

ABERDEEN CITY COUNCIL

COMMITTEE	City Growth and Resources
DATE	24 th April 2018
REPORT TITLE	Update on Recruitment of Developer Obligations Officer
REPORT NUMBER	GOV/18/005
DIRECTOR	Gale Beattie
CHIEF OFFICER	Gale Beattie
REPORT AUTHOR	David Dunne
TERMS OF REFERENCE	1.2

1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to update members on progress to appoint a new Developer Obligations Team Leader and to request approval to implement temporary measures while the recruitment process continues.

2. RECOMMENDATION(S)

That the Committee:-

- 2.1 Instruct the Interim Chief Officer of Strategic Place Planning following consultation with the Head of Commercial and Procurement Services, to agree to a 12 month extension to the Service Level Agreement with Aberdeenshire Council for the provision of Developer Obligations Services and,
- 2.2 Instruct the Interim Chief Officer of Strategic Place Planning to report back to committee at the end of the 12 month period if an officer has not been appointed, and
- 2.3 Approval to alter a previous committee decision from November 2017 (CHI/17/248) requiring the Head of Planning and Sustainable Development in consultation with the Head of Commercial and Procurement to terminate the Service Level Agreement with Aberdeenshire Council, to allow recommendations 2.1 and 2.2 above, to be implemented.

3. BACKGROUND

- 3.1 A report on Developer Obligations was approved by Communities, Housing and Infrastructure in November 2017 (CHI/17/248). This instructed officers to

“terminate the current agreement with Aberdeenshire Council to provide Developer Obligation services” and “arrange the delivery of a full Developer Obligation service within Aberdeen City Council”.

- 3.2 Since that committee instruction an attempt to recruit a Developer Obligations Team Leader has been made. The post was advertised in late January 2018 and while a number of applications were received none were felt to be a suitable candidate. In light of this the Council was not in a position to terminate the existing Service Level Agreement (SLA) with Aberdeenshire Council.
- 3.3 While the Interim Chief Officer of Strategic Place Planning has instructed that the role be re-advertised, there will be a delay in the appointment of an officer, if a suitable candidate can be found, and a subsequent delay in our ability to terminate the SLA. In light of this it was felt necessary to return to committee to firstly update members on progress and secondly seek approval to enter into a further 12-month arrangement with Aberdeenshire for the provision of Developer Obligation Services. This is crucial to ensure continuity of service in relation to the Developer Obligations process and to prevent any possible impact on planning performance.
- 3.4 In discussions with Aberdeenshire Council they have explained that for their own staffing reasons they require a 12 month commitment from the City Council. While it remains the aim of the Council to take this service back within the organisation as soon as possible, given the uncertainty around recruitment, the 12 month period does provide both parties with a degree of certainty going forward.
- 3.5 In terms of recruitment it is likely that if a candidate can be found in the next round of recruitment that this may lead to an overlap in services. Given the complexity of the role this would be beneficial to the new officer allowing time to ensure a smooth transition and providing an opportunity to progress other elements of the role such as the community asset plans.

4. FINANCIAL IMPLICATIONS

- 4.1 The financial implications of this report are limited to the possible overlap between the appointment of a new officer and any time remaining of the 12 month extension. The cost of retaining the services of Aberdeenshire Councils Developer Obligations Team would be £63,000 for the 12 month period.
- 4.2 Given the time required to repeat the recruitment process it is expected that any overlap would be limited to approx. six months (assuming a successful candidate is appointed). The Developer Obligations Team Leader is a G15 grade starting at £40,731 and the cost of meeting any overlap in services would have to be met from existing budgets, within the planning service. Failure to provide the Developer Obligations service in a timely and efficient manner could however have a greater impact in terms of securing the correct level of Developer Obligations.

5. LEGAL IMPLICATIONS

- 5.1 As stated in the original report (CHI/17/248), there are no legal implications arising. This report simply seeks to extend the agreement with Aberdeenshire Council to provide Developer Obligation for a fixed period. As such at the end of that period the agreement will cease to have effect.
- 5.2 While this report seeks to reverse a decision made at CHI in November 2017 less than six months ago (CHI/17/248), under Standing Orders:- Altering Previous Decisions 41.2.2 this is allowed “*where the Council, Committee or Sub Committee approves a recommendation contained in a report to alter or reverse a previous decision;*”

6. MANAGEMENT OF RISK

	Risk	Low (L), Medium (M), High (H)	Mitigation
Financial	Overlap in services.	M	Cost will be met through existing service budgets.
	Failure to provide services.	M	Approval of the recommendations would prevent this from occurring.
Legal	None		
Employee	There will be a potential change of line management for internal staff dealing with monitoring. This is part of the ongoing review of the planning service and more widely transformation of council services.	L	
Customer	Delay in processing applications.	M	Approval of the recommendations would prevent this from occurring.
Environment	None		
Technology	None		
Reputational	Delay in processing applications.	M	Approval of the recommendations would

			prevent this from occurring.
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7. OUTCOMES

Local Outcome Improvement Plan Themes	
	Impact of Report
Prosperous Economy	While there are no expected direct impacts on the wider economy, a failure to provide an efficient developer obligations process will have a negative impact on the progress of developments and our ability to approve planning permissions.
Prosperous People	Again while limited, failure to provide an efficient developer obligations process could have an impact on the wider economy and by extension employment opportunities.
Prosperous Place	Again while limited, failure to provide an efficient developer obligations process could have an impact on the wider economy and by extension employment opportunities.

Design Principles of Target Operating Model	
	Impact of Report
Customer Service Design	The purpose of this report is to ensure customer outcomes are maintained and services continue. As such the reports purpose is to maintain the Councils customer focus and prevent any reputational damage.
Partnerships and Alliances	While the long term aim of the review of the Developer Obligations process is to bring the services back into the Council, the extension of the joint service with Aberdeenshire Council will lead to a continuation of an existing partnership project for another 12 months.

8. IMPACT ASSESSMENTS

Assessment	Outcome
Equality & Human Rights Impact Assessment	Full EHRIA not required.
Privacy Impact Assessment	Not required
Duty of Due Regard / Fairer Scotland Duty	Not applicable.

9. BACKGROUND PAPERS

- Developer Obligations Review CHI/17/248

10. APPENDICES (if applicable)

N/A

11. REPORT AUTHOR CONTACT DETAILS

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