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Optimization of public services in the field of obtaining permits for construction in Kazakhstan

Abstract. *Modernization of public administration is currently underway in Kazakhstan. One of its directions is to improve the quality of public services. In this article, we conducted a study on the optimization of services of local executive bodies in the field of obtaining permits, on which favorable conditions for business development in construction largely depend.*

The analysis of normative legal acts on the provision of services "Provision of raw materials for the development of construction and reconstruction projects (redevelopment and re-equipment)" and "Approval of the sketch and (sketch project)" showed that there are several problems. In particular, this applies to the duration of the approval stage (27 working days) and the bureaucracy in obtaining permits for construction (duplication of functions, repeated application, requesting additional documents).

To solve the mentioned problems, we propose to optimize these services, that is, to combine them into one service. To implement this idea, we need to change the process in submitting an architectural and planning task, it is necessary to include the design project in the list of documents at the stage of consideration of the application. As a result, the applicant will receive both a construction permit and an agreed design project at the exit. Also, it is recommended to exclude the function of obtaining permission for technical conditions for connecting to the engineering infrastructure from utilities when providing services for architectural and planning tasks and technical conditions, since it is already provided when obtaining a land plot for construction.

Proposed optimization of public services will eliminate duplication of functions, reduce time for reviewing documents from 27 working days to 10-15 working days, depending on the complexity of the object, create a composite service and comply with the principle of "One window".

Keywords: *public services, permission, public authority, business process, public administration*

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Introduction

In Kazakhstan, over the past ten years, there have been cardinal reforms in the field of regulation of architecture, urban planning, and construction and land relations. Thus, building codes and rules, formats for developing urban planning documents have been improved, European construction standards have been introduced, and a register of public services has been formed.[1] Standards and regulations have

been approved for each public service, [2] which are planned to be merged into a single standard starting from 2020.

It should be noted that earlier (before the reforms) the owner of the land plot needed to obtain an additional construction permit from the local executive body. Although, the applicant had a state certificate for the land plot, which indicated its purpose and functional purpose, the local executive body repeatedly issued a decision to conduct construction work. As you can see,

there is a duplication of the function of issuing permits, both on the part of the authorized body and the part of the local executive body. At the same time, this function was not a public service, and in this case, there could be corruption risks when solving the issue. Also, due to the lack of an approved standard and regulations, the period of consideration of the application took from 15 to 30 days, which depended on the authorized body.

The public service in the field of permits provided by the authorized body in the field of architecture and urban planning includes 2 procedures: architectural and planning tasks and technical specifications and approval of the sketch (sketch project).

Since 2015, the local executive body in the field of permits provides public services through the state Corporation "Government for citizens", and in 2018 through the "Electronic government". The deadline for reviewing the application has been reduced and depends on the complexity of the construction site, which can be from 6 to 17 working days for the "Architectural and planning task and technical specifications" and 10 working days for the "Approval of the sketch (sketch project)".[3]

However, there are certain problems with the provision of this service, which are more related to the interaction of the main stakeholders in the provision of land grant services. The fact is that when issuing a land plot, the documents are approved by the relevant services for the development of engineering infrastructure. When providing the "Architectural and planning task and technical specifications" service, the documents for the land plot are re-approved with the same services.

In this regard, a serious study of the business processes of providing public services is required, which determined the relevance and choice of the research topic. The purpose of this article is to develop a new algorithm for obtaining permits by optimizing existing business processes.

Methodology

A method of reengineering the business process of providing public services in the activities of a public authority. The analysis of internal and

external business processes will help to identify and eliminate existing administrative barriers when obtaining permits for the construction of objects in the optimal time and on the principle of "One window".

Discussion

The analysis consists of a description of the phased provision of two public services in the field of permits; this is an architectural and planning task and technical specification, as well as approval of the sketch project. The analysis describes the entire process of providing public services, its algorithm, and interaction with other government agencies.

