

## **CABINET MEMBER DELEGATED DECISION REPORT 01 JULY**

**Report title:** Reducing Invalid Planning Applications (RIPA) OSL Funding 2022/23

**Wards:** All

**Portfolio:** Deputy Leader (Sustainable Growth and New Homes): Councillor Danny Adilypour

**Report Authorised by:** Eleanor Purser and Sara Waller: Strategic Directors for Sustainable Growth and Opportunity

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### **REPORT SUMMARY**

This report seeks approval for the use of funding provided by the Department of Levelling Up, Housing and Communities (DLUHC) to continue the contract with Open Systems Lab (OSL) to work on the research and development for a new intelligent, online submission tool for planning applications.

The project's inception was autumn 2019. Initial funding was £98,500. Since then, the project has moved into Beta and received three further grant allocations one for 20/21 at £350,000, a further tranche for the first 6 months of 2021/22 of £350,000 and then an additional £383,100 to cover the second 6 months of 2021/22. The funding provides for a cross mix of suppliers from User Researchers, Content Designers and OSL. Following the submission of a Lambeth proposal and interview with DLUHC in December 2021, Lambeth will continue to be a partner on the project in its next phase. DLUHC have recently confirmed that they would like Lambeth to continue to manage the contracts for the project and will provide additional funding for this. Reducing Invalid Planning Applications (RIPA) is a high-profile project key to the Government's future vision for planning services to be digitised across the country, which is also consistent with the Council's Digital Strategy and focus on improving customer access to, and engagement with, Council services like Planning.

Creating the tool since its inception OSL are the only organisation able to provide the expertise and knowledge to further develop the tool. DLUHC's funding award was on the basis that OSL will continue this work through to the end of the overall project. The previous Officer Delegated Decision Report approved in February 2022 for OSL covered spend to the end of March 2022, this report is requesting approval for an extension to the arrangements to run from April 2022 to March 2023.

There was no formal approval in place for the payments/spend during (period set out in the 1st recommendation) therefore the Cabinet Member is asked to note payment/spend made during this period.

## **FINANCE SUMMARY**

The cost of the recommended OSL contract extension for the period April 22 to March 23 is £534,000 and will be funded through the DLUHC Local Digital grant. The total contract value for the OSL contract since the RIPA project inception will rise to £1,381,661.

## **RECOMMENDATIONS**

1. To note spend of £89,000 for the period 1 April to 1 June 2022
2. To approve the additional expenditure of DLUHC grant funding to OSL for the development of the RIPA tool from 1 June 2022 to 31 March 2023 at a cost of £445,000 and a total contract value for 2022/23 of £534,000.

### **1. CONTEXT**

- 1.1 Lambeth council has been leading on a DLUHC funded project (RIPA) since 2019 in collaboration with four other partner councils to develop a digital tool to help with the submission of planning applications. One key aim of the project is to make the planning submission process easier for applicants to navigate as well as more transparent. This will as a result save time and money for applicants as well as planning services.
- 1.2 These ambitions and project ethos - collaboration and transparency - align with the council's Borough Plan ambitions, as does the focus on innovation, which is also strongly supported by the Borough Plan.
- 1.3 The recent Government Housing White Paper picks up on many of the digital aspects of the RIPA project, emphasising the need for digital reformation in the UK Planning System.
- 1.4 The council as historic lead and ongoing partner to the project has been responsible for ensuring output reports are delivered in accordance with funding requirements. These include a Benefits Case, User Research report, Recommendations Report and at this stage, an MVP (minimum viable product) private beta online tool.
- 1.5 Since autumn 2019 OSL have worked on the research and development for a new intelligent, online submission tool for planning applications and the only organisation able to provide the expertise and knowledge to further develop the tool. It is DLUHC's expectation that OSL will continue the research and design alongside work with the partner councils to develop the tool.
- 1.6 This is a GW3 Procurement Report.

## **2. PROPOSAL AND REASONS**

- 2.1 Key to the project has been using the PlanX platform, which is a tool being developed to provide the public with an online pre-application digital service. This platform is being developed by Open Systems Lab (OSL) – a not for profit company.
- 2.2 The contract drawn up between the Council and OSL allows for, during the period of the Beta phase (or any extension beyond as agreed by addendum) - the council to have access to and use of the PlanX platform in order to run the tool being developed as part of the RIPA project. PlanX has coded the GPDO (General Permitted Development Order) into a data driven, machine readable format. Without this, the council would have to find the resources to build its own similar platform. Whilst the RIPA tool is open source, it would require considerable expertise to translate this into an alternative platform to run the project.
- 2.3 OSL advised and inputted into the content for the original bid and all continuous and top-up funding bids and interviews since. OSL are identified as the developer for the project. A key element of the top up funding submission was that OSL and the council partners access for the duration of the project to use the PlanX platform which is a key functionality requirement of the digital tool being developed.
- 2.4 The RIPA project has, over private beta, become closely aligned with the Back Office Planning System (BOPS), which has been led by Southwark and which Lambeth became a partner to during 20/21. The two projects work on the overarching premise of translating documents to data. DLUHC's expectation is that the two tools will continue to be developed, tested and trialled. There is a requirement that the tools are scalable and DLUHC have recently announced that a further eight LPAs are joining the projects as partners from February 2022 on.

