

Report to: Planning Committee

Date: 4th May 2010

Subject: Meeting of the Wigan and St Helen's Service User's Forum for Building Control and Development Control

Report of: Executive Director Environmental Services

Contact officer: Penny McGinty 01942 404255

Purpose / summary: To inform Committee of the meeting of the Forum of Agents held on 18th March 2010

Alternative options considered and reason for selecting the one recommended: The only alternative would be not to report proceedings for the Forum. The Forum enables service users to directly influence service deliver. Members of Planning Committee need to be advised of how service users view the way the service is delivered.

Recommendation / decision: Committee notes the discussion and actions from the Joint Wigan and St Helen's Service User's Forum for Building Control and Development Control

The decision will be made as a result of this report and will be published within 48 hours

Risks / Implications:

Financial:	Within existing resources
Staffing:	Within existing resources
Policy:	
Equal Opportunities - Has a Diversity Impact Assessment been conducted?	N/A
Wards affected:	All

Property Implications – Does the proposal involve a reduction, addition or change to the Council’s asset base or its occupation?

No

If yes, have the property implications been agreed with the Corporate Property Officer?

Does this proposal have significant implications for the Council and the local population?

A diversity impact assessment is not necessary at this stage, however, equality and diversity implications have been considered when producing this report.

Does this proposal involve a new policy or procedure or significant changes to an existing policy or procedure?

A diversity impact assessment is not necessary at this stage, however, equality and diversity implications have been considered when producing this report.

Has the Service Director - Borough Solicitor confirmed that the recommendations within this report are lawful and comply with the Council’s Constitution?	Yes
Has the Service Director - Corporate Services confirmed that any expenditure referred to within this report is consistent with the Council’s budget?	Yes
Are any of the recommendations within this report contrary to the Policy Framework of the Council?	No

For Cabinet reports only :

Categorisation of the report:	x		x
Discussion leading to a decision		Discussion	
Monitoring		Decision	
Sharing for corporate understanding		Information	

Tracking/Process:

	Consultation	Ward Members	Partners
Committee	Overview & Scrutiny	Cabinet	Council
Planning Committee 04.05.2010			

There are no Background Papers to this Report within the meaning of Section 100D of the Local Government Act 1972.

Proper Officer Gillian Bishop

Date 12th April 2010

1.0 Background:

- 1.1 The joint Wigan and St Helens Building Control and Development Control Service Users' Forum of agents meets twice a year. The Forum provides an opportunity to discuss common problems and new initiatives with those who regularly submit applications for building regulations and planning consent. The establishment of the Forum was an important improvement arising from the Best Value Review of Development Control in 2005 and an essential component of the Customer Service Excellence Award for Building Control and Development Control.
- 1.2 Arranging the Forum jointly with St Helens has the additional advantage of enabling comparisons of best practice and new initiatives to be reviewed by the officers of each authority. This helps drive the improvement process of both council's planning and building regulation functions.

2.0 The Wigan and St Helen's Service Users' Forum for Building Control and Development Control Meeting held on 18th March 2010:

- 2.1 A meeting of the Forum was held on 18th March 2010 at Wigan Cricket Club and was attended by 9 agents and consultees, along with officers from both councils.
- 2.2 Presentations were given to the Forum by Martin Stuart, Principal Planning Officer on an update on Wigan's LDF and by Chris Carroll, Urban Design Planning Officer on the new draft Householder Supplementary Planning Document.
- 2.3 In addition the meeting considered a range of topical issues relating to both Building Control and Development Control including:
 - Unification of BC and DC Technical Support Teams
 - Approved Document G- Water Efficiency Measures
 - National changes to BC fee structures
 - Building Excellence Awards
 - Visit to Wigan by Lord McKenzie the Building Regulation Minister
 - CLG consultation documents
 - Updates on Wigan and St Helens LDFs
- 2.4 The minutes of the meeting are attached for Members' information.

3.0 Alternative options considered and reason for the recommended option:

- 3.1 The only alternative option would be not to report the proceedings of the Forum to Committee. The Forum enables service users to directly influence service delivery. Members of Planning Committee need to be advised of how service users view the way the service is delivered.

