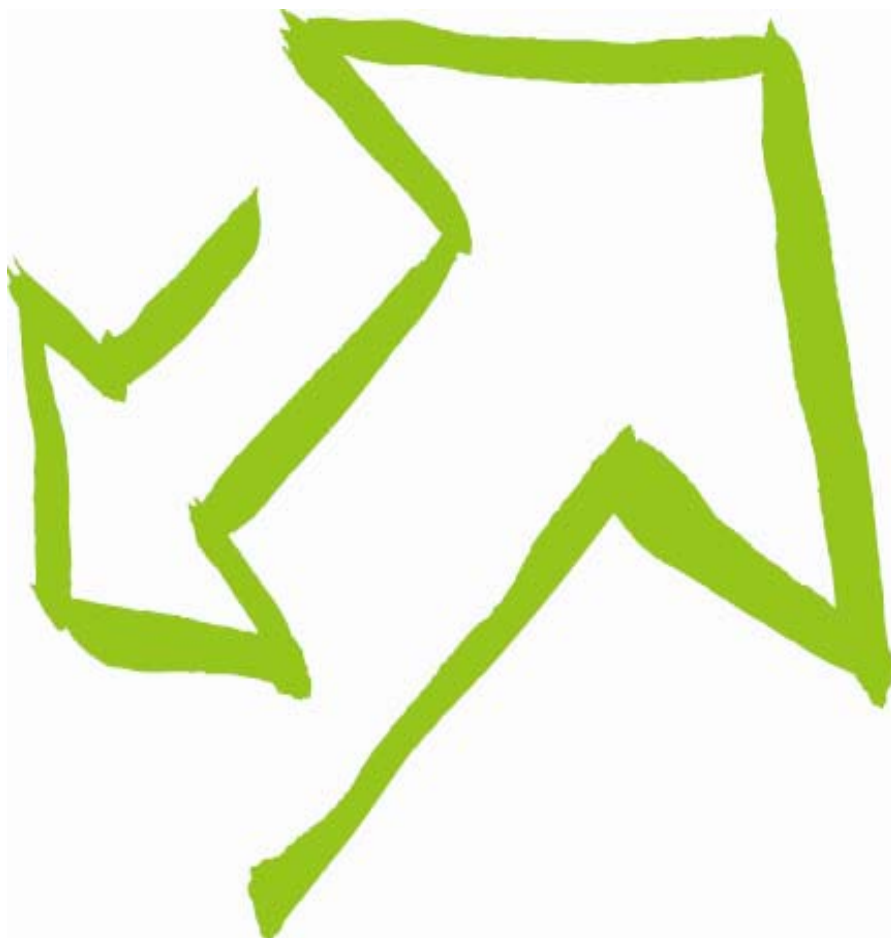


Planning Service

Sedgemoor District Council

July 2009

(on site activity: March 2009)



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Service Inspections

This inspection has been carried out by the Audit Commission under section 10 of the Local Government Act 1999 and is in line with the Audit Commission's strategic regulation principles. These principles embody the objectives of our Strategic Plan and Strategic Regulation. They also reflect the principles from *The Government's Policy on Inspection of Public Services (July 2003)*. Audit Commission service inspections should:

- focus on public service outcomes from a user perspective;
- act as a catalyst to help inspected bodies improve their performance;
- concentrate inspection work where it will have most impact, so that it is proportionate and based on an assessment of risk;
- be based on a rigorous assessment of costs and benefits, with a concern for achieving value for money both by the inspected organisation and within the inspection regime itself;
- be, and be seen to be, independent of the inspected organisation;
- report in public, using impartial evidence to inform the public about the performance of public services so as to enhance accountability;
- involve collaborative working with other inspectorates and external review agencies to achieve greater coordination and a more holistic approach to the assessment of performance by audited and inspected bodies;
- share learning to create a common understanding of performance that encourages rigorous self assessment and better understanding of their performance by inspected organisations;
- be carried out objectively by skilled and experienced people to high standards and using relevant evidence, transparent criteria, and open review processes; and
- enable continuous learning so that inspections can become increasingly effective and efficient.

We assess services using published key lines of enquiry (KLOE) to inform our judgements. The KLOEs can be found on the Audit Commission's web site at www.audit-commission.gov.uk.

This report is issued in accordance with the Audit Commission's duty under Section 13 of the 1999 Act.

Our findings are primarily based on an assessment of the Council's planning service in March 2009. Subsequent changes to the service since that date, including any actions taken in response to our draft findings have not been taken into account.

Summary

- 1 Sedgemoor District Council provides a fair planning service that has uncertain prospects of improvement.
- 2 The Council is ambitious for the future and recognises that the planning service is central to what it wants to achieve for the area. It is firmly committed to ensuring that the service fully contributes to corporate priorities and meets the needs of users. As a result the Council has prioritised an up to date policy framework through the development of key plans and strategies that are aligned with the emerging local development framework (LDF) and sustainable community strategy. A number of initiatives are also under way to improve the way the Council deals with planning applications through faster decision making and stronger partnership working.
- 3 Through negotiation and a clear policy framework, the service contributes to outcomes for local people. The service works constructively with partners, developers, and external agencies to promote the interests of the area, identify opportunities and overcome constraints on future development such as flooding and motorway access. Supported by robust policies in the adopted local plan, the service is successfully contributing to delivery of an increasing supply of affordable homes, employment opportunities and the wider regeneration of the area.
- 4 Planning decisions are made in a fair and transparent way and local people are encouraged to become involved in the process. Decisions are well supported on appeal, providing some assurance over the quality of decision making. Staff and councillors work constructively together, guided by protocols and codes of conduct that spell out roles and responsibilities. However, the Council decides planning applications more slowly than others and performance in major applications is among the worst nationally and has not improved in recent years.
- 5 A number of improvements have been made in recent years to tackle slow application processing times and many aspects of customer service. But the Council has failed to keep up with better performing councils or rising user expectations. Progress on diversity and equalities has been slow. Mechanisms to obtain on-going feedback from users are not in place and users are not involved in setting the standards of service they receive or identifying areas for improvement. As a result the Council cannot be certain that it is improving the things that are important to users.
- 6 Despite efficiency being a corporate priority, the Council cannot demonstrate that the service achieves value for money or that this is improving over time. Significant cost savings have been achieved through a reduction in staffing levels, greater reliance on electronic delivery and exploiting opportunities for income generation. But savings are not consistently matched by improvements to service quality. Political leadership of value for money is lacking and there has been little challenge to the overall cost effectiveness of the service to ensure that it is maximising the use of available resources.

