehicle damage have been referred to the Council's insurers and whether the accident investigation works show poor road condition as a contributory factor.

As a cyclist it is more dangerous than ever to be out as to avoid the worst potholes/poor surfacing often puts you in direct conflict with vehicles

Mr R Meddings

I would like to see the roadways repaired more quickly also kept much cleaner than at present of roadside rubbish.

Comment

(It is suggested that both these requests could be addressed by the proposal to consider the highways maintenance plan as referred to at paragraph 13 of agenda item 8 on the agenda: Draft work programme and task and finish groups.)

Summary of Recommendations and Executive Responses [Task and Finish Group: Development Management (Planning)]

Recommendation No. 1	Since the commencement of this study Herefordshire Council has achieved 'Smarter Planning Status' and are to be commended on this, however every effort should be made to explore and introduce, where beneficial, 'Best Practice' provided and operated by neighbouring authorities and to explore the implementation of a planning specific I.T administration system.			
Executive Response	PARTIALLY ACCEPTED – Planning services will continue to benchmark and to seek to implement best practice. Whilst the costs of moving to a new IT platform for development management are such that this element of the recommendation is rejected, improvements which could be made to the current system will be explored.			
Action	Owner	By When	Target/Success Criteria	Progress
Planning services will continue to benchmark.	Marc Willimont	Immediate	Benchmarking and achievement of best practice through the attendance of Worcestershire DC Managers' Forum and liaison with Shropshire Council.	Worcestershire DC Managers' Forum attended 3 monthly. Shropshire links have been re-established and DM intend benchmarking in 16/17 with other Unitary Councils in our benchmarking group.

Recommendation No. 2	Downloadable and/or online editable applications to be developed for all planning related application forms to encourage electronic applications.			
Executive Response	PARTIALLY ACCEPTED – Although the planning portal already does this, planning services will look to improve the way in which we use this. Duplication of a parallel system would not be as efficient, be costly and confusing to the public and planning agents. Time and effort is best spent making the current nationally agreed system work better for Herefordshire.			
Action	Owner	By When	Target/Success Criteria	Progress
Planning services will look to improve the way in which we use the planning portal.	Marc Willimont	Ongoing	All improvements and upgrades to the planning portal are adopted in a timely manner.	Planning's Business Support Manager and Hoople ICT have regularly met to implement improvements to the current system and procedures.

Recommendation No. 3	That provision of a facility for subscription service to a given planning application giving updates is developed – this would enhance the service and reduce phone calls and planning officer time.			
Executive Response	PARTIALLY ACCEPTED – Everything needed is currently available on the website although improvements can be made to the web pages to give better advice on the stages of a given application and registration/validation times.			

5

Action	Owner	By When	Target/Success Criteria	Progress
Improvements will be made to the web pages to give better advice on the stages of a given application and the anticipated registration/validation times.	Marc Willimont	Ongoing	Web details to be kept up to date, including current validation/registration times.	Registration/Validation and Scanning times are now updated on the Planning Page of the Councils Website on a regular basis

Recommendation No. 4	All planning officers to be issued with tablet devices to enable updates to main files in real time. This will contribute to a smarter and more efficient way of working.
Executive Response	ACCEPTED – Officers are eager to grasp new technology. Such a system will need to be integrated into the Civica so that they can be used in the field.

Action	Owner	By When	Target/Success Criteria	Progress
Planning officers will move towards the use of mobile tablet devices and their integration with Civica in the mobile environment.	Marc Willimont with Duncan Trumper	2016/17	Officers given tablet devices. Civica package 'switched on' for applications in the field.	Planning's Business Support Manager and Hoople ICT have regularly met to implement improvements to the current system and procedures. It is envisaged that a Civica mobile application system can be implemented in 2016/17. We anticipate trialling a system later this year in connection with our move to Plough Lane

Recommendation No. 5	Alternative means of managing the planning committee work schedule be explored to ensure that efficient and consistent planning decision are made.
Executive Response	PARTIALLY ACCEPTED – Member training has already been given to committee members and more is planned. Committee reports are carefully balanced and advice from the officers is always available in committee.

