



Ryedale District Council

REPORT TO: Policy & Resources Committee

DATE: 17th April 2008

REPORTING OFFICER: Forward Planning & Economic Development
Manager, Julian Rudd

SUBJECT: Forward Planning / Local Development
Framework - Staffing & Resources

WARDS AFFECTED: All

1.0 PURPOSE OF REPORT

1.1 In response to Member requests and the findings of the recent Planning Advisory Service (PAS) Diagnostic of Ryedale District Council's forward planning activities, this report seeks to agree use of additional resources to accelerate progress on the Ryedale Local Development Framework (LDF) whilst supporting the Forward Planning input to delivery of other Council priorities.

2.0 RECOMMENDATION

That Members consider the requirements for additional resources identified in the report, taking account of the benefits accrued and the implications on the Council's finances of approving the increase in establishment costs.

3.0 REASONS SUPPORTING DECISION

3.1 The LDF is key element of Council strategy and guides land-use change in the District. It is crucial to achieving several corporate objectives, including delivery of affordable housing and strengthening of the local economy, and implementing key elements of the Community Strategy. The absence of an agreed LDF is leading to difficulties in responding to major planning applications and was a key factor in the recent withdrawal of the Business & Technology Park application at Old Malton. The January 2008 Planning Advisory Service diagnostic makes clear recommendations regarding the need to

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increase resources for LDF production at Ryedale District Council. Members have also expressed wide concerns about the rate of LDF progress that is possible given current staffing and resource levels.

4.0 BACKGROUND & INTRODUCTION

4.1 The February 2008 meeting of this Committee considered the conclusions and recommendations of the PAS diagnostic of Ryedale District Council's Forward Planning service. Alongside this, a proposal to increase resources for LDF production was accepted. This combined £40k of Planning Delivery Grant (as allocated at the December 2007 P&R meeting) with £50K appropriated from the budget surplus from 07/08 and a further £16K in base budget, to give a further £106K to resource the LDF. In light of anticipated difficulties in sourcing new staff and experiences elsewhere, it was agreed to use this funding to commission consultants to carry out specific tasks required as part of the production of Development Plan Documents (DPDs). Members were advised that use of consultants to produce entire DPDs was likely to cost up to £400K per DPD, and was therefore outside of available funds.

4.2 Further to the February 2008 Committee agreeing the approach that was recommended, Officers were also requested to investigate the feasibility and costs involved with further accelerating the LDF process. The proposed approach to achieving this increased progress is detailed in this report.

5.0 REPORT & OPTION APPRAISAL

5.1 This report examines measures to accelerate production of the LDF **and** improve performance on Forward Planning-related Council priorities. Discussions with potential consultancy partners to accelerate the LDF have revealed that the optimum approach to rapid progress on the LDF whilst maintaining the benefits of knowledge and awareness of Council officers is through a team-based approach, combining a strengthened local authority team working with a well-resourced consultancy partner. This broad team allows major areas of work to be run alongside each other, and for the authority officers to respond quickly to the outputs of the consultancy partner. This approach also allows local authority officers to maintain input to other local authority priorities, in addition to the LDF.

5.2 The measures proposed to achieve the above approach are considered below under the headings of 'Consultancy Support' and 'Additional Staff Resources'.

Consultancy Support

- 5.3 It was made clear to members at the last meeting of this committee, that the costs of employing consultants to produce entire development plan documents can be very significant. Furthermore, using consultants to produce entire DPDs loses the awareness and knowledge of local issues and priorities that has been built up by experienced Council officers. There is also a major task to be achieved in checking, guiding and responding to the work of the consultants. Nevertheless, it is considered that substantial consultancy support is essential if meaningful progress on the LDF is to be made and if the time taken to produce the LDF is to be significantly reduced.
- 5.4 Members should be aware that in order for the Ryedale LDF to be produced the Council must first undertake a Strategic Housing Land Availability Assessment and a 'Growth Options' consultation. There must also be consultation on the many sites that have been put forward for development. The two Development Plan Documents that are proposed to form the bulk of the Ryedale LDF must then be taken forward in prescribed stages that include specific periods for consultation. This all means that the production of the LDF can only be reduced by a finite amount, even if documents are produced almost alongside one another. This consideration has informed the view that the most cost effective way of using consultants would be to employ them to:
- undertake particularly specialist and 'bespoke' tasks, including for example, The Strategic Housing Land Availability Assessment; Sustainability Appraisal and Appropriate Assessment work; economic viability work and growth modelling (including infrastructure requirements)
 - assist with some of the larger time intensive tasks, such as consultation events and the assimilation of consultation responses
- 5.5 The benefits of combining the use of consultants with the enhanced staffing resources outlined below are that this:
- Provides the capacity to make immediate progress on the LDF particularly in relation to specialist areas of work which demand the use of specialist skills and resources
 - Provides the additional capacity required to respond to growing and challenging work areas (in particular monitoring)
 - Is more conducive to sustaining and developing planning policy work over time. The processes and procedures which will be put in place with the help of consultants can act as a template for the future reviews of the LDF and used to support the Supplementary Planning Documents that the team will need to produce to support the main LDF documents (in particularly an Affordable Housing;

Developer Contributions and a Sustainable Design and Construction SPD).

