

Business Plan for Planning & Regulatory Services - March 2012 to 30 September 2013

1. Introduction

1.1 The Service's key responsibilities are:

Planning Services

Planning Policy - Implementation and monitoring of Planning Policy via the Local Development Framework process (known locally as the Island plan) – the main function of the Planning Policy team is to evaluate the potential for change and produce policy based plans and strategies to guide future change, provide certainty for all those with an interest in the Island's future, secure sustainable development and achieve regeneration

Development Control, including Enforcement – the means by which planning applications and developments are determined and controlled by the council. Applications are determined in accordance with the Local Development Plan (including saved Local Policy and national Policy Statements) and other material considerations

Appraisal, assessment, designation and review of Conservation Areas – the main function is to preserve and enhance the Island's built environment and to raise awareness

Appeals - The council's decision on planning applications can sometimes lead to an appeal. Appeals may be made for a number of reasons, but most are made because the council has refused planning permission.

Trees – A small team, reporting to the Rural Areas team leader, has responsibility for dealing with proposals impacting upon trees and for proposals to designate Village Greens

Building Control – The main function is to ensure that new building work meets the requirements of the building regulations, including structural stability, fire safety, conservation of fuel and power and access for disabled persons

Area of Outstanding Natural Beauty (AONB) partnership - The Isle of Wight AONB Partnership is an independent body composed of representatives of organisations and individuals with a key role in the future management of the AONB. The staff of the AONB partnership are hosted by the council in the planning offices. The unit works to conserve and enhance the land area of the Island designated as an Area of Outstanding Natural Beauty

Regulatory Services

Trading Standards Service - Helping consumers, tackling unfair and unsafe trade practices and providing support for businesses through advice regulation and enforcement. The key areas include animal health and welfare, consumer contractual rights and supply of contractual information, credit and methods of payment, estate agency and property mis-description, fair trading, false descriptions of goods and services and truth in advertising, false or misleading prices and price display, intellectual property, metrology/Weights and Measures, primary food production and animal feed hygiene, safety of goods, sales of age sensitive goods.

Environmental Health

Food Safety and Standards – Officers complete a risk based inspection programme to ensure business compliance with various legislative requirements/approved codes of practice. The overall objective is to protect the health and wellbeing of the general public in purchasing and consuming food products. Enforcement is undertaken for breaches of legislation in line with the enforcement policy. Other responsibilities include investigation of food born illness, sampling of the local EU classified shellfish beds and responding to complaints relating to poor practice in premises and/or contaminated food.

Health and Safety at Work – Similar to Food Safety and Standards officers undertake a risk rated inspection programme in local businesses to ensure compliance with the relevant legislation and codes of practice. This programme is linked with the food safety/standards programme to promote more efficient working and better interactions with the business sector. The service also undertakes accident investigations, smoke free enforcement and flexible warranting with the Health and Safety Executive.

Environmental Protection – This includes a number of enforcement and regulatory responsibilities involved with protection of the general public from contaminated land, air pollution, water supply (private), nuisance and communicable disease. This includes the permitting process of 'integrated pollution prevention and control', investigation of nuisance complaints from the general public and the investigation/prevention of certain communicable disease incidents/outbreaks.

Licensing – 3 yearly production of the Statement of Licensing Policy. The service processes, issues and enforces a wide variety of licences including sale of alcohol, regulated entertainment, late night refreshment, taxi and private hire vehicles, personal licences, street trading, animal licences (pet shops, riding establishments etc) and special treatments (acupuncture, tattooists etc). Also acts as facilitator/chair of the Islands Safety Advisory group in relation to large events.

1.2 Context

Planning Services:

The service works within the legislative framework set by the various Planning Acts, Regional Planning guidance, Building Acts and all related enabling regulations.

The council recognises the importance of the Planning Service in delivering its longer-term ambitions for the local community. To achieve a sustainable Island community, an ambitious and sustainable regeneration strategy has been developed through the LSP known as the Sustainable Community Strategy (Eco-Island). The Planning Service has put key building blocks in place to ensure that the service is capable of aiding delivery of these key strategies. In this respect it has focussed resources on developing robust policy through the Island Plan following extensive public engagement. The Island Plan will provide the policy direction which sets out the scale, location and type of development across the Island in accordance with the Sustainable Community Strategy for the period up to 2026. Through its Development Control, Enforcement and Building Control Services individual development proposals are considered against this policy background.

