

RECORD OF DECISION MADE UNDER DELEGATED AUTHORITY

*PART 1 – PUBLIC DOCUMENT

Any interest to declare/ or conflict and any dispensation granted - none

SERVICE DIRECTORATE: REGULATORY

1. DECISION TAKEN

To enter into contract extensions for temporary staff to extend current contract periods due to recruitment and retention issues in order to deliver key projects and statutory services.

2. DECISION TAKER

Ian Fullstone – Service Director Regulatory

3. DATE DECISION TAKEN:

22 January 2024

4. REASON FOR DECISION

4.1 To ensure that the Council has sufficient staffing. As can be seen below a number of recruitment exercises have been carried out in attempts to fill the posts; however, these exercises were unsuccessful, although new recruitment processes will be undertaken for some roles. For other roles the use of temporary staff is being extended due to conflicting priorities with regard projects.

5. ALTERNATIVE OPTIONS CONSIDERED

5.1 As can be seen below these roles are required to deliver key services or projects due to an inability to recruit, as such, these are the alternative options.

6. CONSULTATION (INCLUDING THE EFFECT ON STAKEHOLDERS, PARTNERS AND THE PUBLIC)

6.1 The Executive Member and Deputy for Planning and Transport are regularly briefed re the staffing issues within the Regulatory Directorate, conflicting priorities and the use of temporary staff.

7. FORWARD PLAN

7.1 This decision is not a key Executive decision and has therefore not been referred to in the Forward Plan.

8. BACKGROUND/ RELEVANT CONSIDERATIONS

8.1 Due to the recruitment and retention difficulties faced by the directorate a number of temporary staff are employed to deliver both the statutory services as well as key projects, while where appropriate further recruitment attempts are on-going.

8.2 Typically a number of specialist agencies are contacted and a number of CV's are forwarded for the posts. These are then reviewed and suitable candidates are invited for an interview. If a suitable candidate is identified then a contract is entered into with the relevant agency or company.

- 8.3 **Senior Planning Officer (Major Projects):** this permanent post is filled by a contractor through Champion Contract Services Ltd. The post in question has been vacant for some time, the last advertisement was unfortunately unable in June 2023 to secure the successful candidate. The post was then put on hold while a restructure was considered, this is now complete and the post is due to go out to advertisement shortly in an attempt to secure a permanent member of staff. As such, the temporary member of staff will be extended to the end of March 2024 to ensure that major planning applications can continue to be considered.
- 8.4 **Senior Planning Enforcement Officer:** following the departure of the post holder, a temporary agency member of staff was put in place through the Oyster Partnership while recruitment was underway, this was unsuccessful with no applications. As such, a restructure was considered and approved through the Leadership Team. The restructure created a new Principal Planning Officer post whose responsibility included planning enforcement. The structure underneath this post has now been confirmed and a recruitment process for the senior post will commence shortly. The current temporary member of staff has been extended through the agency until the end of March 2024.
- 8.5 **Planning Enforcement Officer:** as with the post above, following the departure of the post holder, temporary cover was secured, this is currently through the Oyster Partnership. Although this is currently the same agency as with the senior post, a number of agencies were contacted for both posts and the most suitable available candidate was selected. As with the senior post, following failed attempts at recruitment the new structure underneath the Principal has been confirmed and the recruitment process for this post will commence shortly. The current temporary member of staff has been extended through the agency until the end of March 2024.
- 8.6 **Town Centre Regeneration Officer:** this post has been out to recruitment twice in March and May 2023 and has not been successful. In order to progress the town centre strategies required by the Local Plan an agency member of staff through the Oyster Partnership was recruited. The agency member of staff previously assisted the Council at its Local Plan examination so employment was sought of this individual again through a single waiver. Whilst the post has now been filled through a recruitment process it is only on a short term contract (ends December 2024). Given the Strategic Policy and Projects Manager is and has been fully committed to representing the Council at the 6 month Luton Airport Examination, the temporary post will be extended. As the Council's representations on the airport expansion will continue post Examination their contract has been extended (by single waiver) to the beginning of August 2024.