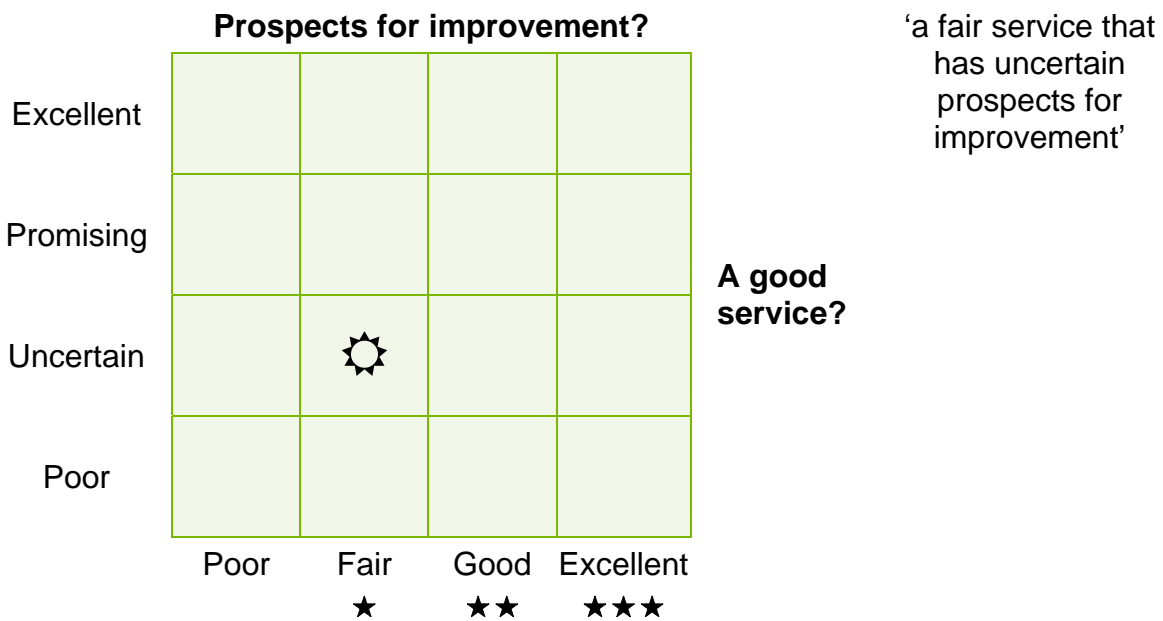
Summary

- 7 Systems to effectively manage application workload and progress the LDF are in place but performance management is not fully embedded or used to drive wider improvement. A comprehensive improvement plan for the service has only recently been prepared in response to this inspection. The Council has not translated its longer term vision for the area into a clear statement about how the planning service can best contribute to this, clarified its role in delivering corporate priorities or set out what the service is aiming for in terms of quality. This makes it difficult for the Council and its partners to prioritise actions and allocate resources to support delivery.
- 8 The Council learns from others and responds well to external challenge. It has recently reviewed organisational structures to promote closer working between development control, forward planning and economic development and made additional resources available for the LDF process.
- 9 The Council's financial position means that capacity remains stretched in key areas, including the LDF and capacity is also limited in other areas on which the planning service depends. The Council enhances its capacity by securing external funding and it is pursuing opportunities for wider partnership working and shared service delivery. However the reliance on short term funding raises concerns about the sustainability of capacity in the longer term which could impact on the Council's ability to sustain improvement.

Scoring the service

10 We have assessed Sedgemoor District Council as providing a ‘fair’ one-star service that has uncertain prospects for improvement. Our judgements are based on the evidence obtained during the inspection and are outlined below.

Figure 1 Scoring chart¹



Source: Audit Commission

11 The service is a fair, one star service because:

- partnership working with other services, councils, agencies and developers supports effective forward planning and the release of key sites;
- an up to date policy framework is in place which the Council is strengthening through its emerging local development framework and other key strategies;
- strong partnership with parish councils allows local involvement in decisions that affect the local community;
- the service contributes positively to an increasing supply of affordable homes, employment growth and the regeneration of the area;

¹ The scoring chart displays performance in two dimensions. The horizontal axis shows how good the service or function is now, on a scale ranging from no stars for a service that is poor (at the left-hand end) to three stars for an excellent service (right-hand end). The vertical axis shows the improvement prospects of the service, also on a four-point scale.

Scoring the service

- planning decisions are made in a fair and transparent way and are well supported on appeal; and
- planning applications are decided in line with government targets, although performance is not as good as that of other councils.

12 However:

- feedback about service quality from stakeholders is mixed and the service is not consistently tailored around the needs of users;
- users have few opportunities to contribute to the quality of service they receive or identify areas for improvement;
- the availability of planning information and guidance is limited and not well signposted for users;
- the Council has been slow to embed diversity and equalities to ensure fair and equal access to the planning service for all;
- processes to secure and manage developer contributions are underdeveloped, although the Council is now working to address this;
- the Council does not know if the planning service delivers value for money or ensure that this is improving over time; and
- enforcement is not used effectively to support corporate and planning aims or monitor compliance with approved details.

13 The service has uncertain prospects for improvement because:

- a challenging longer term vision and customer focused aims for what it wants to achieve are not in place;
- although the service responds well to external challenge and learns from others, the momentum of improvement in development control has not kept up with rising user expectations or the performance of other similar councils;
- performance management is not used effectively to consistently drive improvement and tackle areas of underperformance;
- a strategic and integrated approach to improvement planning is not in place;
- despite additional resources, staff capacity to prepare the local development framework (LDF) is stretched and heavily dependent on short term external funding;
- limited staff capacity in other services on which the planning service depends is impacting on its ability to deliver improvement ;
- the speed of deciding planning applications is not improving, with performance on major applications among the worst 25 per cent nationally;
- workforce planning is progressing but is not fully developed to support staff recruitment and retention; and
- partners, agencies and people with an interest in the service have mixed views on the Council's ability to deliver improvement.

14 However:

- the Council is strongly committed to improving the service and a number of recent initiatives to do so are under way;
- a series of changes in recent years have improved the service to customers, including greater use of electronic delivery, the availability of a duty officer to deal with planning enquiries and access to information through the Sedgemoor Direct call centre;
- the Council recognises the importance of the planning service to delivery of its aims for the community and has protected the service from the need to contribute to corporate savings and provided additional resources to support the LDF;
- partnership working is being developed to explore opportunities for joint working and procurement; and
- the Council is good at exploiting external funding streams to enhance its capacity to support improvement.

Recommendations

- 15 To rise to the challenge of continuous improvement, councils need inspection reports that offer practical pointers for improvement. Our recommendations identify the expected benefits for both local people and the Council. In addition, we identify the approximate costs² and indicate the priority we place on each recommendation and key dates for delivering these where they are considered appropriate. In this context, the inspection team recommends that the Council should do the following.

Recommendation

- R1** Improve user experience and ensure fair and equal access to the service by:
- providing opportunities for users and partners to contribute to the aims of the service and the standards of service they receive;
 - establishing mechanisms for on-going feedback from users on the quality of service they receive and challenge to all aspects of delivery;
 - improving the standard, consistency of presentation and signposting of service information in writing, electronically and with partner agencies to ensure that it is widely publicised and accessible;
 - monitoring complaints and feedback from individual users and different user groups to understand and respond to any differences in the quality of service they receive;
 - reviewing opening hours and committee meeting times in consultation with existing and potential users;
 - reviewing the balance of paper and electronic delivery to ensure that all users are able to access the information they require; and
 - identifying and addressing potential barriers that are currently excluding people from accessing the service, including those with special requirements or disabilities.