Regulatory Services:

Government has embarked upon an agenda of regulatory reform cutting across a range of enforcement duties including those historically falling to be responsibilities of local authorities. A series of government sponsored reviews, initiatives and consultation papers suggest that the new agenda will continue to focus explicitly on risk and the use of a variety of council interventions from education through to prosecution. The removal of a number of national indicators and the review of national enforcement priorities will allow services to concentrate on local need in order to improve compliance of local businesses, the vitality of the local economy and the health of local residents. Local authorities are being encouraged to have the 'right touch' with business regulation and 'think outside the box' to achieve local outcomes through innovative working. This also promotes working in harmony with partners such as the new Directors of Public Health and the Citizens Advice Bureau as well as considering a number of other initiatives such as shared services and cross boundary service delivery. The new regulatory landscape is changing and it is expected that 2012 – 2013 will prove to be an exciting and challenging time for Regulatory services.

The key driver for Regulatory Services, whilst legislatively based, is about protecting the health, welfare and wellbeing of the general public and those in employment. This is sought both through compliance within the business sector and interaction with private individuals whose actions affect others in the community. In some regulatory areas local policies have been developed taking into account the needs, demands and expectations of the target audience (e.g. Statement of Licensing Policy and Enforcement Policy), in other areas the duties placed on local authorities have had local performance measures and priorities developed.

To meet local need the delivery mechanism for The Trading Standards Service is primarily intelligence led with priorities based on local need. 2012/13 will see a review of performance measures taking into account customer expectations and the resources available.

The Environmental Health Service publishes a comprehensive inspection programme based on the approved codes of practice for Food Safety and Health and Safety (risk based). Other legislative duties have local performance/priorities. As for Trading Standards 2012/13 will see a significant review of performance measures/targets.

The Licensing Service is required to publish a statement of licensing policy, this reflects not only the prescriptive requirements of the Licensing Act 2003 but takes into account requirements and suggestions from local responsible authorities such as Environmental Health, the Police and Children's Services. Similar local policies have been developed with regard to street trading and taxis/private hire. The Isle of Wight Act also enables local interpretation/guidance to regulate large scale events taking place on the Island. In 2012, the Police Reform and Social Responsibility Bill was enacted. One of the aims of this new piece of legislation is to rebalance the Licensing regime and promote localism and empowerment of local communities. A review of this statement of Licensing policy will be required in 2013.

All the above activities are carried out with due consideration being given to the nine protected characteristics under the Equality Act 2010 (which are age; disability; gender reassignment; marriage/civil partnership; pregnancy/maternity; race; religion/belief; sex and sexual orientation) in accordance with the public sector duty in the exercise of its functions to give due regard to the need to eliminate discrimination, harassment, victimisation and any other prohibited conduct; advance the equality of opportunity and to foster good relations between people. For changes to strategy, policy or service delivery/redesign, an equality impact assessment will be undertaken.

2. Key Business Objectives

Number	Business Objective	Link to Corporate Priority or Directorate Plan Objective
1	Develop business cases with potential cost savings associated with joint working and partnership with Southampton City Council whilst maintaining appropriate service standards.	<ul style="list-style-type: none"> ▪ Delivery of budget savings through changed service provision
2	Ensure the smooth transition from separate Planning and Licensing Committees to a new Regulatory Committee	<ul style="list-style-type: none"> ▪ Regeneration and the economy ▪ Supporting older and vulnerable residents
3	Implementation and monitoring of the recently adopted Island Plan - Core Strategy and development of the Priority Area Action Plans and other associated planning related documents including Supplementary Planning Guidance documents	<ul style="list-style-type: none"> ▪ Regeneration and the economy ▪ Housing and homelessness ▪ Highways PFI scheme ▪ Waste strategy ▪ Raising educational standards ▪ Supporting older and vulnerable residents
4	<p>Ensure Planning Service performance:</p> <ul style="list-style-type: none"> • provides for a proactive and timely approach both through its policy role and development management to assist delivery of the corporate objectives, especially regeneration and housing delivery • provides an opportunity at an appropriate level of resource to assist both overall council objectives and those for which the Directorate acts as the lead. • uses appropriate and proportionate use of enforcement powers across all areas of the Island in accordance with the principles stated in our published Enforcement Policy • continues to benchmark and review both performance and cost of service to ensure that the scheme for locally set planning fees is ready for consultation prior to implementation 	<ul style="list-style-type: none"> ▪ Regeneration and the economy