4.0 Conclusions:

- 4.1 The seventeenth meeting of the Forum was once again a very successful event appreciated by all. Attendance was however rather disappointing with several delegates, who had indicated that they would attend, failing to arrive.

4.2 The Forum provides a very useful way of explaining to our regular Building Control and Development Control customers what our objectives are and how we are achieving them. Our customers are able to provide feedback on the way we deliver services to them and the improvements they would like to see explored. In these ways, the Forum is successfully fulfilling all of the objectives for which it was established.

5.0 Recommendation:

5.1 It is recommended that Committee notes the discussion and actions from the Joint Wigan and St Helen's Service User's Forum for Building Control and Development Control.

<p>Wigan & St Helens Councils Building Control & Development Control Service Users Forum Notes of Meeting: Thursday 18th March 2010</p>
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Attendance:

Graham Dickman	Wigan Council
Paul Swift	Wigan Council
Martin Stuart	Wigan Council
Chris Carroll	Wigan Council
Mike Worden	Wigan Council
Melanie Hale	St Helens Council
Simon Peters	St Helens Council
Colin Brogan	Balcarres Design & Development (Apologies left early)
David Groves	Architectural Services
David Lees	Wigan & Leigh NHS Trust
Harry Tonge	Steven Abbott Associates
Mike Beech	Betterplan Design Ltd
Dave Sherratt	United Utilities
Tim Smith	ALG Investments (Wigan) Ltd
John Copeland	Architectural Services
Mark Copeland	Architectural Services

Action

1. Notes of previous meeting:

Notes of the previous meeting had been circulated with the agenda. Notes discussed, agreed representative. Items of action included:

Planning inspector Tony Wharton's presentation has been circulated. No comments received regarding new BC demolition form (this form has now been adopted and is in use).

Future BC technical seminar on Approved Document G

GD indicated that although officers had been given further guidance on policy C1C, it was not intended to issue an external advice note. This would include a relaxation of part of the policy requirement and could only be formalised through the plan preparation procedure.

GD acknowledged that delays in condition discharge are occurring and that procedures are being looked at. It was noted that this would include how we deal with unsatisfactory submissions, either to treat as on-going or to require a fresh submission with fee.

NH

Greater use of email communication has been requested and we are encouraging staff to use phone and email in preference to snail mail. D Groves commented that this is still far from satisfactory in his experience. PWS to ensure this improves. *Post meeting note J Mann reports he has just approved a housing estate where all the correspondence up to the approval notice was by email. Fire service consultations are now all sent out by email (.where we have an email address).*

PWS

Wigan BC have experienced some problems and delays with Submit-a-Plan and are considering dropping this facility in favour of standard email, forum representatives were asked for their views on this. There was a general agreement that email would work adequately. St Helens BC has done exactly this quite recently.

PWS

2. St Helens BC ISO 9000 Audit

PWS advised the meeting that St Helens BC were unfortunately not represented today. This was because they were undergoing an ISO9000 audit. Roy Benyon had discussed this with Paul previously and both felt that the Forum would agree that the ISO accreditation audit was of paramount importance. Roy had briefed Paul on all relevant matters at St Helens relating to forum activity. Roy apologises to the forum for his non attendance.

(Post meeting Note Roy has confirmed that they were successful and ISO accreditation is to be confirmed- congratulations Roy)

Building Control Items

3. Wigan BC DC Unification

Paul Swift advised the meeting that Wigan's BC and DC admin teams are to merge. This will improve efficiency and flexibility (more staff to cover functions) and will also produce cost savings (vacant posts unfilled). Customers can expect BC admin staff to answer DC calls and vice versa from April

4 Performance

PWS reported performance data supplied by St Helens (copy issued with agendas) on acknowledgements, and speed of application checking.

St Helens 98.26% acknowledge within 3 days (Wigan 100%) St Helens plan check: 99.18% in 10 days (Wigan no data)

St Helens 5 week decisions: 66.82% (Wigan 64%)

St Helens decisions in 2 months 100% (Wigan 71%). Wigan's performance here may appear disappointing by comparison, however this statistic relates to decisions issued. Wigan could issue a decision on all applications which, would by default, be a rejection for all cases where we have asked for information but the agent has so far been unable to provide it. Agents have however told us they prefer not to receive rejections and much prefer for the application to lie dormant until the requested information is available, we are quite prepared to accommodate this request and explain this apparently poor performance statistic accordingly.