The expected benefits of this recommendation are:

- a service that is more responsive to community needs and user preferences;
- fair and equal access to the service for all members of the community; and
- improved user satisfaction.

The implementation of this recommendation will have high impact with low costs. This should be implemented by October 2009.

² Low cost is defined as less than 1 per cent of the annual service cost, medium cost is between 1 and 5 per cent and high cost is over 5 per cent.

Recommendation

R2 Ensure that the service is delivering value for money (VFM) and improving this over time by:

- strengthening political leadership and challenge of VFM;
- in consultation with users and partners, identify opportunities to improve cost effectiveness for example through stakeholder forums, VFM champions and staff input;
- developing a comprehensive understanding of how the costs of different elements of the service compare with other councils;
- establishing VFM indicators for different elements of the service and targets to improve these over time;
- routinely reviewing costs alongside performance information;
- reviewing and re-engineering processes to maximise efficiency; and
- using time recording information to analyse the costs of different activities and challenge cost effectiveness.

The expected benefits of this recommendation are:

- more efficient, effective and economic use of resources;
- raised awareness of VFM within the service and externally; and
- enhanced capacity to target priorities and deliver benefits to the community.

The implementation of this recommendation will have high impact with low costs. This should be implemented by October 2009.

Recommendation

R3 Use performance management to systematically drive improvement by:

- in consultation with users and partners, establishing a clear longer term vision and aims for what the service wants to achieve for the area and is aiming for in terms of service quality;
- establishing explicit links between the aims of the service and corporate priorities, together with processes to clarify the contribution of individuals, teams, other services and external partners to delivery;
- establishing challenging targets for all aspects of service delivery and indicators to regularly monitor performance;
- establishing processes to systematically use feedback and monitoring information to continuously drive improvement;
- rationalising reporting arrangements to ensure that all aspects of performance are subject to regular challenge and scrutiny; and
- raising awareness and ownership of performance issues among staff, councillors and partners.

Recommendations

The expected benefits of this recommendation are:

- better focus on improved outcomes;
- improved ability to assess performance and target action where most needed; and
- improved cost effectiveness of the service.

The implementation of this recommendation will have high impact with low costs. This should be implemented by October 2009.

Recommendation

- R4** Ensure the Council successfully delivers the improvement it wants for the service by:
- providing strong leadership and direction to support the service and effectively communicate with staff and partners in managing change;
 - consolidating all planned actions within a comprehensive improvement plan that identifies actions, targets, outcomes, timescales resources and responsibilities;
 - linking this to the annual service plan and budgetary planning process;
 - identifying and addressing potential blockages and risks to non achievement; and
 - ensuring that the necessary financial and other resources are available to support identified actions.

The expected benefits of this recommendation are:

- sustained improvement in the quality of the service; and
- improved staff morale and confidence among staff and partners in achieving future improvement.

The implementation of this recommendation will have high impact with low costs. This should be implemented by October 2009.

Report

Context

The locality

- 16** Sedgemoor is a primarily rural district in Somerset in the South West of England. The Bristol Channel forms its northern boundary, with the Quantock Hills covering the western part of the area and the Mendip Hills in the north east. The M5 motorway passes through the area, providing good access to the rest of the South West and the wider national motorway network. The district includes areas of high environmental quality that include two areas of outstanding natural beauty (AONBs) and internationally recognised coastal conservation sites. The low lying wetlands of the Somerset Levels and Moors are being proposed as World Heritage Sites. Much of the area is liable to flooding which creates significant challenges for the future planned employment and housing growth in the area.
- 17** Just over half of the resident population of 112,200³ lives in the towns of Bridgwater, Burnham-on Sea/Highbridge, Cheddar and North Petherton, with the remainder in villages and dispersed rural settlements that are covered by 50 parish councils. A significant influx of visitors increases the population to over 620,000 during the holiday season.
- 18** Sedgemoor's population is growing faster than other areas in the South West, but not as fast as England as a whole, having increased by just under 5 per cent between 2001 and 2006. In terms of ethnic and age composition, Sedgemoor has similar characteristics to the rest of the South West but differs considerably from the national profile. The district is considerably less ethnically diverse than the rest of England, with 2.4 per cent of people coming from ethnic minority backgrounds, compared with 4.6 per cent regionally and 13 per cent nationally. However, there is a significant gypsy and traveller community and seasonal migrant workers are a feature of the local tourist and agricultural sectors. Approximately 58 per cent of the population is of working age which is slightly below the national average of 62 per cent. More than 23 per cent of the population is of pensionable age which is above the national average of 18.9 per cent.
- 19** The district economy is heavily dependent on low skill, low wage employment in manufacturing, construction, distribution and service industries such as hotels and tourism. Unemployment at 4.3 per cent⁴ is above the regional average of 3.8 per cent but below the national averages of 5.2 per cent. Average earnings and house prices are below the regional and national averages but house prices that are eight times the average income mean that home ownership is out of reach for many local people.

³ Office of National Statistics (ONS) June 2007 estimate

⁴ NOMIS , ONS July 2007 - July 2008

Report

20 Overall, Sedgemoor is not ranked as experiencing particularly high levels of deprivation. It was ranked 169th out of 354 in 2007 in terms of deprivation (where 1 is the most deprived) - a position that is unchanged from 2004.⁵ However, there are significant pockets of deprivation, particularly in Bridgwater and Highbridge which include a number of wards among the 20 per cent most deprived nationally. Sydenham ward in Bridgwater contains a super output area (SOA)⁶ that is among the most deprived nationally. Sedgemoor has a higher proportion of the working population with no qualifications and is significantly behind the South West and England in terms of educational achievement and employees who have a degree (NVQ Levels 4 and 5). Overall, 75 per cent residents of Sedgemoor are satisfied with the area as a place to live which is below average for the England as a whole.

The Council

21 The Council is Conservative controlled, with 36 of the 50 seats. The Labour group has eleven seats and the Liberal Democrats have three. The Council operates a Leader and Executive form of governance, with nine Executive portfolio holders, including the Council leader and deputy, covering thematic portfolios of: health and wellbeing; built environment; customer services and access; procurement and delivery; business support and development; environmental support; and community and regeneration. There are two overview and scrutiny committees: corporate and community; and three regulatory committees, including one for development control which decides planning applications. The Council received a 'fair' rating in its comprehensive performance assessment in 2004.

22 The organisation is headed by a chief executive, supported by three directors for customer services, regeneration and corporate support. The Council regularly reviews its organisational structure to change managerial responsibilities. Until recently, the planning service was split between two separate directorates, with development control forming part of customer services and forward planning in regeneration. However, both elements of planning have now been brought together under the director for regeneration. The latest re-structuring has also brought all customer and community services, including strategic housing into a renamed directorate of customer and community. The Council employs 649 staff, of whom 461 are full-time and spent £16 million (net) on services in 2008/09.

