

Cherwell District Council and South Northamptonshire Council

Joint Commissioning Committee

1 December 2016

<p>Draft Business Cases: Joint Planning Policy and Growth Strategy Team and Joint Design and Conservation Team</p>

Report of Head of Strategic Planning and the Economy and Head of Development Management

This report is public

The appendices are exempt from publication by virtue of paragraphs 1, 2, 3 and 4 of part 1 of Schedule 12A of Local Government Act 1972.

Purpose of report

This report presents the final business cases for a Joint Planning Policy and Growth Strategy Team and a Joint Design and Conservation Team across Cherwell District and South Northamptonshire Councils (hereafter Cherwell or CDC and South Northamptonshire or SNC respectively).

The report recommends the formation of a Joint Planning Policy and Growth Strategy Team and a Joint Design and Conservation Team and in doing so seeks the Executive's agreement for the non-staffing elements of the business cases.

The proposal is part of the wider transformation programme across the two Councils.

1.0 Recommendations

The meeting is recommended:

- 1.1 To consider the responses to the consultation process with the affected staff and trade union representatives received as detailed in the consultation log (attached as exempt Appendix 3 and 4) and from the Joint Councils Employee Engagement Committee (to be reported verbally), and determine whether any amendment to the business case is required as a result of them.
- 1.2 To note that the business case will be considered in respect of non-staffing matters by CDC Executive on 5 December 2016 and by SNC Cabinet on 12 December 2016.

- 1.3 To approve the staffing aspects of the final business cases to create a Joint Planning Policy and Growth Strategy Team and a Joint Design and Conservation Team between CDC and SNC, subject to similar consideration and approval of the non-staffing aspects of the business case by CDC Executive and SNC Cabinet.
- 1.4 To delegate to the Head of Development Management and the Head of Strategic Planning and the Economy responsibility for implementation of the business cases, including approving the costs of any potential redundancies, in consultation with the Chief Finance Officer, subject to the business case being agreed by both Councils.

2.0 Background

- 2.1 In December 2015 as part of the service review for Planning Policy and Development Management (including Design and Conservation), Transformation Joint Working Group (TJWG) considered a report that set out for Members the current context and major reforms underway to the Planning system that need to be considered as part of the service reviews. The report also considered what is common and what is different about the existing services and identified initial options for further consideration.
- 2.2 In February 2016, TJWG considered a further service review paper and endorsed the recommendation that a business case be developed for a fully shared joint operating units created to deliver the Design and Conservation, Planning Policy and Development Management functions for both Councils.
- 2.3 The two business cases are presented as a package of proposals to be considered together due to the staffing links between the two teams. At present there are three Members of staff at SNC who work dual roles across the SNC Planning Policy Team and the SNC Design and Conservation Team. A business case for a joint Development Management team will be reported to a future meeting of Executive.

3. Report Details

Joint Planning Policy and Growth Strategy Team

- 3.1 The proposal is to create a Joint Planning Policy and Growth Strategy team. The joint team would be a standalone business unit that could slot into the most appropriate area post management restructure.
- 3.2 The business case sets out the rationale for establishing a joint service, with gains for the two Councils, including improved coordination of the growth strategy across the two Councils. Bringing the two teams together will provide resilience, share expertise across the Councils and aid the development of specialist knowledge across the combined team.
- 3.3 The proposal retains the existing staffing complement to enable completion of 3 of the 5 planned Local Plans and their Examinations in next 18 -24 months in order to ensure that the Development Framework for each District is completed against set timetables. Two further Plans are anticipated at South Northamptonshire from

2017/18 onwards. The Development Framework is a statutory requirement on each Council and is the foundation of the growth of each District.

- 3.4 The joint team would be responsible for completing the Local Plan part 2A for SNC, the Cherwell Local Plan part 2 and the Partial Review of the Part 1 plan at Cherwell to meet a proportion of the unmet needs of Oxford.
- 3.5 The business case commits to securing planned budget savings after completion of the Examination of the 3 current Local Plans with one permanent post deleted after completion of the current fixed term contract and ending of the use of agency staff.
- 3.6 This phased approach to delivering savings is proposed to enable the completion of each District's Development Framework and directly generate additional income from at least 6,400 new houses planned for release through the 3 Local Plans across the two Districts.

Joint Design and Conservation Team

- 3.7 The proposal is to create a Joint Design and Conservation team. The joint team would be a standalone business team that could slot into the most appropriate area post management restructure.
- 3.8 The joint team would be created under the leadership of a Joint Design and Conservation Team Leader. The joint team leader would be supported by a joint team of conservation specialists working across the two districts as required.
- 3.9 Combining the current Design and Conservation Team at CDC and the Conservation Team at SNC into a joint team would provide an improved and strengthened service for each district. The creation of a larger team will provide the Councils with access to a larger pool of experience and expertise and will provide a level of resilience not currently available due to the small size of the existing teams.
- 3.10 The joint team will continue to provide consultation responses to Development Management on planning, Listed Buildings and condition applications/pre-application enquiries. It will also continue to support Development Management at planning appeals.
- 3.11 The joint team will also continue to be responsible for reviewing and updating Conservation Areas, processing Listed Building planning applications and providing heritage guidance. The team will also act as the commissioner of specialist design advice for the Councils as required.
- 3.12 The proposal is a slight reduction in capacity; however this would be offset through working together in a larger joint team without impacting on overall service delivery. There is an expectation that once the team is established further efficiencies could be made through the harmonisation of processes and procedures.