Action	Owner	By When	Target/Success Criteria	Progress
Additional member training will be programmed. Committee reports will	Marc Willimont	Immediate	Committee reports continue to remain balanced and member	Training delivered in May/June 2015 to all members on general planning

remain carefully balanced and advice from the officers is will be available in committee at all times.			training delivered in those areas needed to inform members.	and to committee members on both the committee and how this ties in with the constitution. Circa 170 Parish Councillors trained in September 2015. More training will be delivered on new areas as a rolling programme. Training Seminars have been held relating to 5yr Housing supply and Housing delivery (25/7/16).
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Recommendation No. 6	The group noted that improvements have been made to Blue School House; however, further improvements in terms of décor etc. would contribute to an improved working environment. External improvements including external repairs and more prominent signage regarding corporate identity are also recommended.
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Executive Response	ACCEPTED – This is welcomed; and will be scheduled as maintenance budgets/priorities allow.
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Action	Owner	By When	Target/Success Criteria	Progress
Exterior painting to frontage of Blueschool House offices and new signage to be installed.	Tony Featherstone / Bryan Williams	Ongoing	Exterior painting to frontage and new signage.	The Planning Team are likely to be moving to Plough Lane later in the year and therefore BSH will need to be vacated to allow refurbishment.

Recommendation No. 7	The group is highly supportive of the Hoople I.T report of November 2014 and the group recommends that all findings in the report are progressed and implemented.
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Executive Response	ACCEPTED – the Hoople report will be used as a list of actions to deliver.
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Action	Owner	By When	Target/Success Criteria	Progress
The Hoople report will be used as a list of actions to deliver.	Marc Willimont	2016/17	All measures in Hoople report are adopted / enacted.	ACTIONED

Recommendation No. 8	A proactive approach should be taken in terms of variations in the economy and appropriate staffing levels.			
Executive Response	ACCEPTED – This is already the practice. It is acknowledged that there is a lag between changes in demand/income and staffing levels and management monitoring is in place to reduce this lag in future.			
Action	Owner	By When	Target/Success Criteria	Progress
Staff resource to be continually reviewed to match demand.	Marc Willimont	Ongoing	Staff resource matches demand. To be measured by performance figures on determination times and time taken to validate/register applications.	Ongoing review. Staffing level is currently deemed to be sufficient, although it is reviewed monthly at the time of performance reporting.

Recommendation No. 9	All short term employment contracts to be reviewed and consideration given to them being made permanent.			
Executive Response	PARTIALLY ACCEPTED – Contracts are routinely review in line with corporate HR policies. In order to respond more rapidly to future changes in demand it may be advisable to retain some flexibility through renewable contracts.			
Action	Owner	By When	Target/Success Criteria	Progress
Contracts to be reviewed.	Marc Willimont	Ongoing	Staff resource matches demand. To be measured by performance figures on determination times and time taken to validate/register applications. If workload drops consideration to be given to non-renewal of fixed term contracts. If workload remains high, they will be extended. If workload increases, consideration will be given to	Ongoing review. Staffing level is currently deemed to be sufficient, although it is reviewed monthly at the time of performance reporting. Four fixed term contracts made permanent in the past 6 months.

			new fixed term contracts.	
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Recommendation No. 10	Management to review skill sets and capabilities of all officers to ensure the provision of an efficient service. All planning and planning enforcement officers should attend relevant and appropriate training courses, to maintain and continue their professional competence and development.			
Executive Response	ACCEPTED – This is already in place through the council's corporate staff appraisal and performance review process.			
Action	Owner	By When	Target/Success Criteria	Progress
All planning enforcement staff to be effectively trained.	Simon Withers & Mark Tansley	Ongoing	All planning enforcement staff to be adequately trained.	In place