### **Contract Management**

- 2.5 The contract has been managed by the Head of Operations and Innovation and this will continue to year end March 2023. Regular supplier meetings are held with the Head of Service. Additionally, the DLUHC lead holds weekly monitoring meetings with the Head of Service. Additional meetings are held as required with other areas of the DLUHC.

## **3. FINANCE**

- 3.1 The cost of the recommended OSL contract extension for the period April 22 to March 23 is £534,000.
- 3.2 The cost of extension will be funded through the DLUHC Local Digital grant which is earmarked for creating digital solutions to reducing invalid planning applications.
- 3.3 To date, £2,497,300 of DLUHC local digital grant has been received, with around £1,200,000 existing spend to date on contractor costs, including user research and content design. £1,265,200 is earmarked for the 2022/23 calendar year for similar contractor costs and also an element for staffing.
- 3.4 The OSL contract commenced in October 2019 and to 31 March 2022, payments of £847,661 have been made, with the additional spend requested for approval under this report making for an expected total spend of £1,381,661 by 31 March 2023.

## 4. LEGAL AND DEMOCRACY

- 4.1 The council has delegated the authority to award this contract to the Strategic Director for Sustainable Growth and Opportunity. Before exercising that authority, this paper should be reviewed by a Category Board.
- 4.2 The Public Contracts Regulations 2015 allow for the modification of contracts without a new procurement procedure where, due to circumstances which a diligent contracting authority could not have foreseen, additional services have become necessary and where a change of contractor cannot be made without causing significant inconvenience or substantial duplication of costs for the contracting authority. The modification must not alter the overall nature of the contract and any increase in price must not exceed 50% of the value of the original contract.
- 4.3 The Council's Constitution requires that all key decisions, decisions which involve resources between the sums of £100,000 and £500,000, and important or sensitive issues, must be published on the Council's website for five clear days before the decision is approved by the Cabinet Member or Director concerned (Constitution, Part 2, Chapter F). Any representations received during this period must be considered by the decision-maker before the decision is taken.
- 4.4 This proposed key decision was entered in the Forward Plan on 25 April 2022 and the necessary 28 clear days' notice has been given. In addition, the Council's Constitution requires the report to be published on the website for five clear days before the proposed decision is approved by the Cabinet Member. Any representations received during this period must be considered by the decision-maker before the decision is taken. A further period of five clear days - the call-in period – must then elapse before the decision is enacted. If the decision is called-in during this period, it cannot be enacted until the call-in has been considered and resolved.

## 5. CONSULTATION AND CO-PRODUCTION

- 5.1 Consultation has been undertaken throughout the project (Alpha to Beta) in the form of user and stakeholder research and testing. Currently within the Beta Phase stage of the project, user research testing has been undertaken for three services; the Householder (HH), Certificate of Lawfulness (LDC) application submission services and Find Out If You Need Planning Permission (FOIYNPP).
- 5.2 Twenty-seven user testing sessions across eight iterations of the prototype, have been undertaken in Alpha. More than seventy user testing sessions have been undertaken of the developing tool in the Beta phase. User testing continues and is undertaken with new design implementations fortnightly.

## 6. RISK MANAGEMENT

- 6.1 The main risks that impede on the successful delivery of this procurement and contract are:

**Table 1 – Risk Register**

Item	Risk	Likelihood	Impact	Score	Control Measures
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1	Public Beta go live date of mid-May 2022 is not met	2	1	2	Regularly scheduled meetings are held to discuss progress
2	COVID-19 impact on user research testing/development of RIPA	1	1	1	Partners involved in the RIPA project have to date adapted well to remote working and communication via Microsoft Teams. This is no longer thought to be a significant risk.
3	Compromise to Intellectual Property	1	4	4	Discussions with legal have identified no Intellectual Property risks
4	LPAs' existing systems require greater enhancement to allow them to be rules/ data friendly	3	2	6	Some integration with existing council systems is being explored for the public beta phase.