⁵ Department of Communities and Local Government 2007

⁶ Super output areas (SOAs) are a new geographical basis for compiling detailed, Census based information about an area to replace that previously based on electoral wards

The Council's planning service

23 The following planning functions are covered by this inspection.

- Policy formulation and preparation of the local development framework (LDF)
- Development control (DC) - deciding planning and other applications and dealing with subsequent appeals;
- Enforcement - ensuring that planning regulations are complied with and that development is carried out in accordance with approved details
- Providing advice to developers, local people and councillors
- Contributing to corporate projects and aims.

These activities are jointly referred to as the planning service in this report. In total the service employs 26.2 full time equivalent staff and cost just under £1.5 million in 2008/09. However, the service generated £987,830 in income over this period, resulting in a net cost of just under £480,000.

24 Planning in Sedgemoor is carried out primarily by two teams - development control, (recently renamed development management) and forward planning, both now co-located within the regeneration directorate. The structure of the development control team is currently under review. At present, a group manager leads two area teams for the north and south of the district, an enforcement team and a team that is responsible for registration of applications. A group manager for strategy and business services leads the forward planning function which is provided by a team of three planners. Other key services that support planning include conservation, landscape and trees, legal, housing, building control and environmental health. These are not included within the scope of this inspection, although their contribution to planning aims through cross-service working is considered more broadly. Sedgemoor Direct - the Council's customer services phone line and contact centre also supports the planning service through dealing with many initial enquiries and providing information to the public.

How good is the service?

What has the service aimed to achieve?

- 25 The 2006 community strategy sets out what the Council and its partners want to achieve for the area which is: 'everyone working together to make Sedgemoor a safer, cleaner, healthier, more pleasant and vibrant district in which to live, work, learn, invest or visit'. This vision is supported by seven themes: transport and access; community life; economic success; environment; lifelong learning; crime reduction; and health, housing and wellbeing. Each theme is supported by key actions and measures of success. It was originally intended that the strategy would be replaced by a sustainable community strategy in 2008; however this is still in progress.
- 26 The corporate strategy establishes the Council's values as 'high quality low cost – lowering costs by delivering the right services the right way'. Four priorities for the medium term (2008 to 2013) are as follows.
- Housing - provide decent and affordable homes for all.
 - Efficiency - lowering costs by delivering the right service in the right way.
 - Regeneration - shaping and delivering investment to achieve a prosperous economy and sustainable communities by establishing a strategic framework for regeneration, with clear priorities for action.
 - Environment - protecting and improving the local environment and quality of life for residents.

Each priority is underpinned by objectives and measures of success, but not targets. The corporate strategy also identifies 'key deliverables' for action that include the need to establish a clear link between the local development framework (LDF) and the economic development strategy. The Council is currently consulting local people and partners on a revised corporate strategy for 2009 to 2014.

- 27 No specific aims are set for the planning service although the service plan for the group of customer-facing services that includes DC sets its vision and purpose as: 'putting the customer first by delivering the right services in the right way to meet customer needs and expectations'. No equivalent vision or aims are specified for the group of services that includes planning policy. The DC Service Plan establishes the following priorities for the next three years.
- Performance monitoring and improvements against targets including achieving the upper quartile.
 - Making progress on e-planning targets, making savings and increasing income coupled with procedural improvements.
 - Working in partnership with neighbouring authorities.

28 Non priorities are identified as:

- making changes to procedures that do not improve customer satisfaction or the efficiency or effectiveness of the service;
- checking compliance with planning conditions, approved plans etc. except for priorities cases or complaints have been received; and
- instigating additional paper based reports etc, preferring to rely on electronic documentation.

29 The planning service is also guided by a strategic and local planning framework that includes:

- the emerging Regional Spatial Strategy for the South West, due to be finalised June 2009;
- Local Area Agreement (LAA);
- Sedgemoor Local Plan, adopted September 2004;
- Economic Development Strategy, December 2008;
- Housing Strategy, 2008; and
- Bridgwater Challenge Strategic Framework, February 2009

Is the service meeting the needs of the local community and users?

Access, customer care and community focus

30 In preparing longer term plans for the future the Council works effectively with partners and the community to understand local needs. A range of mechanisms is in place to engage with the local community to allow involvement in policy development and decisions affecting the local area. For example effective engagement with parish councils allows financial contributions from developers towards sport and play facilities to be directed to areas of greatest need. Evidence gathering for the preparation of plans and strategies, such as the housing strategy, economic development strategy and work towards the core strategy for the local development framework (LDF) has opened up further opportunities for extensive engagement with stakeholders, partners and community groups. This work is being built on through the local regeneration partnership, Bridgwater Challenge including a stakeholder forum and targeted engagement at deprived communities. This is helping to build a good understanding of the challenges facing the area and support an integrated approach to growth and regeneration through the LDF.

How good is the service?

- 31** Partnership and multi-agency working is used effectively to build a consensus around the future housing and employment growth that is planned for the area. The Council is currently undertaking housing market and land availability assessments jointly with other Somerset councils and is working closely with them on infrastructure planning. Close working with the Environment Agency is supporting the development of strategic flood defence solutions for Bridgwater, such as the Parrett barrier. On-going engagement with the Highways Agency is allowing the Council to resolve concerns over the impact of major development proposals on motorway access. The Council works constructively with the nuclear industry and has led the development of local nuclear energy group to build a shared understanding of the likely impacts of a new facility at Hinkley Point, just outside the Sedgemoor boundary. This is building a more coordinated approach to planning for the future of the area.
- 32** The Council is committed to maintaining a sound policy basis for future decision making. Although the local plan is reasonably up to date (adopted September 2004), the Council recognises the importance of the LDF to delivery of both its corporate ambitions and national and regional policy objectives, including the need to resolve potential conflicts such as accommodating significant levels of growth in areas at high risk of flooding. To support this, the Council has prioritised an improvement programme to get the LDF back on track after earlier slippage and has commissioned a number of key studies, such as a strategic flood risk assessment, retail surveys and an employment land review that will inform the development of the core strategy. However, more needs to be done to ensure that the LDF timetable is not affected by delays in producing the sustainable community strategy, and although the Council is working to progress this, current limitations in staff capacity are placing this process under strain.
- 33** The Council makes planning decisions in a fair and transparent way. The public have open access to planning files and can speak at the development control committee. People affected can view and comment on planning applications on-line that include details of plans, drawings and scanned images, although details are not routinely updated to include comments from consultees and amendments to plans are not consistently added. Councillors involved in planning decisions receive compulsory training and are guided by codes of conduct to avoid conflicts of interest. Committee business is conducted fairly, with clear officer reports and presentations. Positive features include a dedicated member of staff to welcome visitors and a leaflet to help people unfamiliar with committee processes. This makes decision making processes more accessible.