4.0 Conclusion and Reasons for Recommendations

- 4.1 The recommendation is to establish a Joint Planning Policy and Growth Strategy Team and a Joint Design and Conservation Team between CDC and SNC.

- 4.2 The draft business cases set out the rationale for establishing the joint teams and in particular for deferring the savings from the Joint Planning Policy and Growth Strategy Team for two years to allow the completion of the 3 Local Plans.

5.0 Consultation

Group	Summary
All staff in-scope of the business cases.	<p>Staff have engaged positively with the consultation and a number of questions were received. A number of questions were related to how the teams would operate across two Districts, individual roles, job descriptions and the HR process being followed.</p> <p>Some alternative structure suggestions based on a geographical split were also received.</p> <p>The consultation log will be considered by the Joint Commissioning Committee on 1 December 2016.</p>
Unison Representatives from each Council.	Consultation has been positively received.
Joint Commissioning Committee (JCC)	Endorsed business case for staff consultation.
Transformation Joint Working Group	Endorsed business case for consideration by JCC.

- 5.1 Consultation with all employees in scope of the proposal and the Unison representatives from both councils, commenced on Thursday 6 October and ran for a period of four weeks until the 4 November 2016 in line with the Councils' Joint Organisational Change policy.

The consultation period included a joint initial meeting with employees of both teams along with Unison representatives and subsequent meetings with individuals as requested.

All responses received during the consultation period were recorded on a consultation log along with the answers provided.

In total, 34 questions/responses were received to the Design and Conservation consultation and 34 questions/responses were received to the Planning Policy and Growth Strategy consultation. These were predominantly related to job descriptions, the proposed staffing structure, working arrangements and seeking clarification on a

number of issues in the business case. A number of other individual and personal matters were also responded to.

A number of alternative structure suggestions were also put forward by the team focusing on a geographical split between the districts rather than the functional split presented in the business cases. These suggestions have been considered and rejected as they would not represent a shared service.

A number of comments were received during the Design and Conservation consultation regarding the design function within the team. Although this has not resulted in any changes to the structure, the business case has been updated to clarify the role of the team.

No changes to either staffing structures have been made as a result of the consultation feedback, however the business cases have been updated in a number of areas to clarify working arrangements and address points of accuracy. Some minor changes have also been made to some of the job descriptions.

We would like to thank the staff who volunteered this information during the consultation process and those who helpfully enabled us to update the business cases.

The consultation logs of comments made by the affected staff and/or their trade union representatives, and the response of management is attached at exempt Appendix 3 and 4 for Members' consideration.

6.0 Alternative Options and Reasons for Rejection

6.1 The following alternative options have been identified and rejected as part of the development of the Joint Planning Policy and Growth Strategy Business Case:

Status Quo (No Change)

Retaining the status quo is an option; however both Councils have fairly small Planning Policy teams. Retaining the status quo while reflecting the different Local Plan positions of each council would not deliver the benefits set out in this business case or provides the additional resilience and shared expertise that a joint team could provide at a time of planning reform and following Brexit pressure to support additional growth.

Outsource Service

The preparation and monitoring of the Local Plans is a statutory responsibility and as such it is not considered appropriate to outsource the service without compromising the planning role of each District Council.

Joint Planning Policy and Conservation Team

Although there are some synergies between both areas of work, it is considered that the best model for joint working is to have two distinct joint functions covering planning policy and design and conservation. It should be noted that there are equally (if not more) synergies between these service areas and Development Management.

- 6.2 The following alternative options have been identified and rejected as part of the development of the Joint Design and Conservation Business Case:

Status Quo (No Change)

Retaining the status quo is an option; however both Councils have fairly small Design and Conservation/Conservation teams. Retaining the status quo would not deliver the financial benefits set out in this business case or provide the additional resilience and shared expertise that a joint team would provide.

Outsource Service

The Councils could seek to outsource the service; however this is not considered a preferred option. Both Councils have well established teams that deliver a good service. The preferred option is to bring the existing teams together, build on that experience and expertise and seek opportunities to trade.

Joint Planning Policy and Conservation Team

Although there are some synergies between both areas of work, it is considered that the best model for joint working is to have two distinct joint functions covering planning policy and design and conservation. It should be noted that there are equally (if not more) synergies between these service areas and Development Management.

- 6.3 The approach in the recommendations is believed to be the best way forward. The proposal is to establish a Joint Planning Policy and Growth Strategy Team and a Joint Design and Conservation Team.

7.0 Implications

Financial and Resource Implications

- 7.1 The final business cases set out the detailed financial implications for each proposal, however due to the staffing links and the proposed transfer of resource between the teams both business cases must be considered together.
- 7.2 Due to the phased approach proposed to the delivery of savings in the Planning Policy and Growth Strategy business case, costs/savings are shown as 'initial' and 'future' in the tables below. The range of costs presented is as a result of some of the assumptions made relating to the implementation process.