5	<p>Ensure Regulatory Service performance:</p> <ul style="list-style-type: none"> • Consolidate the new structures within Regulatory Services including the recruitment to vacant posts. • Review all service delivery standards, current operating processes and prepare the Licensing function to ensure it adapts to the new provisions from the Police Reform and Social Responsibility Act 2011 • Permits and licences are processed and issued in line with the legislative provision, approved guidance and/or local policy at a level that reflects and is based upon local Island need. • That the planned inspection regime is in line with the legislative provision including statutory guidance, and operates a risk based approach in order to deliver appropriate regulation to the business sector. • That the local performance response times for dealing with service requests are in line with legislative provision, approved guidance and/or local policy (where applicable) as well as service demand and customer expectations. • Appropriate and proportionate use of enforcement powers across all areas of the Island in accordance with the principles stated in our published Enforcement Policy • Review and assess the existing processes to improve service delivery, effectiveness and enable full cost recovery of fees charges (that can be set locally). 	<ul style="list-style-type: none"> ▪ Regeneration and the economy ▪ Supporting older and vulnerable residents ▪ Waste strategy ▪ Regeneration and the economy
6	<p>Procurement of replacement Planning and Regulatory Services operating software (IDOX Acolaid and Flare)</p>	<ul style="list-style-type: none"> ▪ Delivery of budget savings through changed service provision

3. Key Business Objectives Details:

Key Business Objective 1: Develop business cases with potential cost savings associated with joint working and partnership with Southampton City Council whilst maintaining appropriate service standards.

Key Activities to support the objective	Success Factors	% Complete	Target/Completion Date
1. Develop and finalise the business cases for the four service sections of the Planning Service: <ul style="list-style-type: none"> • Development Control and Policy • Building Control • Sustainability • Business Support 	Improved cost effectiveness and better value for money	80%	June 2012
2. Refine the proposed delivery models for each of the key sections	Improved service performance, cost effectiveness and value for money	0% dependent on 1 above	Various dates will emerge from the above stage 1 process
3. Obtain consent to proceed - stop / go on the business case	Improved service performance, cost effectiveness and value for money	0% dependent on 2 above	Consultations complete by Nov – Dec 2012

Risks

Agreement on content and quality of the business cases

Staff morale is impacted and affected

Proposals do not deliver the expected and anticipated benefits as planned

Performance Measures

Business cases completed and finalised

Customer satisfaction of the Service maintained during the period of transition

Cost savings identified are achieved

Performance and effectiveness of the Service maintained during the period of transition

Key Business Objective 2: Ensure the smooth transition from separate Planning and Licensing Committees to a new single Regulatory Committee

Key Activities to support the objective	Success Factors	% Complete	Target/Completion Date
1. Ensure procedures in place and adopted by Full Council as part of the revised constitution (Including transitional arrangements)	Effective Regulatory Committee	15%	19 May 2012 Full Council
2. Amend and revise the associated codes of practice for the committee and officers.	Consistent and appropriate decision making.	10%	1 st June (commencement date of new committee)
3. Member and Officer training	Effective Regulatory Committee	10%	May 2012 and Ongoing

Risks
Performance dips across decisions which need to be made at Member level
External challenge of planning decisions and magistrate challenge of License outcomes
Performance Measures
Number of planning complaints
Percentage (%) of appeals allowed against the council's decisions to refuse planning applications (cumulative)
Percentage of Licensing appeals upheld
Percentage of Temporary Event Notices requiring a Licencing Hearing

Key Business Objective 3: Implementation and monitoring of the recently adopted Island Plan - Core Strategy and development of the Priority Area Action Plans and other associated planning related documents including Supplementary Planning Guidance documents

Key Activities to support the objective	Success Factors	% Complete	Target/Completion Date
1. Implementation of the newly adopted Core Strategy particularly: <ul style="list-style-type: none"> Member training programme on the use of an content of the Core Strategy and its relationship to the new National Planning Policy Framework Officer training programme 	<ul style="list-style-type: none"> Consistent policy decisions To ensure consistent decision making and no deterioration in the appeal statistics 	100% 100%	April and ongoing
2. Development of the Priority Area Action Plans for: <ul style="list-style-type: none"> Medina Valley Ryde The Bay 	Delivery of the pre-submission publications for each of the Area Action Plans	10%	Nov-Dec 2012 Jan-Feb 2013 June-July 2013
3. Annual monitoring of the Core Strategy	Delivery of key outcomes	10%	Dec 2013
4. Commissioning of the Community Infrastructure Levy consultancy work (CIL)	Delivery of the preliminary CIL consultancy report	10%	Need dates
5. Management of the Neighbourhood Planning opportunities	Supported and engaged communities in developing local neighbourhood plans	10%	September 2013 and ongoing