- 34** Overall, the service is not sufficiently tailored around the needs of users. The development control service provides some mechanisms for users to contribute to the standards of service they receive. Good engagement with parish councils and a well established consultative panel for agents provide opportunities for input from these groups that have resulted in changes to delivery. These include changes to the delegation arrangements and the creation of a new post to provide conservation advice. However, wider opportunities for other users to actively shape the quality of service they receive are lacking. Few processes are in place to obtain regular feedback from users to allow them to challenge the standard of service they receive or identify the scope for improvement. Users are not consistently involved in decisions that directly affect them, such as ceasing to advise people and organisations of the outcome of planning applications they have commented on. As a result, the Council cannot be sure that it is meeting the needs of customers or matching their rising expectations.
- 35** The Council is not consistently focusing on things that are important to users. A number of changes to benefit users have been introduced in recent years such as the introduction of a duty officer, pre-application advice and the establishment of an agents' forum. But feedback from regular service users about variable and sometimes poor levels of service, including delays in obtaining pre-application advice, inconsistent quality standards for registration of applications and poor response times to phone calls were also verified by our own observation and mystery shopping. Although corporate standards are in place for response times to telephone calls, e-mails and correspondence, the Council does not monitor whether the standards are being met by the planning service, so cannot ensure a consistent level of service. Development control and building control processes are not well integrated, for example to ensure that householders unfamiliar with the planning system are clear about what is required under both sets of regulations. Poor or variable service can leave a lasting impression as many people will use the service only rarely.
- 36** Planning information and guidance are not well signposted for users. The website is signposted in standard correspondence but it is not easy to navigate and requires some prior knowledge of the planning system. Planning pages of the website do not contain a comprehensive list of available guidance, staff structures and contact details, what the service aims to achieve and the standards of service users can expect. The search facility does not consistently return relevant information. Although guidance is now in place for pre-application advice, this is not contractual and does not commit the Council to specified timescales or actions. Guidance on design matters is lacking, raising the risk of inconsistency and uncertainty of outcomes. No guidance is available for straightforward forms of development such as extensions and roof conversions and information on acceptable standards for registration of applications is difficult to find. This is inconvenient for users and makes additional demands on staff time. More comprehensive guidance and easier access to information would give a clear message to users that their needs are important to the Council.

How good is the service?

Diversity

- 37** The Council has been slow to develop and practice a culture of fair and equal access for all to meet the needs of its diverse communities. Despite having a target in place to reach level three of the local government equality standard (a five point scale in which one is the lowest) by 2007/08, the Council has only now achieved level two. Staff and councillor training on diversity is limited and the Council does not monitor the impact of its policies and decisions on different groups, for example through analysing trends in complaints, enquiries and feedback information. Human rights issues are not routinely considered in committee reports. However the Council is now starting to make progress from a low base. Some equality impact assessments (EIAs) have been carried out in high risk areas, including the planning application process, appeals and enforcement. Results have been challenged by a consultant acting as a critical friend. But to date it is unclear how the results of EIAs are impacting on delivery. The Council is now working towards the new equalities framework for local government in 2009/2010. This is starting to raise the profile of diversity and equalities issues across the organisation, although much remains to be done.
- 38** The Council has not developed effective measures to ensure that the planning service is tailored to the needs of potentially disadvantaged groups. The Council has had little engagement with communities that could be facing disadvantage, although it is now starting to identify these through its work on Bridgwater Challenge and the LDF. Some work has been carried out on the demographics of the local community and monitoring is being done in some service areas but this has not been shared more widely. There are examples of constructive working with people with disabilities through forums and of a pro-active approach to meeting the needs of gypsies and travellers, through close working with partners and the local community. Building on this, the Council now plans to use established community forums representing other minority groups to consult on specific service requirements. In the meantime, the Council cannot be sure that some users could be unintentionally disadvantaged.
- 39** The service is not consistently welcoming or accessible to all users. The Council encourages contact via electronic means and has changed its practices to reflect this; for example it does not inform people who have commented on applications about the final decision but encourages them to look this up on the internet. In addition, information on application progress on the Council website is incomplete, with some records only available in hard copy. This is inconvenient and could act as a barrier for some customers. The service is not easily accessible to users whose first language is not English. A translation service is available but details of this facility are not easy to find on the website and are not clearly signposted on the home page. Leaflets and standard correspondence use variable font sizes which may be inconvenient for people with visual impairment and few include translation straplines. The Council is aware of the need to improve in this area. It has recently consulted with customers to identify barriers to services as part of its work in preparing a customer access strategy. This is a welcome step towards a more inclusive approach to delivery.

- 40 The development control service is not aware of the needs of potential or occasional users of the service or how it can improve accessibility for them. People in outlying parts of the district can inspect planning applications via parish councils (although details of how to do this are not provided in standard correspondence). A limited outreach service is available for people who cannot travel or access this information via the internet but this service is not well publicised. The Council has not reviewed whether its opening hours and committee meeting times are convenient or could be excluding some users. The lack of on-going feedback mechanisms also means that the Council is unable to understand the impact of the service on particular groups or whether some users are being inadvertently excluded.
- 41 On the other hand, the service responds sensitively and practically to some individual and minority needs. All Council buildings comply with the legal requirements for access by people with disabilities. The Council reception area and meeting rooms are readily accessible for people who use a wheelchair and a hearing loop system is provided in the Council chamber and meeting rooms. Accessibility pages on the Council's website include a 'browsealoud' function that is speech enabled and a facility to change the appearance of the site. However, users cannot change the text size by a single click, which may deter some users. The Council is aware of these weaknesses and plans to address them.

Service outcomes for users and the community

- 42 The planning service is successfully contributing to the Council's housing objectives. It has consistently exceeded strategic housing targets, and close and effective working with housing services and partner agencies is now improving delivery of affordable homes, albeit from a low base. Over the past two years, the numbers of affordable homes built have effectively doubled, achieving 146 units in 2007/08 - in line with the 35 per cent policy requirement. Successes under the rural exceptions policy include two projects at Nether Stowey and Chilton Polden. Innovative approaches through partnership working cross-subsidisation between sites have allowed the Council to secure up to 75 per cent affordable homes on some sites. The urban extension at south Bridgwater that is currently under way will deliver 1,460 homes of which 514 will be affordable. Construction is about to start on a large strategic site in Highbridge that will deliver 60 per cent affordable homes, including a higher proportion suitable for families and to rent. This is making a valuable contribution to meeting the housing needs of the area.
- 43 Effective multi-agency and partnership working is contributing to the Council's aims of regeneration and employment growth. Multi-disciplinary team working brings different services together to jointly address constraints and exploit opportunities. Successes include the regional rural business centre which brings together a sub-regional livestock market with a range of agricultural, retail and other businesses that are co-located in a single one-stop centre for the farming community. The adjacent Wiseman's dairy now employs over 500 people. These major developments have not only provided new employment opportunities in the Bridgwater area but have been instrumental in releasing the now redundant cattle market sites in Bridgwater, Highbridge and Taunton for much needed housing development.