Public service "Providing raw materials for the development of construction and reconstruction projects (redevelopment and re-equipment)"

The public service "Provision of raw materials for the development of construction and reconstruction projects (redevelopment and re-equipment)" is provided to potential developers for the construction of objects by "Rules for organizing development and passing licensing procedures".[4] The developer must obtain the source materials for the development of construction projects. The source materials for the development of construction projects include the following documents:

- Architectural and planning task
- Technical conditions for connecting to engineering and utility sources
- Cross profiles of roads and streets
- Vertical planning marks
- A copy of the detailed layout project
- Scheme of routes of external engineering networks.

The analysis showed that according to the current standard, the public service has the following algorithm of action. As you can see in Figure 1, the entire business process of this service consists of 7 steps.

Step 1 begins with the preparation of a set of documents by the Applicant, which includes:

- application in the established form
- electronic copy of the title document for the land plot

- electronic copy of the questionnaire for the technical specification.

The 2nd step is to register the applicant's set of documents with the authorized state body. Reception of documents and issuance of the result of the provision of public services are carried out through the web portal of

“electronic government” www.egov.kz. This service is provided in electronic format and is free for individuals and legal entities. Within one working day, documents are registered and sent to the local executive body.

The 3rd step is to consider the application by the service provider, which is the local executive

