

Report to: Cabinet



Date of Meeting 31 March 2021

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A

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## Exemption from Standing Orders – Appointment of TerraQuest

### Report summary:

The purpose of this report is to notify Members of the use of an Exemption from Standing Orders to enable the appointment of TerraQuest (part of the Planning Portal) to help the Development Management Team by providing an initial check that when planning applications are received they are accompanied by all the necessary information. The attached form provides the full background and business reasons for the exemption.

### Is the proposed decision in accordance with:

Budget Yes  No

Policy Framework Yes  No

### Recommendation:

It is recommended that Members note the use of an Exemption from Standing Orders to enable the appointment of TerraQuest to support Development Management with the process of checking that planning application have been submitted with all the necessary information

### Reason for recommendation:

To enable the appointment of TerraQuest to assist Development Management.

Officer: Ed Freeman – Service Lead – Planning Strategy and Development Management

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### Portfolio(s) (check which apply):

- Climate Action and Emergencies
- Coast, Country and Environment
- Council and Corporate Co-ordination
- Democracy and Transparency
- Economy and Assets
- Finance
- Leisure, Sport and Tourism
- Strategic Planning
- Sustainable Homes and Communities

### Financial implications:

The financial details are within the report. The associated costs are to be met from within existing budgets.

**Legal implications:**

The legal implications are detailed within the report.

**Equalities impact** Low Impact

**Climate change** Low Impact

**Risk:** Low Risk;

**Links to background information**

Link to [Council Plan](#):

Priorities (check which apply)

- Outstanding Place and Environment
  - Outstanding Homes and Communities
  - Outstanding Economic Growth, Productivity, and Prosperity
  - Outstanding Council and Council Services
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**Report in full**

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## REQUEST FOR EXEMPTION TO CONTRACT STANDING ORDERS

Contract Standing Orders (CSOs) requires certain steps to be followed when carrying out procurement exercises. Exemptions to CSOs can be authorised by Council / Cabinet upon report and separately by officers with the approval of certain senior officers. An exemption can only be relied upon in certain circumstances (as detailed in CSOs Rules 3.1 – 3.5) but in any event cannot be used where the EU Procedure applies.

This form is intended to be used by officers to obtain an exemption to using CSOs.

Name: Chris Rose	Date: 15.01.2021
Service: Planning Strategy and Dev Mgt	Team: Development Management
Total contract value: £ 40,000	

Background (including product and supplier details, costs etc):

Services from the Planning Portal (TerraQuest) in relation to checking that planning applications submitted via the Planning Portal contain all necessary information before being forwarded to the Development Mangement Team at EDDC for processing.

Business Reasons for an Exemption:

Although the following are justifiably accepted as valid reasons for an exemption to Contract Standing Orders, they are closely monitored and should be applied only in cases where a full procurement exercise is not a viable option. (Tick appropriate boxes)

	✓	Which CSO rule?
An Emergency		

Goods or Services to existing systems or kit	✓	Limited Markets
Purchase or repair of patented or proprietary articles sold only at a fixed price		
Effective competition is prevented by government control		
Goods and/or Services recommended by a Central Government Department		
Extension to an existing contract for the purpose of achieving Best Value		
Purchase or Sale by Auction		
Where the Contract is with a Public Utility Company or other organisation which will assume liability for the works on completion e.g. sewer adoption		
Other Reasons (please provide details) There are no other providers for this service.	✓	Limited Markets

**Business Benefits for an Exemption:**

The Planning Portal are a part central government owned service that are the main portal through which electronic planning applications are submitted by applicants and forwarded to Local Planning Authorities. Just under 90% of all planning applications received by EDDC are submitted via the Planning Portal. There are no other equivalent providers of this service.

The Exemption will enable the Planning Portal to carry out checks on the applications submitted via the Portal to ensure that all of the necessary forms and plans are provided and completed before being passed to the Planning Department at EDDC for Planning Officers to process, consult on and consider.

For the trial period proposed (approximately 6 months), this will free up some capacity in the Development Management service to enable the Planning Officers to spend more time focusing on the consultation and consideration of planning applications for which there is a current backlog. At present, some of this work is carried out by Planning Officers and as the process involves admin tasks in terms of checking that the correct forms and plans are present, it is an inefficient use of professional planners who could be better used liaising with applicant's, agents, the public and Members and considering applications and making recommendations and decisions.

The Council will retain full decision making in relation to the consultaion of applications, processing of valid applications and making recommendations.

**What are the implications to the following:**

Finance: None – the money will come from within existing budgets.

Human Resources: None

ICT: The Planning Portal will require some limited access to Uniform and the Document Management System for 5 people to ensure that electronic work can be passed from the Portal to East Devon.

Asset Management: None

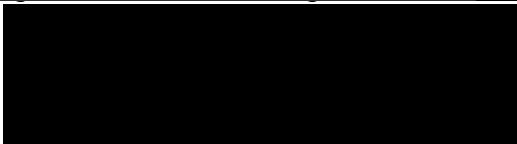
Strategic and/or Operational Objectives: None

Risk Assessment:

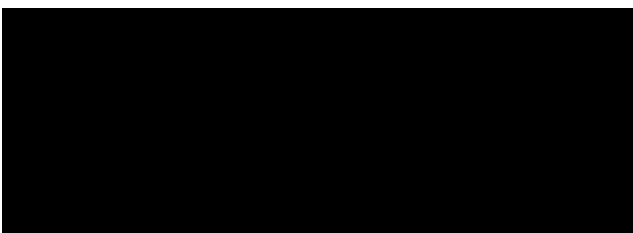
Detail risks here: The only risk identified is from the 5 Planning Portal Staff requiring some limited access to Uniform and the Document Management System although suitable contractual agreements and restrictions will be in place to ensure that the access relates to the transfer of information only.

Or attach print from the RM system

Signature of line manager or service head



Supporting signature of Strategic Lead - Finance



Supporting signature of Strategic Lead – Governance and Licensing



PLEASE NOTE:

Where the Contract value is £20,001 or above then Rule 3.2 requires you to prepare a report for Cabinet to note their support for the action taken.

The Council is required to keep a Register of Exemptions. **Please ensure that a signed copy of this form is provided to the S.151 Officer.**