9. LEGAL IMPLICATIONS

- 9.1 Under section 14.6.4 (a) (ii) of the Council's Constitution, Service Directors have the authority to enter into contracts to carry out works and/or for the supply of goods and services in respect of their service areas and within approved budgets.
- 9.2 Section 14.6.11 (a) (i) of the Constitution also specifically gives the Service Director: Regulatory, the authority to manage, direct and control all resources allocated to the Directorate in accordance with the Council's policies and procedures.
- 9.3 The Openness of Local Government Bodies Regulations 2014* (No. 2095) require officers undertaking non-executive decisions to record (amongst other things) an award of a contract that materially affects the Council's position in a written delegated decision. At North Herts this is any award of a contract or financial decision, that is or is likely to be above £50,000.

10. FINANCIAL IMPLICATIONS

- 10.1. The following paragraphs will identify the spend and revenue budgets used to procure the temporary officers. In addition, the Group Accountant has confirmed that there are sufficient funds to continue with the proposed extension of contract.
- 10.2 **Senior Planning Officer (Major Projects):** Expenditure to date from Jan 22 -Dec 23 is £115,400, projected spend to the 31st March 24 is £140,300. Costs have been funded from salary budget underspends from vacant posts across the directorate.
- 10.3 **Senior Planning Enforcement Officer:** Expenditure to date from Dec 22 – Dec 23 is £135,000, projected spend to the 31st March 24 is £158,400. Costs have been funded from salary budget underspends from vacant posts across the directorate.
- 10.4 **Planning Enforcement Officer:** Expenditure to date from Feb 23 – Dec 23 is £68,400, projected spend to the 31st March 24 is £96,200. Costs have been funded from salary budget underspends from vacant posts across the directorate.
- 10.5 **Town Centre Regeneration Officer:** Expenditure to date from Aug 23 – Dec 23 £47,600, projected spend to the 06th August 24 is £119,800. Costs have been funded from a combination of salary budget underspends from vacant posts across the directorate, and income from the Growth Area Fund Earmarked Reserve.

11. RISK IMPLICATIONS

- 11.1 The Council has a number of key projects and statutory duties within the Regulatory Directorate, without the use of temporary staff to cover the inability to recruit these projects and duties would not met.

12. EQUALITIES IMPLICATIONS

- 12.1 In line with the Public Sector Equality Duty, public bodies must, in the exercise of their functions, give due regard to the need to eliminate discrimination, harassment, victimisation, to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not.
- 12.2 There are no direct equality implications arising from this decision. The failure to meet statutory duties may impact on those within the community who have a protected characteristic. The decision to extend these contracts will allow these duties to be fulfilled and mitigate any negative impacts.

13. SOCIAL VALUE IMPLICATIONS

- 13.1 As some of the recommendations in the report relate to a contract below £100,000 the “go local” policy has been applied in the following way in that the initial recruitment processes were open to all local residents. The recruitment of temporary staff was also open to local residents with the necessary skillset.

14. ENVIRONMENTAL IMPLICATIONS

- 14.1. There are no known Environmental impacts or requirements that apply to this report and its recommendations.

15. HUMAN RESOURCE IMPLICATIONS

- 15.1 Recruitment of both permanent and temporary staff is time consuming for managers, therefore any inability to recruit increases the time demand upon these officers.

16. BACKGROUND PAPERS

16.1 None

17. APPENDICES

17.1 None.

NOTIFICATION DATE

Date sent to all Members, put on website and appears in MIS – Committee, Member & Scrutiny Services can confirm this with you,



Signature of Executive Member Consulted

Date25th January 2024.....



Signature of Decision Taker

Please Note: that *unless urgency provisions apply* EXECUTIVE decisions cannot be implemented until 5 clear working days have elapsed after the decision has been taken to allow for scrutiny call-in.

Call-in does not apply to NON-EXECUTIVE DECISIONS