How good is the service?

- 44 In line with national policy, the Council promotes sustainable communities and incorporates sustainability into the design and layout of new development. The new urban extension at south Bridgwater is based on sustainability principles that include good public transport links to the town centre and ready access to a major source of employment. The provision of a year's free bus pass for residents is being used to promote use of local bus services. A 42 hectare country park will help to integrate new and existing communities. The Council also promotes eco homes and sustainable methods of construction, with good examples at Stawell and Nether Stowey. The regional rural business centre incorporates a sustainable water storage system and has received recognition as an exemplar of cutting edge environmental technology. This demonstrates an awareness of environmental constraints and opportunities.
- 45 The planning service makes sound decisions that it can defend on appeal. Performance is well above the national average, with 70 per cent of appeals being dismissed in 2007/08 and 68 per cent being dismissed in the first three quarters of 2008/09 although this level of performance is below the local target. The number of appeals received each year is comparatively low and is not increasing. This gives a level of assurance about the quality of the Council's decision making processes.
- 46 Processing times for planning applications are slower than many other councils and this picture has worsened recently. The Council met government targets in all categories of applications in 2007/08; but performance in major applications was among the worst 25 per cent nationally and was well below average in minor and other applications. According to the Council's own data, performance in major applications has deteriorated over the past year from 61 per cent in 13 weeks in 2007/08 to 53 per cent in 2008/09, well below the government target of 60 per cent. Performance in minor applications has also fallen from 72 per cent in 2007/08 in eight weeks to 69 per cent in 2008/09; and in other applications from 84 per cent in eight weeks to 82 per cent in 2008/09. As a result, the Council is failing to meet one of the service's aims to reach top 25 per cent performance. The Council monitors and is starting to tackle the reasons behind this poor and deteriorating performance, for example by reviewing the scheme of delegation, greater emphasis on pre-application discussions and restructuring teams. There are early indications of more recent improvement. But the contribution of other factors, such as efficient processes and the ability of other services and statutory consultees to respond quickly has yet to be investigated. Speedy decision can be important in promoting Sedgemoor as a good place to invest in.
- 47 Processes to secure community benefits from the planning system are not systematically planned, managed or monitored to maximise delivery. No published guidance is available that sets out the processes involved, explains developer requirements or promotes the use of standard legal agreements and clauses. Despite an increasing reliance on the planning system to secure affordable housing, supplementary guidance is out of date. A sound system to monitor financial contributions towards sport and recreation facilities is in place which ensures that money is spent appropriately and new facilities are provided according to identified need and agreed timescales. But this process has yet to be extended to other types of community infrastructure although plans are now in place to do so. The Council is aware of the need to maximise the use of the planning system to secure a range of benefits for the community and is now actively reviewing its procedures to achieve this.

- 48 Although enforcement processes are well managed, the Council is not systematically using the enforcement process to deliver its corporate and planning aims. There are some examples of pro-active enforcement such as successful action to remove advertisement hoardings along the M5 corridor and the Council is prepared to take tough action when necessary to deal with people who disregard planning regulations. But on the whole enforcement is reactive and is prioritised solely according to locally defined risks that do not relate to wider corporate aims or those of the planning service. Proactive and community based action to tackle specific issues is rare and monitoring of compliance is minimal, although this is in line with the service's identified non priorities. However it means that the Council cannot ensure that enforcement action is fully contributing to what it wants to achieve for the area or consistently acting as a deterrent to those who disregard planning regulations.

Is the service delivering value for money?

- 49 The service does not have a detailed understanding of how its costs, service delivery arrangements and quality compare with other councils. Overall, planning costs per head compare favourably with other councils and have fallen since 2006. However, application processing times have also fallen over this period, with performance in major applications among the worst 25 per cent nationally, indicating that value for money is not improving. The need for cost savings is an integral part of service planning but no targets are set to improve value for money (VFM) over time. Robust budget monitoring arrangements are in place and monthly reports are provided for senior managers identifying key areas of expenditure. But cost and performance information are not reported together, making it difficult to challenge the cost effectiveness of different aspects of the service or identify where improvements could be made.
- 50 A systematic approach to delivering VFM is not in place. The Council aims to be a 'high quality and low cost authority' but the approach to date has focused on cutting costs and not consistently balancing this with quality. The planning service has contributed to savings and increased income in a number of ways such as restructuring and cutting posts, introducing charges for pre-application advice and increasing reliance on electronic service delivery. However the Council has not assessed the impact on service quality and feedback from some customers indicates that the quality of service they receive is not consistently improving. Cost savings through a reduction in staff numbers across the Council have left capacity stretched in a number of critical areas on which the planning service depends. To address capacity gaps, the Council relies on consultants. Although joint commissioning with neighbouring councils helps limit costs, the Council has not evaluated whether the use of consultants is cost effective in the longer term, for example in capturing learning and supporting staff development. As a result the Council cannot demonstrate that the planning service provides good value for money.

How good is the service?

- 51 The Council is missing opportunities to maximise efficiency through reviewing targets, DC processes and the balance of support and qualified staff. Some cost efficient processes are in place such as the use of simplified legal agreements or conditions instead of section 106 agreements but other opportunities to improve efficiency are not being fully explored. Processes to register applications are fragmented and the lack of dedicated support staff means that some time consuming administrative duties are being carried out by qualified planning officers. Some operational targets are in place but these are not kept under review to ensure that they are sufficiently challenging, for example targets such as five days to register applications and 21 days to carry out a site visit. This means that the Council is not continuously striving to improve efficiency over time.
- 52 Despite efficiency being a corporate priority, political challenge and leadership of VFM is lacking. Councillors do not routinely challenge the cost effectiveness of the service or consider how political processes can contribute to this agenda. Political decisions with significant cost implications are taken without reference to the costs involved. An example is the continuing reliance on day long committee meetings to decide planning applications, despite the significant proportion of relatively minor proposals and the recent decline in the numbers involved. As a result, the Council cannot be sure that the planning service is being delivered in a cost effective way.

What are the prospects for improvement to the service?

What is the service track record in delivering improvement?

- 53** The Council does not have a consistent track record of continuously improving the service for customers. A number of initiatives to benefit customers were introduced in response to the findings of the previous planning inspection in 2002 and further improvements have subsequently been made, including the introduction of a duty officer to deal with planning enquiries, the establishment of a stakeholders forum, improvements to the website and significant improvement to the speed of deciding applications. However, the service has failed to keep up with rising user expectations. In turn this reflects the absence of mechanisms for on-going feedback from service users and of processes to systematically review the impact of changes to delivery. New initiatives are not consistently designed around users needs. For example, it is unclear how the re-introduction of pre-application advice is impacting on customers as the Council does not monitor whether it is leading to greater certainty of outcomes and faster decision making. Feedback from customers is mixed on this issue, with many reporting delays in obtaining pre-application advice and a lack of consistency in its quality that are acting as a deterrent to using this service. A more consistent focus on users' needs would allow the Council to improve the things that are important to customers.
- 54** The planning service cannot demonstrate a track record of continuous improvement in performance indicators such as the speed of deciding planning applications. Significant improvement has taken place since 2002/03 when no major applications, 30 per cent of minor and 46 per cent of other planning applications were determined on target. By 2006/07, performance had improved to 61 per cent of major, 67 per cent of minor and 87 per cent of other planning applications being determined on target. This improvement has led to increasing awards of planning delivery grant, although performance remained in the worst 25 per cent for major applications and below average for the other two categories in 2007/08. However, the momentum of change has not been maintained over the past three years. Performance is now showing signs of deteriorating during 2008/2009, particularly in the speed of deciding major applications. This means that the Council has not kept up with the rate of progress being made by other councils.

