



Portfolio Holder Report

The Portfolio Holder will make a decision on this item after seven days have elapsed (including the date of publication).

Report of:	Portfolio Holder	Date of publication
Garry Payne Chief Executive	Cllr Alan Vincent Resources Portfolio Holder	6 June 2016

Provision of specialist planning support to the Development Management Team
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1. Purpose of report

- 1.1 To seek retrospective approval for the engagement of Urban Vision to assist in the consideration and processing of planning applications, as the Council's preferred consultants.
- 1.2 To seek approval for the continued engagement of Urban Vision to assist in the preparation of the Wyre Local Plan providing strategic planning support.

2. Outcomes

- 2.1 Compliance with the Council's Financial Regulations and Financial Procedure Rules ensuring cost effective procurement.

3. Recommendation

- 3.1 That the retrospective approval is given for the engagement of Urban Vision under the exemption to Contract Procedures contained within the Financial Regulations and Financial Procedure Rules on the grounds that exceptions may apply where "goods, works or services are of a specialised nature carried out by only one or a limited number of firms with no reasonably satisfactory alternatives available".

4. Background

- 4.1 With regard to Development Management, the Government sets performance targets relating to the determination of planning applications. For most applications the target is 8 weeks, and for all types of major applications (except where an Environmental Impact Assessment is required), it is 13 weeks. Unless a local planning authority agrees an extension of this period with the applicant, the applicant may appeal against the non – determination of the application after the expiry

of this period. This takes the decision out of the hands of the Council and it then becomes a matter for the Planning Inspectorate to determine on behalf of the Secretary of State. Councils that are unable to maintain a performance of at least 40% of major applications determined within the 13 weeks face being designated by the Secretary of State on the basis of poor performance. If designated in this way, an applicant would have the right to ask the Secretary of State (The Planning Inspectorate) to determine their application rather than the local planning authority. In such cases the local planning authority would still be required to carry out the requisite consultations etc. at its own cost, but would not receive a fee.

- 4.2** It was thus considered important that we are able to maintain and improve our performance in relation to the determination of applications within the requisite timescales, but this is made difficult in times when normal staff resources are reduced. Such circumstances have come about as a result of the Development Manager recently going on maternity leave. It was considered that the most appropriate way to provide the necessary cover during this time was to temporarily appoint one of the Senior Planning Officers as the Development Manager and recruit a qualified Planning Officer at Senior level (Grade 10) for one year. An Officer Delegation Report was drafted setting out these proposals and this was approved. Unfortunately, despite extending the deadline for the submission of applications, no applications for the temporary post were received. A further attempt was made to recruit agency staff but only a few agency staff were put forward for consideration and none of those that were available were considered to be suitable. This has left specialist Planning consultants as being the only avenue left to provide the necessary resource.
- 4.3** Urban Vision has experience in supporting Local Authorities in the processing and consideration of planning applications by providing 'agency' cover. The Urban Vision employees remain employed by Urban Vision but work as an officer of the Council rather than as a consultant. They are therefore different from other commercial planning consultancies in that almost all their work is for Local Authorities.
- 4.4** With regard to the Local Plan, the Government continues to stress the importance of having an adopted plan in place and is considering a number of measures which may have adverse financial implications for local planning authorities that do not have a plan submitted by early 2017. Urban Vision are currently engaged as consultants to assist with the preparation of the Local Plan but the current arrangement ends at the end of May. It is considered necessary to continue with the engagement of consultants and to retain the current working relationship with Urban Vision for this purpose to ensure continuity and consistency. The preparation of the Local Plan is a lengthy and complex process involving a number of interrelated work streams. This requires officers involved in the process to work flexibly as a team to ensure that evidence in different work areas align. This is important in finding the Local Plan sound at examination. Strategic planning policy making is a specialist area of work within Planning and involves a number of distinct specialist areas. Urban

Vision were have been working on a number of work areas including Infrastructure Planning, Highways evidence, SFRA II, housing requirement and Duty to Cooperate.

5. Key issues and proposals

- 5.1** For Development Management, the need is essentially for 'agency' cover comprising a qualified planner with experience at senior level in Development Management. This is different to commissioning a planning consultant to undertake a specific piece of work. Whilst for most of the time the appointed person works remotely, they need to be acting as additional planning officers and are treated as temporary members of staff (i.e. they have staff badges and are included as members of staff on the council's IT system). They also need to be available for internal and external meetings as required and liaise directly with applicants and agents. This way of operating is crucial to this area of work and is not available from other consultants. A further reason to support the case for using Urban Vision is that they have previously been authorised to provide similar support to the Development Management team as an exemption to Contract Procedures contained within the Financial Regulations and Financial Procedure Rules during 2014/15 to assist the Development Management team deal with an exceptionally high workload arising partly from the departure, at the same time, of two planning officers from the development Management Team.
- 5.2** For Development Management in this case, only a single officer from Urban Vision has been contracted, the cost of which, for a full time contract (5 days a week at 7.5 hrs per day) over 10 months is £55,755. Travel costs at around £40 per day for 3 days working in the office each week would be on top of this. This compares to £41,800 for 12 months for an officer at Grade 10 as has been previously approved. Whilst using Urban Vision increases the costs, the difference can be met using funding already approved for Urban Vision support but not spent.
- 5.3** For the Local Plan, the need is for the continued support on specialist work areas in the preparation of evidence to support the new Local Plan through to submission. The cost of retaining the officer from Urban Vision would be £49,000 up to the end of March 2017 for hours worked equating to approximately 30hrs per week.

6. Delegated functions

- 6.1** The matters referred to in this report are considered under the following Executive Function delegated to the Resources Portfolio Holder (as set out in Part 3 of the Council's Constitution): "To consider departures from Rules relating to financial and contractual matters if appropriate".

Financial and legal implications	
Finance	The cost of the contracts will be met through the use of additional planning fee income and monies approved for employing a Senior Planning Officer at Grade 10. Planning net additional income (£86,250), staff (£3,530) and Urban Vision (£33,210) savings in 2015/16 total £122,990. The proposals, after using the provision for a grade 10 officer previously approved will cost £74,560 and increase the aggregate cost of the Local Plan to £665,370 (excluding staff-time).
Legal	The appointment of Urban Vision complies with the exceptions set out in the constitution for the appointment of consultants and an agreement for services will be entered into.

Other risks/implications: checklist

If there are significant implications arising from this report on any issues marked with a ✓ below, the report author will have consulted with the appropriate specialist officers on those implications and addressed them in the body of the report. There are no significant implications arising directly from this report, for those issues marked with a x.

implications	✓ / x
community safety	x
equality and diversity	x
sustainability	x
health and safety	x

risks/implications	✓ / x
asset management	x
climate change	x
data protection	x

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List of background papers:		
name of document	date	where available for inspection
N/A		

List of appendices

None

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