Risks
Understanding and interpretation of the core strategy is not consistent by Planning Officers / Members
Annual monitoring of the strategy identifies issues with policy
Area Action Plans are delayed and not adopted
Delayed preparation of the CIL prior to the replacement of the S106 in April 2014
Performance Measures
Percentage (%) of appeals allowed against the council's decisions to refuse planning applications (cumulative)
Percentage (%) of overall customer satisfaction with the Development Control Service
Increase in complaints to the Planning Service

Key Business Objective 4: Ensure Planning Service performance:

- provides for a proactive and timely approach both through its policy role and development management to assist delivery of the corporate objectives, especially regeneration and housing delivery
- provides an opportunity at an appropriate level of resource to assist both overall council objectives and those for which the Directorate acts as the lead.
- uses appropriate and proportionate use of enforcement powers across all areas of the Island in accordance with the principles stated in our published Enforcement Policy
- continues to benchmark and review both performance and cost of service to ensure that the scheme for locally set planning fees is ready for consultation prior to implementation
- benchmark and review the costs of the Service and prepare for the proposed implementation of locally set planning fees for applications

Key Activities to support the objective	Success Factors	% Complete	Target/Completion Date
1. Continue to effectively monitor performance across the Development Control, Planning Enforcement, Appeals and Building Control functions of the Service and its locally set targets	<ul style="list-style-type: none"> • Service achieves targets and delivers an effective Service • Reduction in the number of Service complaints • Reduction in the number of successful Planning Appeals 	10%	Ongoing throughout the year. Monthly monitor report
2. To review and assess the existing processes to ensure improvements in service delivery, effectiveness and cost effectiveness: <ul style="list-style-type: none"> • Pre-application procedures • Registration and validation • Retrospective applications – Enforcement • Planning document retention policy 	Cost effective service	15%	December 2012
3. Benchmark and review costs Service for Local set fees: <ul style="list-style-type: none"> • Review and update fee report - timesheets • Consultation undertaken • Director and council sign off 	<ul style="list-style-type: none"> • Fee structure updated and reflects costs of Service – fees demonstrate value for money • Data up to date and evidence correct • Consultation undertaken • Member delegated sign off 	75%	Various dependent on DCLG announcement

Risks
Performance of the Planning and Building Control functions dips and customer service standards fall
Planning and Building Control fee income fails to achieve targets for the year
Local fee structure is challenged
Fee increases impact development activity and constrain activity
Performance Measures
Percentage (%) of comments to the Island Plan consultation made on-line
Percentage (%) of planning applications registered within 3 working days
Percentage (%) of major planning applications determined in 13
Percentage (%) of minor applications determined in 8 weeks
Percentage (%) of other planning applications determined in 8 weeks
Percentage (%) of appeals allowed against the council's decisions to refuse planning applications (cumulative)
Percentage (%) of Planning Enforcement complaints registered and acknowledged within 3 working days
Percentage (%) of Priority 1 Planning Enforcement initial site visits made within 24 hours
Percentage (%) of Priority 2 Planning Enforcement initial site visits made within 10 working days
Percentage (%) of Priority 3 Planning Enforcement initial site visits made within 20 working days
Percentage (%) of initial responses to Planning Enforcement complainants made within 20 working days
Percentage (%) of owners/operators of a Planning Enforcement allegation notified of an identified breach within 10 working days
Percentage (%) of Planning Enforcement cases where legal services are instructed within 5 working days of formally becoming necessary
Percentage (%) of formal Planning Enforcement actions upheld upon appeal (cumulative)
Percentage (%) of overall customer satisfaction with the Development Control Service
Percentage (%) of overall customer satisfaction with the Building Control Service
Percentage (%) of Building Control Decisions notified within the statutory time limits
Total number of planning applications received (cumulative)
Number of major planning applications received (cumulative)
Total number of Building Regulation applications received (Full Plans, Building Notices and Regularisations) (cumulative)
Total planning application fee income received (cumulative)
Major planning application fee income received (cumulative)
Total Building Regulation fee income for Full Plans, Building Notices, Regularisations and inspection fees invoiced (cumulative)
Percentage (%) of planning applications withdrawn (cumulative)
Percentage (%) of planning applications invalid on receipt (cumulative)
Percentage (%) of all planning applications determined within the agreed timeframes (cumulative)
Increase in complaints to the planning service

Key Business Objective 5: Ensure Regulatory Service performance:

- Consolidation of the new structures within Regulatory Services including the recruitment to vacant posts.
- Review all service delivery standards, current operating processes and prepare the Licensing function to ensure it adapts to the new provisions from the Police Reform and Social Responsibility Act 2011
- Permits and licences are processed and issued in line with the legislative provision, approved guidance and/or local policy at a level that reflects and is based upon local Island need.
- That the planned inspection regime is in line with the legislative provision including statutory guidance, and operates a risk based approach in order to deliver appropriate regulation to the business sector.
- That the local performance response times for dealing with service requests are in line with legislative provision, approved guidance and/or local policy (where applicable) as well as service demand and customer expectations.
- Appropriate and proportionate use of enforcement powers across all areas of the Island in accordance with the principles stated in our published Enforcement Policy
- Review and assess the existing processes to improve service delivery, effectiveness and enable full cost recovery of fees charges (that can be set locally).

Key Activities to support the objective	Success Factors	% Complete	Target/Completion Date
1. Review of Statement of Licensing Policy following the Police Reform and Social Responsibility Act.	Approval by full council.	20%	October 2012
2. To review and monitor the local performance targets in regulatory services.	Meeting monthly/ quarterly and annual targets.	On-going	On-going
3. To consult and approved the new Regulatory Services Enforcement Policy.	Approval and publication of new policy.	60%	October 2012
4. Produce, publish and inform (where required) the appropriate Government Agency a risk based inspection programme for Food Safety/Standards, Health and Safety, Trading Standards and Pollution Prevention and Control.	Publication and return (where required)	30%	June 2012
5. To review and assess the existing processes to ensure improvements in service delivery, effectiveness and cost effectiveness (including full cost recovery)	<ul style="list-style-type: none"> • Fee structures updated • Consultation undertaken (where required or deemed necessary) • Member delegated sign off where 	10%	June 2013

in the following areas: <ul style="list-style-type: none"> • Licensing applications/fees • Trading Standards (buy with confidence) • Web based self-help information for service users (business and residential) 	appropriate. <ul style="list-style-type: none"> • Improved web access/information. 		
6. To recruit into the vacant posts within Regulatory Services.	Full recruitment.	60%	August 2012

Risks
Failure to recruit or retain specialist staff with the skills and competencies required to deliver the service.
Failure to deliver the Food Safety Inspection programme due to lack of qualified officers.
Failure to maintain statutory functions due to requests for assistance from public health partners during outbreaks/major incidents e.g. E-coli, pandemic, legionella etc (service specific)
Performance Measures
Percentage (%) of Environmental Health planned inspections actually carried out (planned vs actual for food hygiene)
Percentage (%) of requests for Environmental Health responded to within 3 working days
Percentage (%) of deployments of Trading Standards Rapid Action Team to reported incidents of doorstep crime within 2 hours
Percentage (%) of cases that have been satisfactorily resolved for Isle of Wight residents/businesses following intervention by Trading Standards in rogue traders/scam type cases
Incidence of inappropriate sales of age sensitive products where intelligence led test purchases are attempted by Trading Standards.
Incidence of repeat sales of age sensitive products where test purchases are attempted at those sellers which have previously sold in the last 12 months.
Percentage (%) of 0, 1 or 2 rated food premises which have achieved an improved hygiene rating.
Percentage (%) of food premises with a national food hygiene rating of 3, 4 or 5.
Percentage (%) of food premises which are broadly compliant with food hygiene law
Number of premises newly recruited to the Trading Standard service "Buy with Confidence" trader approval scheme.
Number of homes included within newly established no cold calling zones.
Percentage (%) of food premises dropping from a food hygiene rating of 3,4 or 5
Number of licence applications (by type)
Number of premises licence reviews
Number of referrals from the Citizens Advice Bureau

Summary of enforcement actions:

- Total number of formal notices issued
- Total number of simple cautions
- % of successful prosecutions

Key Business Objective 6: Procurement of replacement Planning and Regulatory Services operating software (IDOX Acolaid and Flare)

Key Activities to support the objective	Success Factors	% Complete	Target/Completion Date
1. Complete the business case and investigation of options with support from ICT	Robust business case confirming the options and justification with full costing and supporting evidence	25%	July 2012
2. Head of Service and Director sign off to the business case	Agreed course of action based on business case	0	Dependent on the above
3. Procurement and implementation of the agreed option	Procurement of software capable of supporting business needs into the future next 5 years	0	Dependent on 1 and 2 above

Risks
Current software is de-supported
Existing software does not support CIL
Selected software does not link up to the Corporate Gazetteer
Performance Measures