What are the prospects for improvement to the service?

- 55** Other indicators do not consistently demonstrate a strong record of improvement that would be experienced by users. Service costs per head of population have fallen over the past two years and are now in line with the best 25 per cent performance. But despite achieving significant cost savings through staff downsizing and increased income generation, the service cannot demonstrate that value for money is improving. Users do not consistently recognise an improvement in the quality of service they receive. And as already stated, progress in developing an inclusive approach to diversity and ensure equality has been slow, which means that some users may be disadvantaged.
- 56** The Council has a track record of responding well to external challenge. This is shown by its commitment to bring the LDF back on track with the help of consultants to identify the need for additional resources. The Council has acted robustly to address weaknesses identified by previous inspections and implemented changes that have led to improved performance. The Council has systematically addressed all weaknesses identified in the previous inspection of the planning service in 2002, resulting in significantly improved processing times for planning applications to meet government targets and clearance of a large backlog of applications. The Council has put in place an ambitious improvement plan in response to a recent housing inspection that is already demonstrating results through increased delivery of affordable homes. This shows that the Council is open to challenge and willing to learn.
- 57** The planning service has contributed to improved outcomes for the local community. Examples already mentioned include the progress being made towards significant new housing development and community facilities in the urban extension at south Bridgwater and successful regeneration projects such as the regional rural business centre. The planning service has contributed to an increased rate of delivery of affordable homes which in 2008/2009 exceeded the annual LAA target and the Council's best annual rate of delivery to date. The service has also contributed to social regeneration through the development of the Victoria Centre, a community based project in a deprived area of Bridgwater. The Council's success has been recognised in increasing awards under the local authority business growth incentive scheme (LABGI) which increased from £418, 320 in 2006/07 to £805,000 in 2008/09, some of which has been used to support improvement in the planning service. This provides external verification of the effectiveness of the Council's actions to regenerate the local economy.

How well does the Service manage performance?

- 58** The service does not have a challenging longer term vision setting out what it wants to achieve for the area or is aiming for in terms of service quality. The Council's vision for the future, together with aims and priorities are clearly articulated in the corporate strategy, with links to the community strategy and LAA. The Council has identified the LDF as a key deliverable that is critical to delivery of affordable housing and to future place shaping. Corporate priorities are well understood by staff and stakeholders. But staff appraisals are based around short term competencies and training needs and do not include aims and objectives that link to those in corporate and service plans. Corporate and service level plans do not clearly articulate how the planning service will contribute to corporate priorities to meet community needs. There are no specific objectives in the DC service plan relating to the provision of affordable housing or regeneration. The DC service plan includes a broad objective of helping to meet corporate priorities but the plan does not specify how this is to be achieved. Another objective is to reach top 25 per cent performance for speed of deciding applications but it is also unclear how this will be achieved or how this objective supports the wider priorities of the Council. Lack of integrated planning limits the ability of all services to jointly contribute to what the Council wants to achieve for the area. It also prevents staff and partners from understanding their role in delivery.
- 59** An effective, strategic approach to improvement planning is not in place. To date, improvement plans for both DC and forward planning are underdeveloped and not well integrated. Although the Council has now drawn up a comprehensive improvement plan in response to the inspection findings, until very recently there was no overarching improvement plan in place for both DC and forward planning that sets out what the service is aiming to achieve or how it will achieve it. The Council has prepared, and is delivering on a list of actions to bring the LDF programme back on track and a DC improvement plan is in place that includes actions, responsibilities, milestones and targets. However, the two plans are not integrated or informed by common aims. The DC plan's focus is on operational matters and remedial actions that contribute to efficiency such as e-planning, income generation and staff downsizing. In addition, the plan lacks clarity and challenge. For example, it is unclear whether the service is aiming to meet national targets for application processing times, exceed them or attain top 25 per cent performance and the plan does not identify the necessary actions. Outcome based measures of success are missing, particularly those that incorporate a user perspective. A significant number of new initiatives to improve the service are now in the pipeline, including a more pro-active approach to development management, based on strengthened partnership and cross service working. But the Council has not identified the outcomes it wants to achieve from this, mapped how this change is to take place or fully considered the contribution of partners and other services to its success. A strategic approach to improvement planning would help the Council drive more fundamental change.

What are the prospects for improvement to the service?

- 60** Performance management is not used consistently to drive improvement. Sound processes are in place to manage many aspects of operational delivery, including progress on the LDF and processing times for applications, appeals and enforcement complaints. The Council uses IT software to log and track all planning applications and monitor individual and overall performance. Caseloads are actively managed to ensure that applications are processed in accordance with agreed timescales. This has contributed to faster decision making. However, performance management is weak for other aspects of service delivery that are important to users. For example the Council does not monitor the response times to letters and emails, or whether it is meeting the time or quality standards for pre-application advice. On the other hand, where performance monitoring is carried out it is not consistently used to drive improvement. For example, information is routinely gathered on the reasons why applications exceed their target date but it is unclear how this is used to take corrective action. This means that the Council is missing opportunities to identify areas for improvement.
- 61** A performance management culture is not fully embedded across the Council or within the service. A range of performance information is produced regularly for senior managers and councillors but arrangements for political scrutiny and challenge of performance are unclear and potentially fragmented. A specific monitoring group has been established for the LDF, which together with a new planning action group for DC, allows lead councillors to track progress and identify the need for corrective action. But overall, reporting arrangements are not being used to their full potential and there is little evidence of active scrutiny of performance by councillors or specific action being taken in response to performance reporting. This is exacerbated by the absence of clear aims for the DC service that are shared by staff and councillors, such as a consensus around the importance of reaching top 25 per cent performance. This makes it difficult for the Council to maintain a clear strategic overview of progress and identify interdependencies and the resources needed to prioritise corrective action.
- 62** The Council lacks arrangements to manage value for money or improve this over time. Initiatives to reduce costs are not routinely monitored to assess their impact on service quality and effectiveness. For example the Council has not evaluated the impact on the planning service of staff downsizing and capacity constraints in other services on which it depends to deliver quality and timely decisions. It has not evaluated the cost effectiveness of charging for pre-application advice in terms of customer satisfaction, fee income generated and any potential negative impacts that might deter users. This is important if the Council is to drive improvement as well as reducing costs.
- 63** The Service is missing opportunities to learn from its customers. It is not routinely using the result of complaints monitoring to improve service standards. Although the planning service has made changes to procedures as a result of complaints it does not routinely monitor the reasons for complaints, whether they raise any equality issues or the impact of the action taken. This is because of limitations in the current computer software which is shortly to be replaced. Feedback questionnaires from the development control committee identify a number of recurring issues but it is unclear what changes have been made as a result. This means that the Council is missing opportunities to identify areas for improvement that are important to users.