### Key

<b>Likelihood</b>	Very Likely	4	Likely	3	Unlikely	2	Very Unlikely	1
<b>Impact</b>	Major	8	Serious	4	Significant	2	Minor	1

## 7. EQUALITIES IMPACT ASSESSMENT

7.1 An Equalities Impact Assessment was completed and approved at the time of the last ODDR report in September 2020. The assessment identified as 'no adverse impact' with no change required (see *Background Information* for further detail). A revised EIA was approved on 24 June 2021. This included plans for accessibility testing of the new tool which has now been provided by The Digital Accessibility Centre (DAC), who have completed the accessibility testing, and following improvements to the RIPA system, have confirmed it meets the WCAG AA standard.

## 8. COMMUNITY SAFETY

8.1 Not applicable.

## 9. ORGANISATIONAL IMPLICATIONS

### Environmental

9.1 The proposed solution aims to drive a significant shift towards a more digital planning system in the UK. This would reduce the need to print documentation in the preparation and submission of planning applications, as well as the posting of physical documents as mail items (where applicants still produce paper format).

### Health

9.2 Not applicable

### Corporate Parenting

9.3 Not applicable

### **Staffing and accommodation**

- 9.4 The proposed solution makes the process of reviewing and validating planning applications more efficient for council officers. This would allow more time to be spent on other tasks across the service such as the assessment of planning proposals and consultation with interested parties.

### **Responsible Procurement**

#### *Good Quality Jobs with Fair Pay and Decent Working Conditions*

- 9.5 The proposed contract is living Wage compliant

#### *Quality Apprenticeships, targeted Employment for Lambeth residents and Lambeth Priority Group*

- 9.6 Given the ongoing and technical nature of the RIPA project, there is limited scope within these arrangements.

#### *Reduce Emissions: Lambeth Council has a commitment to being Zero Carbon by 2030*

- 9.7 The proposed solution aims to drive a significant shift towards a more digital planning system in the UK. This would reduce the need to print documentation in the preparation and submission of planning applications, as well as the posting of physical documents as mail items (where an applicant uses this approach).

#### *Single Use Plastics*

- 9.8 It is anticipated that no plastic consumables are associated with the delivery of this service.

#### *Positive Health and Wellbeing*

- 9.9 Not applicable

#### *Other Offers (Innovation)*

- 9.10 Not applicable

## **10. TIMETABLE FOR IMPLEMENTATION**

- 10.1 The table below details the stages and deadlines for implementing the recommendations:

<b>Activity</b>	<b>Proposed Date</b>
Publication on Decisions online	23.06.22
Funding Received from DLUHC's Local Digital Fund	March 2022
Commencement of Contract	April 2022 – March 2023

AUDIT TRAIL				
Consultation				
Name and Position/Title	Lambeth Directorate	Date Sent	Date Received	Comments in paragraph:
Councillor Danny Adilypour	Cabinet Member for Sustainable Growth and New Homes			
Eleanor Purser and Sara Waller, Strategic Directors	Sustainable Growth and Opportunity			
Matthew Gaynor, Finance	Finance and Property	17/03/2022	06/04/2022	
Michael O'Hora, Legal Services	Legal and Governance	07/04/2022	08/04/2022	
Sarah Keeble, Democratic Services	Legal and Governance	23/05/2022	24/05/2022	3
Malcolm de Vela, Energy & Corporate Resources	Finance and Property	07/04/2022	08/04/2022	
Nabeel Khan, Director Economy, Culture & Skills	Sustainable Growth and Opportunity	07/04/2022	07/04/2022	1,7
Rob Bristow, Planning, Transport & Sustainability	Sustainable Growth and Opportunity	07/04/2022		

REPORT HISTORY	
Original discussion with Cabinet Member	23.10.2020
Procurement Board	17/05/2022
Report deadline	n/a
Date final report sent	n/a
Part II Exempt from Disclosure/confidential accompanying report?	No
Key decision report	Yes
Date first appeared on forward plan	25/04/2022
Key decision reasons	Financial
Background information	<a href="#">Approved Equalities Impact Assessment</a> <a href="#">Planning for the Future; White Paper August 2020</a>
Appendices	

**APPROVAL BY CABINET MEMBER OR OFFICER IN ACCORDANCE WITH SCHEME OF DELEGATION**

**I confirm I have consulted Finance, Legal, Democratic Services and the Procurement Board, and taken account of their advice and comments in completing the report for approval:**

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Post:** Report author: Catherine Neal  
Head of Operations and Innovation - Economy, Culture and Skills

**I approve the above recommendations:**

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**I confirm I have consulted the relevant Cabinet Members, including the Leader of the Council (if required), and approve the above recommendations:**

**Post:** Cllr Danny Adilypour Deputy Leader for Sustainable Growth and New Homes

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Any declarations of interest (or exemptions granted):** Not applicable

**Any conflicts of interest:** Not applicable

**Any dispensations:** Not applicable