Initial Saving/Cost

- 7.3 Initially both business cases will result in a slight increase in salary costs of between £7,500 and £12,500. This is because the savings from the Planning Policy business case are deferred for the first two years to allow for the completion of the 3 Local Plans.

Business Case	Financial Implications		
	CDC	SNC	Total
Design and Conservation Business Case	(£11,750)	(£13,000)	(£24,750)
Planning Policy and Growth Strategy Business Case	£13,000 - £16,000	£19,250 - £21,250	£32,250 - £37,250
Total (initial additional cost)	£1,250 - £4,250	£6,250 - £8,250	£7,500 - £12,500

Future Savings – After the end of two year fixed term post in Planning Policy

- 7.4 At the end of the two year period, the business cases will have delivered an overall reduction in salary costs of between £28,750 (3.5%) and £33,350 (4%).

Business Case	Financial Implications		
	CDC	SNC	Total
Total (Savings from end of 2 year period onwards)	(£20,000) – (£23,500)	(£5,750) – (£9,750)	(£28,750) - (£33,750)

- 7.5 It should be noted that the saving proposed is below the 5% staffing savings target as agreed in the February 2015 Joint Working Business case.
- 7.6 Implementation costs of £60,000 are estimated across both business cases, primarily to cover potential pay protection and redundancy costs, potential ICT costs and to provide a contingency fund.
- 7.7 Due to the deferred savings for Planning Policy and Growth Strategy, the payback period for these business cases is significantly longer than usual and is estimated at between 4 and 5 years (range dependant implementation process).

Comments checked by:

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HR Implications

- 7.8 It is the traditional approach of CDC and SNC to consult staff and the trade unions on a detailed staffing structure arising from any business case for change, prior to consideration by members. This has the effect of enabling members to consider the views and any representations of the staff and trade unions before making their final decision on any such proposals, and ultimately ensures that the Councils meet their statutory obligations to undertake a meaningful process of consultation prior to a decision being made.
- 7.9 This model has the advantage of allowing staff to identify whether their existing jobs will be deleted; to consider the detailed job descriptions of any proposed new roles and to identify whether there are any opportunities for promotion or other career aims to be met. They can see whether their hours of work might alter, whether their salaries will change (up or down), or whether their work location will change. They are able to comment upon the proposals in the knowledge that members will give due regard to their comments before making a decision.

- 7.10 The expectation is that existing staff would continue to be employed by their current, respective authority under the pay, and terms and conditions of that employing organisation. New and revised job descriptions have been devised in order to standardise responsibilities across the two organisations. The new job descriptions have been through the job evaluation process at each organisation.
- 7.11 The implementation process will be in accordance with the joint Organisational Change policy. The proposals do not represent a reduction in capacity, however as there are a number of changes to both structures the implementation process could potentially result in a small number of redundancies.

Comments checked by:

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Legal Implications

- 7.12 As with all two way shared services this proposal, if implemented, will be covered by the section 113 agreement (as varied) entered into between the two Councils.
- 7.13 Following the decision of CDC and SNC Councils in February 2015 to approve the final business case for developing the approach to joint working and the delivery of local authority services, all services at both Councils are now included on the policy framework for the consideration of shared working. This means that the decision making process has been streamlined and the approval of draft and final business cases for two-way shared working can be taken by the Joint Commissioning Committee and Cabinet/Executive without the prior need of a decision of full Council.
- 7.14 A decision making timetable is included in Section 17 of the draft Planning Policy and Growth Strategy business case and in Section 16 of the draft Design and Conservation business case.

Comments checked by:

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Risk Implications

- 7.15 Section 15 of the draft Planning Policy and Growth Strategy business case and in Section 14 of the draft Design and Conservation business case set out the risk implications of each proposal and how they will be mitigated.

Comments checked by:

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Equality Implications

- 7.12 An Equality Impact Assessment initial screening assessment has been carried out for both business cases and it has been determined that the proposals do not have

any adverse impact on equality groups and as a result a full impact assessment and associated action plan is not required. These are included as part of the business cases in exempt Appendix 1 and 2.

Comments checked by:

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8.0 Decision Information

Wards Affected

All

Links to Corporate Plan and Policy Framework

Cherwell: A district of opportunity;
Sound budgets and customer focused council.

South Northamptonshire: Protect the district;
Grow the district.

Lead Councillors

Councillor Roger Clarke, Portfolio Holder for Planning and Environment;
Councillor Colin Clarke, Lead Member for Planning.

Document Information

Appendix No	Title
1 – EXEMPT	Joint Planning Policy and Growth Strategy Team – Final Business Case
2 – EXEMPT	Joint Design and Conservation Team – Final Business Case
3 – EXEMPT	Joint Planning Policy and Growth Strategy Team - Consultation Log
4 - EXEMPT	Joint Design and Conservation Team - Consultation Log
Background Papers	
None	
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