6

Recommendation No. 11	That employees' well-being in terms of stress management should be monitored as part of the annual appraisal process.			
Executive Response	ACCEPTED – This is already in place through a combination of sickness absence management appraisal and performance processes and staff opinion surveys.			
Action	Owner	By When	Target/Success Criteria	Progress
Employees to be monitored as part of the annual appraisal process and health & wellbeing day(s).	Marc Willimont	Already taken place for 2015, to be repeated annually.	Annual and interim appraisals to be undertaken each year. Health & wellbeing days to be repeated annually for planning staff.	<p>In place.</p> <p>Weekly performance meetings monitor ratio of officers to caseload and sick leave trends / reasons for absence.</p> <p>Two health & wellbeing days were held at Blueschool House in Feb and May 2016, where staff were able to discuss lifestyles & work/life balance and have health checks.</p> <p>Managers have been briefed on managing stress at work for both</p>

				themselves and their teams.
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Recommendation No. 12	A planning enforcement policy/protocol be developed and implemented with 3 levels of priority for an assessment of any enforcement requirement and necessary action <ul style="list-style-type: none"> • high, same day • medium, up to five working days • low, up to 15 working days 			
Executive Response	PARTIALLY ACCEPTED – A policy is already in place but will be reviewed and appropriate targets set which comply with national guidelines and policies.			
Action	Owner	By When	Target/Success Criteria	Progress
Revised policy to be drafted and adopted, incorporating three levels of priority for enforcement.	Marc Willimont	End of 2015.	Current policy is revised, adopted and published.	Draft version completed and being internally consulted upon.

Recommendation No. 13	That adequate resource should be available within the planning enforcement team in order to ensure that the team has the capacity to proactively enforce planning decisions and to publicise the message that the council will robustly enforce its planning decisions.			
Executive Response	PARTIALLY ACCEPTED – There are now 5 planning enforcement officers, making up 4 FTE. Proactive enforcement would require a much greater resource, potentially three fold at considerable and significant expenditure above the current establishment costs.			
Action	Owner	By When	Target/Success Criteria	Progress
Adequate resource will be made available within the planning enforcement team.	Marc Willimont	Ongoing	Enforcement in accordance with the revised policy	Until recently a full team had been employed however one officer has resigned and a further recruitment process has commenced.

Recommendation No. 14	That the member development plan should incorporate training to ensure members understand the council's scope for action on enforcement and to equip councillors with the information they require to advise constituents without having to refer to officers.			
Executive Response	ACCEPTED – Some training has already been delivered for new and existing members. Specific training on planning enforcement can be programmed in and delivered.			
Action	Owner	By When	Target/Success Criteria	Progress
Specific training on planning enforcement will be programmed and delivered.	Marc Willimont	2015/16	Planning enforcement training is delivered to members.	Some planning enforcement training has been delivered already in May and June 2015. Additional training will be delivered and briefings made available to all members via the councillors' handbook link.

Recommendation No. 15	A comprehensive planning enforcement summary report to be provided to all members on an annual basis to include a breakdown of Planning Enforcement costs.			
Executive Response	ACCEPTED – This can be achieved through inclusion of performance in the first planning committee report at the beginning of the financial year.			
Action	Owner	By When	Target/Success Criteria	Progress
Annual planning enforcement performance will be reported back to the first planning committee at the beginning of the financial year.	Marc Willimont with Kevin Bishop	April/May 2016 and annually thereafter.	The first planning committee in April/May (once data is available) will summarise planning performance for the proceeding year.	Data is already captured and reported on monthly. This has been used to draft an end of year report.