- 5.6 Officers have liaised with the private sector to look at the broad costs involved in providing consultancy support for a range of tasks necessary to progress work on the Core Strategy and the Facilitating Development DPD's. For around an **additional £45K**, plus the proposed staffing resources that are outlined below, it is anticipated that the two major Development Plan Documents can both be examined and the Inspector's Reports received within 2010 (NB this figure is over and above the amount agreed for use on consultants at the February 2008 meeting of this Committee). This compares to the current Local Development Scheme timetable which does not anticipate adoption of the Facilitating Development DPD (which will include the housing and employment land allocations) until the end of 2011 / start of 2012. Officers do not consider that the LDF programme can be reduced much further than this, even if a significantly greater investment is made.
- 5.7 Members should be aware that the proposed shrinkage of the LDF timetable will bring forward the dates at which 'Preferred Options' and then 'Submission' versions of the DPDs will be available. Some weight can be attached to these versions of the DPDs in the development control process, particularly when 'Submission' stage is reached, and this would reduce the time period during which there is a lack of up-to-date planning policy.

Additional Staff Resources

- 5.8 The Report to February 08 P&R anticipated difficulties in securing additional staffing, in particular from officers with appropriate skills and experience. However, the recent advert to fill the vacant Forward Planning Officer Post (which is a permanent post) at Ryedale has attracted a much wider than anticipated level of interest from potentially-suitable candidates.
- 5.9 Alongside this, discussions at the Corporate Management Team have confirmed the importance of accelerated delivery in several other Council priorities areas where Forward Planning input is vital. This is to be achieved alongside rapid production of the LDF and the wide range of tasks involved with the adoption of DPDs and Supplementary Planning Documents. This dual-role has informed the approach proposed within this report and reflects the conclusion reached in paragraph 5.1 above about the need for a strengthened local authority team to work effectively alongside the consultancy partner on the LDF.

- 5.10 In particular, improved delivery is required in relation to the following work areas and priorities, all of which have a significant Forward Planning role:
- Further measures to improve delivery of affordable housing through planning applications, including model Section 106 agreements and protocols
 - Negotiation of developer contributions (including affordable housing, transport infrastructure, education and open space / sports facilities) on major development proposals
 - Measures to secure developer contributions towards A64 junction improvements at Malton and Norton, together with the planning aspects of the finalised junction improvement schemes.
 - Establishment of the approach and the projects to be financially supported in the Ryedale Community Infrastructure Levy (the Government's newly agreed mechanism for gathering developer contributions towards infrastructure and other needs created by development)
 - Input to the development control process to react to and support major applications to meet housing employment and retail needs in advance of adoption of the LDF. This includes time-consuming pre-application negotiations with developers and agents as well as liaison with service providers. In addition to work in relation to developer contributions, recent applications/pre-application discussions have been focussed on key and often complicated elements of policy such as the application of the town centre and flooding sequential tests
 - Progress town centre improvements and enhancements, including the recommendations in the Malton Town Centre Strategy and North Yorkshire County Council's Transportation Strategies.
- 5.11 In addition to the need to progress the work areas outlined above, the team are also regularly engaged in:
- Providing general policy advice to developers and members of the public
 - Providing assistance to Parish and Town Councils with Parish Plans and Village Design Statements
 - Representing the Authority at the AONB Core Funders Group and Joint Action Committee
 - Reporting changes in national policy
 - Providing responses to the documentation produced by adjacent authorities
 - Providing input into Regional Planning work, including membership of the Strategic Housing Land Availability Assessment Steering Group
 - Monitoring and information activity

