

**NOT FOR PUBLICATION BY VIRTUE OF PARAGRAPH 3 OF SCHEDULE 12A
OF THE LOCAL GOVERNMENT ACT 1972****Report of the Director of Planning and Community Development****DEVELOPMENT CONTROL REVIEW****1. Purpose**

To consider the appointment of Trevor Roberts Associates to undertake a review of the Council's development control function in accordance with the Council's objective of providing high quality services.

2. Background

Members will recall that the report of Ian McLaren QC into the Temple Lake case at Nuthall highlighted a number of shortcomings within the development control process. Cabinet subsequently considered a report of the Chief Executive (July 2006) that recommended undertaking a review of the development control process. A further report on the process for the review was considered at cabinet on 14 November 2006 which considered the need to use external consultants. Three companies were invited to provide a quotation for the review with a requirement to provide a development control manual at the end of the process containing details of all relevant aspects of the development control process for future use within the department. Details of the three companies and their proposals are attached in the appendices.

After due consideration of the proposals and interviews with the companies involved, Trevor Roberts Associates (TRA) is considered to be the most appropriate consultant, not only in undertaking the initial review but also in providing the most comprehensive manual at the end of the process. As TRA is not the lowest tender price cabinet is asked to approve this choice.

3. Financial implications

The approved revenue budget includes £20,000 in 2006/07 and 2007/08 in respect of this work. As such any of the potential contractors can be accommodated within the budget, with the recommended consultant (Trevor Roberts Associates) costing £38,350. Given the timing it will be necessary to carry forward the £20,000 earmarked in 2006/07 to the next financial year.

Recommendation

The cabinet is asked to RESOLVE that the appointment of Trevor Roberts Associates be approved to undertake a review of the development control functions of the Council and that funding of £20,000 in 2006/07 be carried forward to 2007/08.

APPENDIX 1

Three companies were invited to tender for undertaking the review as follows:

1. Trevor Roberts Associates (TRA)
2. Peter Pendleton Associates (Pendleton)
3. Validus Consulting (Validus)

Copies of the relevant cabinet report and the McLaren report were made available to the consultants. On such a wide ranging brief it was not easy to be specific about the requirements and the three companies took a very different approach to the subject. The McLaren report had however referred to the need to provide a manual and this was considered to be a key outcome required through the review.

Of the three companies involved the first two are 'planning' consultants while Validus are a management consultancy company which have some recent experience of undertaking development control reviews. All three companies took a different approach to the subject while basically intending their consultant teams to spend time in the Council's office studying the processes currently undertaken. TRA proposed a relatively wide ranging analysis of the planning processes using experienced planners within their team. Pendleton proposed the use of planners with a more IT based approach to the subject while Validus proposed a series of workshops with staff to understand how effective the current processes are and involve the staff in analysing potential weaknesses. All these approaches were considered to be legitimate ways of working although the Pendleton approach was the least preferred.

The table attached at appendix 2 is a summary of the comparisons between the companies.

The main differences relate to the provision of a manual at the end of the process. McLaren considered this to be an essential tool to assist with induction of new staff and to act as a basis for a consistent approach to the development control function. Of the three companies, TRA propose a comprehensive 'on line' manual tailored to the specific requirements of Broxtowe. This is also capable of being updated 'in house' and would be a single service document available to all users. There would be a comprehensive 'text based search' facility and the potential to provide hyperlinks to other sites on the Council's intranet or the internet. The ongoing cost of £500 per annum can be contained within revenue budgets in future years TRA host the manual on their website and can provide automatic updates to reflect changes in legislation. Officers have seen a TRA manual in action at Kirklees Council and were impressed with both its content and functionality. By contrast Pendleton propose a procedure manual without being specific about content or finish, but it is presumed to be a paper based document that would require updating.

Validus did not quote specifically for a manual but advised that they would provide a 'template' and some guidance as to content which would be more appropriately

prepared by the relevant staff. This was considered to be a potentially time consuming task on an already stretched development control team.