Recommendation No. 16	Planning enforcement officers to ensure that ward members receive notification and progress activity reports on all enforcement investigations or actions in their respective wards.			
Executive Response	ACCEPTED – This is already the practice.			
Action	Owner	By When	Target/Success Criteria	Progress

Planning enforcement officers to keep local members informed on all enforcement investigations in their respective wards.	Simon Withers and Mark Tansley	Ongoing	All members are updated on planning enforcement cases in their wards.	In place. Reminder sent to all planning staff in November 2015.
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Recommendation No. 17	Inclusion within the corporate calendar for regular in depth training and briefing session for planning committee members relating to planning and enforcement. In addition, planning and enforcement training should be available to all members at the appropriate level.			
Executive Response	ACCEPTED – Some training has already been delivered for new and existing members. Specific training on planning enforcement will be programmed in and delivered.			
Action	Owner	By When	Target/Success Criteria	Progress
Specific training on planning enforcement will be programmed and delivered.	Marc Willimont and Ruth Goldwater	Ongoing	Planning enforcement training is delivered to members.	Training was delivered in May and June 2015. Further training seminars will be delivered when the Enforcement Policy has been adopted.

Recommendation No. 18	That there should be a presumption to enforce (in accordance with the principles of fairness, proportionality and the public Interest test) for all breaches of council policy and that any enforcement action should be taken in a timely way, in accordance with the Council's Joint Protocol on Enforcement and all relevant government guidance.			
Executive Response	PARTIALLY ACCEPTED – This would be contrary to government policy as well as the Council's own overarching enforcement policy. However, resourcing of planning enforcement will be continually reviewed to ensure that enforcement matches the service level set in policy.			
Action	Owner	By When	Target/Success Criteria	Progress
Resourcing for planning enforcement will be continually reviewed to ensure that delivery matches levels set in policy.	Marc Willimont	Ongoing	Planning enforcement staffing will be continually reviewed to ensure that enforcement matches the service level set in policy.	Enforcement policy followed. 5 staff making up 4 FTE currently appointed to post, although tThis has recently been reduced by 1 staff member resigning. This post to be

				backfilled following recruitment.
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Recommendation No. 19	Training should be offered to town and parish council members on planning and planning enforcement at the appropriate level.			
Executive Response	ACCEPTED – Parish council training has already programmed in for September.			
Action	Owner	By When	Target/Success Criteria	Progress
Parish council training programmed in for September.	Marc Willimont and Anthony Bush	2 September 2015	PC training delivered.	Shire Hall training delivered on 2 September 2015 to circa 170 councillors/clerks.

Recommendation No. 20	That representatives from all of enforcement teams across the authority meet regularly to share knowledge and good practice between the teams and learn from their collective experience and that enforcement staff are supported with training and development opportunities to enable them to build strong cases.			
Executive Response	ACCEPTED – By co-locating environmental health, trading standards, licensing and building control staff in the same offices as planning, this has been achieved. Shared management ensures joint working and sharing of knowledge and skills.			
Action	Owner	By When	Target/Success Criteria	Progress
Enforcement officers across EHTS and planning will meet regularly to share knowledge and good practice. Enforcement staff to be supported with training.	Marc Willimont and Mike Pigrem	Ongoing	Joint working, knowledge sharing, training and liaison with other council enforcement officers and the planning enforcement staff.	In place and promoted through joint management and shared enforcement training packages across all the planning, environmental health, trading standards and licensing teams which are co-located at Blueschool House.

Recommendation No. 21	To improve the public facing experience a dedicated phone number and email address is made available for the Planning Desk at Franklin House.			
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Executive Response	ACCEPTED – Franklin House already has a dedicated telephone number for planning calls and planning services already have a dedicated email mailbox for enquiries.			
Action	Owner	By When	Target/Success Criteria	Progress
Dedicated phone number will continue to be made available for the Planning Desk at Franklin House and planning series will continue to respond to all enquiries made to their enquiry mailbox.	Marc Willimont & Natalia Silver	Immediate	Public can phone into a dedicated 'planning' hotline to receive advice/enable contact and public can email a generic enquiry mailbox for direct responses.	<p>Franklin House currently uses the number 01432 260386 for public calls, which is answered by a customer service officer trained in planning.</p> <p>If unable to answer the call from the script, the call is then referred to the Planning Service's duty officer which was commenced in September 2015. This number is 01432 383879 and is also available to all members.</p> <p>The planning service operate a generic enquiry mailbox answered daily, which is planning_enquiries@herefordshire.gov.uk</p>