Wigan plan check is currently at two weeks for domestic but four weeks commercial, the latter is disappointing and is primarily due to staff annual leave (end of financial year) the rate is expected to improve in April.

Paul also briefed members on more positive Wigan data including number of applications checked during the year (second highest in all Greater Manchester, third highest number per surveyors and overall the most checked within the two month period.)

5. Approved Document G

New Approved Document G will be implemented on 6th April. As reported at previous meeting it contains some significant changes. Provision of wholesome water supply, introduction of provisions for grey water and recycled water, need for water calculator to be completed for new houses, measures to prevent accidental scalding, etc.

Wigan BC will be presenting a technical seminar on the detail requirements in the next month. Mark Copeland asked if a water calculation had to be completed for every new house, PWS confirmed this unless the house was registered under the Code for Sustainable Homes as Code 2 or better. **PWS**

6. CLG Consultations

Expanding the Competent Persons Schemes: Wigan submitted their reply to this before Christmas, We commented that scheme notifications received often contain incorrect addresses and recommended that scheme operators should be required to verify addresses before submitting data. Forum members have until this Friday to make your own representations. Minimising the Burden: The annual report from CLG was also published since our last forum meeting, report acknowledged no comment necessary.

7. BC Fee changes.

CLG issued legislation to totally redraft the BC fee structure a few days ago. It is most unlikely that any authority will introduce new charges by 1st April. Wigan and St Helens are currently formulation their new charges. All charges must reflect the true costs incurred and as with previous schemes should recover costs and not generate excessive profits. **PWS**

Post meeting Note: It is likely that Wigan's new charges will be implemented in June

8. Marketing strategy

Wigan BC are keen to improve the range and volume of activity and a revised marketing plan has been launched. A new information leaflet is being produced to explain our range of services, including the free pre-submission consultations which some agents were apparently unaware of. **PWS**

9. Building Excellence Awards

Wigan held their annual Built in Quality Awards (now called the Building Excellence Awards to follow the renamed national awards) in December.

Winners in 2009 were:

Westgate Building Contractors for Best Domestic Extension.

Tricklebank / Andrew Heywood for Best Housing (small developer) category

Newfield Jones Homes for Best Housing (large developer)

Hughes Brothers Building & Joinery Ltd for Best Sustainability Project.

G & J Seddon Ltd for Best Healthcare Building, and Woodscope Jordan Ltd for Best Commercial Building.

All of our winners have been nominated for the North West regional Building Excellence awards which will take place at the Reebok stadium Bolton on 14th May. **PWS**

(Post meeting note: It was confirmed on 22nd March that 122 nominations had been received, all of Wigan's nominations have been shortlisted as finalists)

10. Mediation

PWS reported that the Building Control Alliance have produced a new mediation scheme for disputes arising between Local Authorities and Approved Inspectors. Paul is now a mediator on this panel.

11. Property Services Review

PWS advised meeting that the Wigan are currently considering outsourcing several property functions through a joint venture company with Norfolk Property Services. Wigan's BC and DC had been considered but it is thought unlikely that they will join the venture. Paul also advised the meeting that Wigan BC are exploring closer working links with the rest of Greater Manchester.

12. Building Regulation Minister Lord McKenzie visits Wigan!

Paul told the meeting that the minister responsible for Building Regulations visited Wigan BC in November. He was passing through and called in to see what goes on in a typical BC office. The minister spoke with several members of staff including Steve Gaskell, John Mann and Roy Collier. He asked what we would change about the present system, we suggested he scrap Building Notices and re introduce standardised U values for one off housing. In a unique reciprocal meeting the minister invited Paul to dinner at the House of Lords in January, an experience which Paul gladly accepted (he was in London on RICS duties anyway) and enjoyed immensely.