As a consequence it is considered that the most comprehensive approach is that proposed by Trevor Roberts Associates. Although this is the highest quote it is considered that the difference is a fair reflection of the costs/work associated with preparation of the procedures manual.

APPENDIX 2

Item/area to be considered	Trevor Roberts Associates	Validus Consulting Ltd	Peter Pendleton & Associates
"Unique" features	<ul style="list-style-type: none"> - experience of planning procedures and of management/organisation. - online guide is a system not a static manual. - detailed review: make no. of recommendations. - will not tender. 	<ul style="list-style-type: none"> - not planners. - can commence within 5 working days of agreement to proceed. - will support JE and CRM. - will re-engineer planning process to avoid duplication, differences in working practices etc. - BBC staff will have to work jointly with consultants – skills transfer and ownership. - joint critique of full scale representation of existing processes. - will examine and challenge "people issues". - methodology can be used Council wide. 	<ul style="list-style-type: none"> - 21 Pendleton criteria developed by firm. - done various work on planning websites. - would look at whole planning function given Janice Morphet's expertise in policy issues. - review interactions and integration of planning with whole council. - IT focus.
Cost and payment method	£38,350 (inclusive of expenses) - 2 stages to pay	£30,600 plus expenses. Expenses will not exceed 15% of price. £900 per day. £19,800 if exclude implementation. Monthly invoicing with payment expected within 28 days.	£35,500 excluding travel expenses. Proposal only valid for 30 days from 2 December (expired then). Monthly invoicing in arrears.
Number of consultancy staff involved	3 (each concentrates on different area e.g. quality, procedure) with possibly some specialist support from 1 or 2 others.	Not specifically mentioned but believed to be 1 with another monitoring quality issues.	Project manager – day-to-day running. Company Director – supervisory role.

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Consultant requirements of BBC	<ul style="list-style-type: none"> - to ensure system for maintaining guide is established. - guide needs be understood, respected and observed by staff. - 1 person to be practical liaison point. - informal steering group of different staff. - use of internet connected computers. - room to use as base. - inform staff of TRA involvement. 	<ul style="list-style-type: none"> - work with selected members of managers and staff. Small team of staff and consultants will "jointly carry out the work". Team will be coached in Validus methodology and techniques in order to review development control procedures. - staff time: team leader 29.5 days, admin officer 20.5 days plus presentations to staff (1.5-2 hours per session). 	<ul style="list-style-type: none"> - evaluation project team should include users of service and senior manager from BBC. - PPA prefer to involve wide range of users. - review meetings minimum of every 2 weeks
Duration of review and stages/phases involved	6 months - 3 stages: 1 st (3 months) review report and draft procedures guide written, 2 nd (2 months) detailed spec for procedures guide, discussion of report recommendations, 3 rd (1 month) testing and finalising procedures guide and training in use. Deadlines agreed soon after commencement.	34 consulting days over 11-14 weeks. Phase 1 – detailed review of current processes. Phase 2 - process re-design and re-engineering workshops and defining detailed plans for implementation. Phase 3 – implementation of process solutions and management procedures. Continued support for implementation phase can be provided for 4-6 month period - av. 2 days per month. Workshops key method.	3 months – 3 stages: 1 st information and analysis – analysis of service needs, priorities and key processes. 2 nd implementation of action plan – PPA can provide guidance/additional staff training to support this phase. 3 rd post-implementation review – carried out 6 months after review completed. Interviews/focus groups/staff training/workshops.