Recommendation No. 22	Adequate resources are made available to ensure that pre-planning applications receive the service they are paying for in a timely manner.			
Executive Response	PARTIALLY ACCEPTED – Officers prioritise planning applications as this is a statutory requirement and therefore a priority. Staffing has been increased to enable pre-application advice to be processed efficiently with performance management being reported on monthly against each case officer. However, the varying nature of the workload will inevitably mean that resources may not always enable officers to meet pre-application targets at times of full load.			
Action	Owner	By When	Target/Success Criteria	Progress
Adequate resources to be made available to ensure that pre-planning applications are effectively responded to and determined in time.	Marc Willimont	Immediate	Pre-applications are responded to within the time stated for that category of application.	In place and monitored monthly at the planning performance meeting.

Recommendation No. 23	The impact of staffing levels for specialist officers should be continually assessed against the planning activity in the county.			
Executive Response	ACCEPTED – This has been demonstrated by increasing the staffing levels of both the building conservation and planning enforcement officers. This will continue to be reviewed against workload.			
Action	Owner	By When	Target/Success Criteria	Progress
Staffing levels for specialist officers to be continually reviewed.	Marc Willimont	Ongoing	Specialist officers respond to planning consultations in the time requested and service requests from the public within the council's target response times.	In place and monitored monthly. Historic Buildings Officer recruitment is still an ongoing process. Additional resources have been provided and a new Principal HBO post has been created together with a trainee position. This will provide 3 full time posts compared to 1 in 13/14. 4FTE in enforcement now compared to 3FTE in 13/14. Resilience for the Minerals & waste function has been obtained through a secondment opportunity.

Recommendation No. 24	A planning duty officer system similar to the Public Protection (EHTS) function be considered for planning / planning enforcement.			
Executive Response	ACCEPTED – Planning officers will be utilised for this role on a rota.			
Action	Owner	By When	Target/Success Criteria	Progress
Public enquiries unable to be actioned by the customer services officer will be directed to a duty planning officer at Blueschool House, working on a rota basis.	Simon Withers and Mark Tansley	September 2015	Public enquiries unable to be actioned by the customer services officer will be directed to a duty planning officer.	Planning duty rota commenced at the beginning of September 2015 (09:00 to 17:00) and interfaces with Franklin House's Customer Service Officers.

				Number is 01432 383879.
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Recommendation No. 25	That ward members be notified in all matters of planning applications adjacent to ward boundaries.			
Executive Response	PARTIALLY ACCEPTED – Planning officers will notify members of all <i>major or significant</i> applications in adjacent wards, but not every application made, as this would not be the most efficient use of both officer and member time / resource.			
Action	Owner	By When	Target/Success Criteria	Progress
Planning officers will notify members of all major / significant applications in adjacent wards that might impact upon them.	Kevin Bishop, Simon Withers and Mark Tansley	Immediate	Members always made aware of significant / major applications in adjacent wards that may impact upon their own.	In place

16

Recommendation No. 26	All officers in the consultation process should be required to provide a verifiable response so that an effective decision audit trail can be followed.			
Executive Response	PARTIALLY ACCEPTED – Internal council officers will do this, although the planning services cannot insist on comments being made and received from external agencies. Internal consultees not making a comment will in future be recorded as making “no response” rather than being recorded as “no objection received”.			
Action	Owner	By When	Target/Success Criteria	Progress
Planning consultations ‘no responses’ will be referred to as “no response” rather than “no objections”.	Kevin Bishop, Simon Withers and Mark Tansley	Immediate	Planning consultations referred to in cases of “no response” will be referred to as “no response” rather than “no objections”.	In place