

DIRECTOR DECISION – DD176

Title: APAS Planning Software Annual Fee 2023-24

Executive summary

This decision seeks approval for the licence renewal and maintenance of the existing 'APAS' planning software by Agile Applications in the financial year 2023/24 to ensure that the statutory functions of the Development Management service are maintained.

Decision

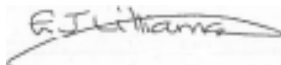
The Director approves:

- i. Expenditure of £15,606 for Agile Applications APAS software licence renewal for the 2023/24 financial year.

Authorising Director

I do not have any disclosable interest in the proposed Decision. It is consistent with OPDC's priorities and has my approval.

Signature:



Date: 07/09/2023

PART 1: NON-CONFIDENTIAL FACTS AND ADVICE

1. Background and context

- 1.1 OPDC is the statutory local planning authority for its administrative area and is responsible for validating, publicising, consulting on, assessing and determining planning applications in accordance with the requirements of relevant legislation, principally the Town and Country Planning Act 1990, and the procedures set out in the Town and Country Planning (Development Management Procedure) (England) Order 2015. These include specific requirements in relation to maintaining a public register of planning applications, publicising applications for planning permission and undertaking consultation.
- 1.2 All local planning authorities use specialist software to manage the process of receiving, validating, consulting, reporting and determining planning applications and other development management functions including requests for

preapplication advice, appeals, Environmental Impact Assessment (EIA) screening and scoping requests and enforcement cases.

- 1.3 Since its inception in 2015, the OPDC has used 'APAS' software, supplied by Agile Applications (formerly Swift Data Pro). This product supports all functions of a local planning authority, including importing planning applications from the Planning Portal (via the 1APP connector), managing the process of receiving, validating, consulting, reporting and determining planning applications, and facilitating web access to planning applications and the statutory register.
- 1.4 Several previous decisions are relevant. GLA DD1313 authorised the procurement of the APAS software in 2015 and permitted a total spend of up to £135,000 over a period of 5 years. OPDC DD132 authorised the continued provision and maintenance of the APAS software for the financial year 2020/21 and DD141 authorised an upgrade of the system and the continued provision and maintenance of the APAS software for a further period of two years (2021/22 and 2022/23). Total expenditure to date has been £112,956.
- 1.5 DD141 identified an intention to carry out a new competitive procurement process in early 2023, but this has not been – and is not proposed to be – carried out in the near future. The upgrade approved under DD141 was completed in 2022 and there is an ongoing business need for the software, which is required in order to fulfil OPDC's statutory functions as the local planning authority. A change in provider – which would involve a significant amount of officer time and would likely incur substantial set-up costs – is not justified at the present time and would not be prudent from a value for money perspective. This will, however, be kept under review.

2. The proposal and how it will be delivered

- 2.1 The proposal represents the continuation of the contract with Agile Applications to provide and maintain the APAS software in 2023/24, in order that OPDC is able to continue to carry out its statutory functions as a local planning authority.

3. Objectives and expected outcomes

- 3.1 There are two key objectives:
 - i. To ensure the continuation of the specialist software to manage the process of receiving, validating, consulting, reporting on and determining planning applications and other development management functions including requests for pre-application advice, appeals, EIA screening and scoping requests and enforcement cases; and
 - ii. To ensure continued access to the planning register by members of the public.
- 3.2 The expected outcomes are:
 - i. Effective and efficient handling of planning applications;

- ii. Ensuring appropriate access to information to facilitate effective public engagement and participation in the planning process in accordance with OPDC's Statement of Community Involvement.

4. Strategic fit

- 4.1 This decision supports timely management of planning applications, which is an important part of delivering the Mayor's vision for Old Oak and achieving targets for new homes and jobs.
- 4.2 This decision also supports access to information, inclusion and transparency, by enabling members of the public to engage in the planning process and gain access to planning documents and decisions.

5. Project governance and assurance

- 5.1 The OPDC Head of Planning – Development Management is responsible for managing the contract and ensuring provision of the services. The Planning Support Officer is the day to day contact with Agile and is responsible for reporting any issues to the Head of Planning – Development Management.

Risks and issues

- 5.2 If the development management software system is not renewed, it will severely compromise the OPDC's ability to function efficiently and to meet its statutory obligations as a local planning authority. This could result in:
 - reputational damage for the Mayor and the OPDC, both at Government level, among key stakeholders and the wider public; and
 - risk of challenge (against planning decisions) and associated costs; and practical difficulties for members of the public and interested parties accessing information.

6. Equality comments

- 6.1 Under Section 149 of the Equality Act 2010, as a public authority, OPDC must have 'due regard' to the need to eliminate unlawful discrimination, harassment and victimisation as well as to the need to advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not.^{12[OBJ]}
- 6.2 This duty has been considered by officers and it is not considered that there are any equality considerations arising directly from this decision. The APAS software

¹ The protected characteristics and groups are: age, disability, gender reassignment, pregnancy and maternity, race, gender, religion or belief, sexual orientation and marriage/ civil partnership status. Fulfilling this duty involves having due regard to: the need to remove or minimise any disadvantage suffered by those who share a protected characteristic or one that is connected to that characteristic; taking steps to meet the different needs of such people; and encouraging them to participate in public life or in any other activity where their participation is disproportionately low. Compliance with the Equality Act may involve treating people with a protected characteristic more favourably than those without the characteristic. The duty must be exercised with an open mind and at the time a Decision is taken in the exercise of the OPDC's functions.

enables members of the public to access the 'planning register' and there are no identified functional features of the software that would be considered to limit its use by persons with any protected characteristic.

7. Other considerations

- 7.1 There are no other considerations that need to be considered in the taking of this decision.

8. Conflicts of interest

- 8.1 No one involved in the preparation or clearance of this form, or its substantive proposal, has any conflict of interest.

9. Financial comments

- 1.1 Expenditure of £15,606 will be funded from the 2023/24 Planning Development Management budget, which sits within the Planning Directorate budget. This value covers the whole financial year, as this Decision is partially retrospective.

10. Summary timeline

10.1

| Activity | Date |
|---------------------|------------|
| Delivery start date | April 2023 |
| Delivery end date | March 2024 |

Appendices

- None

Other supporting papers

- None

PUBLIC ACCESS TO INFORMATION

Information in this Form (Part 1) is subject to the Freedom of Information Act 2000 (FoIA). OPDC aims to publish the Form within three working day of approval.

If immediate publication risks compromising the implementation of the Decision (for example, impacting a procurement process), it can be deferred until a specific date (when it will be published). Deferral periods are kept to the shortest length strictly necessary.

Part 1 – Deferral

Publication of this Part 1 is to be deferred: **No**

The deferral is until: N/A

This is because: N/A

Part 2 – Confidential information

Only the facts or advice that would be exempt from disclosure under FoIA should be included in or attached to any separate Part 2 Form, together with the rationale for withholding the information at this time.

There is a separate and confidential Part 2 Form: **No**

DECLARATIONS

Drafting officer: Claire O'Brien has drafted this Form in accordance with OPDC procedures, including for handling conflicts of interests, and confirms that:



Advice: The Finance team have commented on the proposal.



CONFIRMATIONS

Section 106 funding: N/A

SMT review: This Decision was circulated to the **Senior Management Team** for review on Tuesday 12th September 2023.

Chief Finance Officer

Financial and legal implications have been appropriately considered in the preparation of this Form.

Signature:



Date: 06 September 2023