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Output	<ul style="list-style-type: none"> - written report – review and recommendations for consideration, discussion, amendment. Encourage changes to be made during course of review. - short written progress reports every 4-6 weeks during review. 	<ul style="list-style-type: none"> - regular progress reviews with senior management. - draft process flow diagrams. - detailed maps of existing processes and systems. - detailed summary of current process weaknesses and critiques. - summary of quick hit actions - audit current skills and priority areas. - re-engineered process specs. - summary managerial roles and responsibilities. - framework to enable procedures manual to be written. - detailed plans for new processes. - defined performance management mechanisms. <p>Encourage changes to be made during course of review.</p>	<p>2 reports:</p> <p>Initial report: Review all policy documents. Assess current service provision against best performing auths. Assess service – interviews with staff and users. Identify tech. used and changes required in internal processes – will review available tech. products appropriateness.</p> <p>Final report - <i>clear, costed recommendations and action plan.</i> Assess implementation needs. All suggested procedures and reports will be tested in live environment and adjusted accordingly. Review of technology. Project supervisor will report to senior execs at council. Identify savings.</p>

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Procedures manual prepared by consultants	Yes - on line. £500 pa to maintain internet service and its hosting. Post handover updating service. TRA can do recommended updates for an agreed fee (approx quarterly cost £450-£1250). Will operate via internet site (password required). Up to BBC to modify and update. Systematic specification of all routine procedures involved in DC. Links to external websites and internal intranet. Integral help guide. Trial period prior to handover. Will train staff on how to use.	No. Could provide skills for DC staff to write themselves. Seem to lack experience in this area.	Yes. Paper manual. Not initially aware BBC wanted this but say they could provide this in their proposal but do not provide great detail about how it would be achieved.
Benchmarking	Yes	Not specifically mentioned	Yes
How many LPAs been reviewed?	32 authorities.	5 authorities.	4 authorities.
Internet advice and information	Not specifically mentioned	Not specifically mentioned	Yes
Use of PDG	Not specifically mentioned	Not specifically mentioned	Yes
Pre-application enquiries	Yes	Yes	Yes

Item/area to be considered	Trevor Roberts Associates	Validus Consulting Ltd	Peter Pendleton & Associates
Registration and validation of applications	Yes	Yes	Not specifically mentioned
Site notifications and placing of site notice	Not specifically mentioned	Yes	Yes
Consultations	Yes	Not specifically mentioned	Yes
Notification of councillors	Yes	Yes	Not specifically mentioned
Registering and processing amendments to applications and permissions	Not specifically mentioned but was referred to during presentation so will be something they look at.	Yes	Not specifically mentioned
Procedures for site visits	Not specifically mentioned	Yes	Not specifically mentioned
Processing applications: - delegation scheme - committee - report writing	Yes	Yes	Not specifically mentioned
Quality in decision making	Yes	Not specifically mentioned	Not specifically mentioned
File management	Not specifically mentioned	Yes	Not specifically mentioned
Star case discussions	Not specifically mentioned	Yes	Not specifically mentioned
Negotiating	Not specifically mentioned	Yes	Not specifically mentioned
Dealing with appeals	Yes – Planning Inspectors part of TRA team.	Yes	Yes
Dealing with objections	Not specifically mentioned	Yes	Not specifically mentioned
Dealing with complaints	Not specifically mentioned	Yes	Not specifically mentioned
Investigating breaches of planning control	Yes	Yes	Yes
Taking enforcement proceedings	Yes	Yes	Yes

Item/area to be considered	Trevor Roberts Associates	Validus Consulting Ltd	Peter Pendleton & Associates
Section 106 agreements	Not specifically mentioned	Yes	Not specifically mentioned
Induction processes	Not specifically mentioned	Not specifically mentioned	Not specifically mentioned
Case handover arrangements	Not specifically mentioned	Not specifically mentioned	Yes
Supervisory and management processes	Yes	Yes	Yes
Audit – drawing up of detailed processes - scrutiny of processes - systematic checks by internal audit	Yes via procedures guide.	Not specifically mentioned	Yes – report mentions staff carrying out future reviews and audits themselves.
Training and retention of planning officers	Not specifically mentioned	Training and skills development mentioned.	Yes
Document management – document imaging - GIS mapping procedures	Yes	Yes	Yes
Resources - workloads - staffing levels	Yes – but do not comment on salaries, gradings etc.	Workloads mentioned but not staffing levels.	Yes
Customer preferences	Yes	Not specifically mentioned	Yes
Role of councillors	Yes	Not specifically mentioned	Yes – training and development.