- 5.12 Some of these activities are placing or are set to place, a growing and extensive demand on the team. Monitoring and information work has grown 'exponentially' in recent years. The team are responsible for the production of an Annual Monitoring Report, which reports Core LDF Indicators; a Regional Monitoring Return; three returns to Central Government, as well as BVPI and local indicator information.
- 5.13 Monitoring has not been a strong function of the Unit to date, reflecting staffing levels. To ensure the robust data quality required in the current climate, particularly in relation to housing supply data, the Unit has invested in the necessary software. However, it remains a resource intensive area requiring the continual recording of planning permissions and building completions for most land uses.
- 5.14 Although the new Regional Spatial Strategy (RSS) is likely to be issued in May, there is commitment to its immediate review, largely to provide for a further increase in housing numbers. The team were heavily involved in the production of the RSS and would need to contribute to its review to ensure that the role of Ryedale is fully reflected in the revised RSS.
- 5.15 There is also a growing interest from Parish and Town Councils in Parish Plans and Village Design Statements and in particular, the potential for the latter to be adopted as Supplementary Planning Documents. As a result of this, the planners in the team and the Building Conservation Officer are involved in a number of current projects. The current capacity of the team limits the further development of this work, which is unfortunate as this is an important way in which the voice of local communities can be reflected in the LDF.
- 5.16 In view of the above demands and the need to establish a robust team to work with consultants to achieve acceleration of the LDF adoption, and taking account of the applications for the current Forward Planning Officer vacancy, it is recommended that the following 2 posts are added to the staff establishment:
- Forward Planning Officer (Grade 7)
 - Assistant Forward Planning Officer (Grade 5/6)
- 5.17 The estimated annual cost of these two officers is up to £70,000 per annum, for which there presently is no budgetary provision.
- 5.18 Due to the on-going requirement to provide monitoring information and the future recruitment benefits of having a 'trainee' post within the team, it is considered that the Assistant post should be a permanent addition to the establishment. The Grade 7 post could be offered on a 3 year contract, however this may prove to be an obstacle in persuading individuals to relocate from other areas and even a person on fixed
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term contract has full employment rights (including right to redundancy) after 2 years.

- 5.19 Members will be aware that a Technician Post is included within the current Forward Planning team structure, funded through Planning Delivery Grant. This post is currently filled by an agency employee on a short-term contract. This allows for this GIS-related role to be removed from the Forward Planning team and included within a future centralised GIS / IT team that would seek to fully embed GIS throughout the authority). The new Assistant Forward Planner would carry out monitoring and information tasks that are currently undertaken by the post.

6.0 FINANCIAL IMPLICATIONS

- 6.1 The proposed additional staffing and use of consultancy support has clear resource implications. The cost of the proposed two posts is £55K - £70K per annum (£32K – 37.5K, including on-costs, for the Forward Planning Officer and £23K – £32.5K, including on-costs, for the Forward Planning Assistant). Furthermore, an additional spend of £45K is proposed on consultancy support, spread over the period to 2010. Both elements of the proposed approach are over and above the spending agreed at the February 08 meeting of this Committee, and would be growth areas in the Council budget. The proposed additional amount for consultancy support is based on preferential rates for local authorities through the Office of Government Commerce framework and on discussions regarding broad areas of work as opposed to a finalised new programme.
- 6.2 Members should note that additional investment in the LDF would hasten the identification of a five-year land supply in the District, and improve the likelihood of the Council being rewarded under the forthcoming Planning and Housing Delivery Grant.
- 6.3 With no budgetary provision for these additional employees, should members consider that they wish to proceed the implications are that reserves and balances will be necessary to fund the posts in 2008/2009 and then additional savings/efficiencies will be required as part of the 2009/2010 budget strategy exercise. This will increase the savings required above and above the £522,000 already expected in the Budget Strategy for 2009/2010. Likewise the additional consultancy costs would also need to be a one off call on the Council's reserves, although spend of Planning Delivery grant will be monitored and additional funding drawn from that source if possible.
- 6.4 It should also be noted that the proposed expenditure does not take account of the substantial costs that will be associated with the two DPD examinations that will take place in 2010. A separate budget bid
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will be made for the 2010/11 financial year to cover the Inspector's and legal fees for the examinations.

7.0 RISK ASSESSMENT

- 7.1 The effects of not having an adopted Local Development Framework are that members of the team have had to prioritise significant input to a growing number of current and emerging major development proposals, which have complex policy and strategy implications. The Unit has also lead work on two major land-use studies and has a key role in progressing many aspects of land-use and transport related work that are clearly a priority for Ryedale members and the community. Current capacity in the Unit prevents acceptable rates of progress on the LDF and other related projects and initiatives relating to opportunity and choice of housing and employment and effective transport (i.e. the Council's corporate aims).
- 7.2 In order to limit the risk of additional investment not leading to significantly quicker deliver of the LDF it will be necessary to closely project manage the contracts and ensure that the LDF is progressed in accordance with the detailed project plan and resource schedule (currently being produced).

8.0 CONCLUSION

- 8.1 In view of the considerations that are detailed within this Report, the recommended use of additional financial resources to significantly accelerate production of the LDF, whilst implementing other Council objectives, is considered to be timely and fully justified. This is an appropriate reaction to the PAS recommendation to 'Increase staffing resources commensurate with the work programme and ensure a secured budget for the Local Development Scheme period'.

Background Papers:

PAS Diagnostic of Ryedale District Council January 2008-02-03 [EXEMPT]

P&R Committee Agenda 6 December 2007 – LDF and PDG Reports

P&R Committee Agenda 14 February 2008 – LDF Resources / PAS Diagnostic Report

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