Development Control Items

13. Review of Committee Procedures

GD advised that consultants had been engaged to look at the planning committee procedures in Wigan in detail, including notifications, venue, room layout, speaking arrangements etc. This is likely to take a few months to complete, and as part of the process, attendees and users of committee will be asked for their views. **NH**

14. Material & non-material working amendments

GD advised that new procedures had been introduced to deal with changes to approved applications. This is a national requirement, and in Wigan has imposed an additional burden since we are no longer able to deal with changes as working amendments. Fees have now been introduced for the processing of such applications.

15. Renewing extant planning permissions

Similarly a new procedure was introduced in October to allow applications to renew unexpired planning permission via a simplified procedure in response to the economic downturn. Reduced fees have been introduced, however, it is not a rubber stamp, and LPAs can require further information and refuse or impose different conditions where appropriate, for instance due to a change in policy.

16. Update on fees

Although new fees have been introduced for the above items, the government has indicated that there will be no general increase in fees this year.

17. DCLG Consultation documents

GD and MH provided details of the wide range of recent consultation documents.

- Changes to publicity

Following a review, the government's response has been received. The main changes are a requirement for further on-line advertisement, and to increase consultation periods on listed building/ conservation area notices. However, the hoped for release from the need to advertise in the local press, which imposes a significant financial burden on local authorities, has been retained.

- Reducing number of minor non-domestic applications

Further to the recent changes in householder permitted development rights, the government has consulted on revisions to non-domestic application, with the objective of reducing the number of applications required. This includes new allowances for shops and offices, and revised allowances for industrial concerns and institutions.

Postscript : The changes are to be introduced on 6 April 2010.

- Streamlining information requirements

In response to concerns that some LPAs are requiring unnecessary information to validate applications, a review of requirements is being undertaken. This includes a requirement for authorities to review and consult on their local lists.

- Scaling back planning obligations

In line with regulations due to be issued in April for the introduction of the Community Infrastructure Levy, a consultation has been undertaken which includes both the arrangements for CIL and for the role on Planning Obligations in the new regime. It is recognised that POs will continue to exist (eg for affordable housing), but will be scaled back.

- Development Management

A review of the role of Development Control, to be re-designated Development Management, is presently out for consultation. The aim is to change the focus of DC from being reactive to actively promoting sustainable development. In particular, this will include front-loading the application process, with more emphasis on pre-application consultation.

- Improving the use/ discharge of planning conditions

A further consultation is looking into the issues associated with planning conditions and how they are discharged. The review has identified inconsistency, the number of conditions imposed, and the procedures for discharge as requiring assessment.

- Improving consultation arrangements.

The consultation recognises the role of statutory and non-statutory consultees and their responsibilities, and that the system requires an overhaul, including encouraging use of the Planning Portal e-consultation hub and the monitoring of consultees' performance.

18. LDF update – Wigan & St Helens

MS gave an update on the LDF in Wigan, including work with key stakeholders to confirm the proposed policies in the Core Strategy, with a final full stage of consultations in September/October 2010 and adoption in 2011. In addition, a revision to the Local Development Scheme has been approved which lists Central Area Action Plans for Wigan and Leigh, and an Allocations Plan as being programmed. He also referred to the 2009-based SHLAA which is now available on the Council's website with plans of all sites. This will be updated to 2010 shortly.

SP gave an update on the LDF in St Helens. This includes re-starting consultations on amendments to the Core Strategy, and consultations on four Supplementary Planning Documents.

SP provided a hand-out to forum participants on the implications of the recently issued PPS4 and addressed the main issues, including the revised broadened definition of economic development, the need for robust evidence to support policies and planning decisions, and the replacement of the 'needs' test with an 'impact' test.

19. Wigan Householder SPD

CC presented the proposed changes to the draft SPD following the recent consultation process, indicating that the document is anticipated to be adopted in early Summer 2010. A number of comments were raised from forum attendees with a focus on the potential for the policies to stifle individual development and the difficulties of persuading clients where the 'rules' do not meet their expectations. Issues of permitted development, where this would conflict with the guidance were also discussed. CC clarified that the policies would be interpreted in the individual context of sites, and was intended to provide guidance on good practice.