What are the prospects for improvement to the service?

- 64 Leadership of change is mixed. Both the DC service and forward planning have responded well to external challenge that has resulted in corrective action being taken but there is little evidence of more fundamental, longer term improvement being generated from within the DC service. There is very recent evidence of a greater determination to transform the way the planning service as a whole operates, for example through restructuring, the move to development management and closer working between forward planning and DC but it is too soon to say how effective these measures will be.
- 65 Staff operate within a culture of flexibility and change. The Council regularly reviews managerial responsibilities and service groupings through re-structuring. The latest restructure to locate the entire planning service within a single directorate that also includes economic development will bring opportunities for closer working in support of the Council's aims. Staff are committed to improving the service and recognise the need for change but the frequency of restructures, which take place without full communication and consultation with people involved is starting to impact on staff motivation and morale, particularly in an environment where capacity is stretched. Effective management and communication of change is important in securing buy-in from staff and the Council's partners.
- 66 Learning opportunities are at an early stage of development. The service is beginning to learn from high performing authorities. The Council sent questionnaires to several high performing planning services to identify potential areas for improvement. Results have been shared with councillors and key partners in a recent workshop and an action plan is being created. However, the Service is missing opportunities to learn from other better performing services within the Council, for example benefits which combines speedy processing times with a strong focus on customer needs. Learning from others can be a cost effective way of capturing good practice to drive improvement.

Does the Service have the capacity to improve?

- 67 Staff capacity within forward planning is stretched. Despite its recognised importance to the Council, sustainable resources to prepare the LDF are not assured in the long term. Capacity is successfully enhanced through effective cross service working and the Council is good at securing external funding which is used to employ consultants for key elements of the LDF process. Only two of the three full-time planning officer posts are permanent, with a third reliant on short term external funding. To provide administrative support to deal with the extensive range consultation and community engagement activity, a planning technician post is being created, but this is only for one year and again is externally funded. Current capacity constraints mean that the Council is unable to evaluate the impact of major development, develop infrastructure plans and proposals for community benefit, although it is seeking external funding to coordinate this significant workload. Financial capacity to commission external studies is limited and diverts valuable staff time to work bids through the system. Together with the limited staff capacity in other Council services on which the LDF team depends, this is placing the Council's ability to maintain its current rate of progress on the LDF under strain.

What are the prospects for improvement to the service?

- 68** Capacity in DC is adequate. The introduction of Sedgemoor Direct has helped to divert a significant proportion of routine frontline enquiries. Management capacity has recently been enhanced through the re-allocation of responsibilities and the appointment of a new DC manager is bringing fresh ideas and an external perspective to the service. Staff are used flexibly in response to changes in workload, such as a recent reduction in the number of minor and increase in major applications. However, on-going gaps at technical levels mean that the Council is dependent on consultants, for example to process major planning applications. There is currently one vacant senior post which following a six month delay in recruitment, linked to the immediate promotion of a newly appointed member of staff, may constrain improvement in the short term.
- 69** Overall staff capacity across the Council is stretched. This is starting to affect staff morale and may impact on the ability of the planning service to sustain improvement. Limited capacity in the legal service is affecting the Council's ability to process legal agreements quickly and may cap its ambitions to work more constructively with developers to agreed timescales. Landscape, ecology and design skills are stretched. On the other hand, through re-allocating savings, the Council has recently created a new conservation post and the recent restructuring to bring the LDF and DC teams together with economic development in a single directorate provides new opportunities for closer and more flexible working in support of the local economy. It is anticipated that changes to political portfolios will follow. But other opportunities are being missed. There is scope for closer working between DC and building control in ways that could benefit customers. This highlights the need to maintain a strategic overview of the interdependencies between planning and other services to ensure that resources are appropriately directed to support priorities.
- 70** Workforce planning across the Council is progressing but is not fully developed. A workforce strategy has recently been prepared but is yet to be implemented. Some robust human resources policies are in place, for example to manage sickness absence and encourage flexible working. The Council's approach to training ensures that staff and councillors are well trained and their skills developed. The Council has achieved investors in people (IIP) accreditation under the new standards which reflects this approach. Staff and councillors work constructively together to agreed procedures, protocols and job descriptions. Councillors involved in making planning decisions receive compulsory training and are kept up to date with changes in procedures and legislation. These measures are important in supporting staff and councillors in carrying out their roles and responsibilities and in helping the Council to make the most of its limited capacity.

What are the prospects for improvement to the service?

- 71 Financial capacity across the Council continues to be limited. The Council has a robust medium term financial plan that identifies the need for on-going savings to deliver its priorities. Budget monitoring is rigorous, with regular reporting to senior managers and councillors and clear accountabilities for any variances against profiled budgets. The planning service has been largely protected from the need for further savings in the most recent budget round when the Council was under significant financial pressure to achieve a further £2 million savings. Although this demonstrates the Council's commitment to the planning service, the Council has yet to evaluate whether the planning service has the right structure, balance of qualified and support staff and efficient processes and procedures to ensure that it is maximising the use of available resources.
- 72 The Council makes good use of ICT to support service delivery. Significant investment in ICT to date, partly funded by planning delivery grant has allowed the Council to conduct much of its business electronically and secure the necessary software to effectively manage decision making processes and consultation on the LDF. This has resulted in easier access to the service for many users. However the Council is aware that more needs to be done. Plans are in place to upgrade the website to improve access to planning information and allow users to monitor progress on all aspects of application processing. There is also scope for better use of ICT to improve communication with users on application progress and outcomes and minimise the need for duplication of electronic and paper records.
- 73 The Council is increasing capacity to support improvement through partnership working and external funding. This includes £1.5 million in planning delivery grant to date which has been invested in a range of service improvements such as additional staff, improvement to IT systems and the website. Funding of £335,000 from the South West Regional Development Agency (SWRDA) has contributed to commissioning studies to support the LDF. The Council recognises the importance of having a clear strategic planning framework in place to improve access to external funding, and has prioritised action to support this, for example through Bridgwater Challenge and the economic development strategy. The Council identifies opportunities for cost saving through joint procurement. The Council works in partnership with a neighbouring council to provide a joint DC manager and is currently exploring wider opportunities for shared service delivery through Pioneer Somerset. This includes proposals for a county wide approach to section 106 agreements for major proposals that will add capacity through pooling resources and establishing a standard approach to infrastructure requirements. The Council is also exploring ways to deal with skills shortages and is working jointly with other Somerset authorities to do so.

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