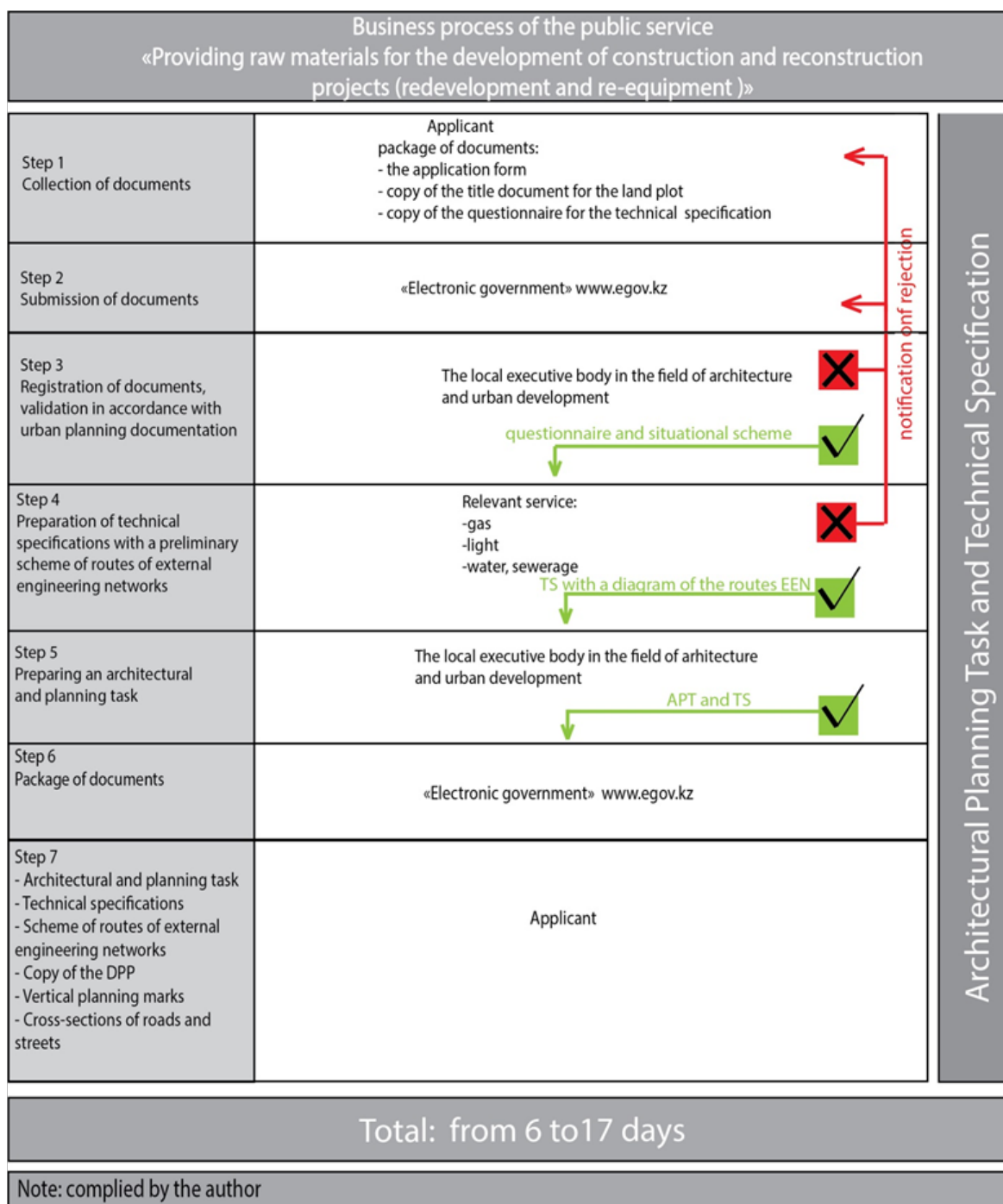


Figure 1 – Business process of public services in obtaining permits

body in the field of architecture and urban planning. At this stage, the architecture authority is considering the purpose and functionality of the land by the urban planning documentation. The term for the provision of public services depends on the complexity of the facilities, which are divided into technically or technologically simple and complex facilities. The classification of objects is given in the note [5].

1) *Technically or technologically simple objects*

- For the issuance of an architectural and planning task and technical specifications - 6 (six) working days;

- To get the initial materials (architectural and planning task, technical condition, copy of the detailed planning project, vertical planning marks, cross-sections of roads and streets, the scheme of routes of external engineering networks) - 15 (fifteen) working days.

2) *Technically or technologically complex objects*

- For the issuance of an architectural and planning task and technical specification - 15 (fifteen) working days;

- To get the initial materials (architectural and planning task and technical conditions, copy of the detailed planning project, vertical planning marks, cross-sections of roads and streets, the scheme of routes of external engineering networks) - 17 (seventeen) working days.

A reasoned refusal is provided within 5 (five) working days. The service provider is obliged to check the completeness of the submitted documents within 2 (two) working days after receiving the documents of the service recipient. If the service recipient submits an incomplete set of documents, the service provider gives a reasoned refusal to further consider the application within the specified time.

Step 4, the local executive body in the field of architecture and urban planning sends a questionnaire and a situation diagram to the service providers for engineering and public utilities to obtain technical specifications with a preliminary diagram of the routes of external engineering networks.

Step 5. Suppliers of services for engineering and public utilities from the date of receipt of the questionnaire and the situational scheme prepare

technical specifications with a preliminary scheme of routes of external engineering networks in time:

2 (two) working days for technically and (or) technologically simple objects;

5 (five) working days for technically and (or) technologically complex objects;

In case of refusal, 2 (two) working days for a reasoned refusal to issue technical specifications with a preliminary diagram of the routes of external engineering networks.

Refusal to issue technical specifications by the provider of engineering and utility services is allowed in the following cases:

1) Lack of free technical capacity necessary to provide the required volume of services;

2) The absence of networks or other property necessary for the provision of the service.

In case of refusal to issue technical specifications by the provider of engineering and utility services, the decision to refuse to issue technical specifications shall be accompanied by a reasoned justification for the lack of free technical capacity of the service with its calculation, the absence of networks or other property necessary for the provision of the service.

Step 6. Suppliers of engineering and utility services send technical specifications with a preliminary diagram of the routes of external engineering networks to the local executive body in the field of architecture and urban development. Based on the received documents, the state body in the field of architecture and urban planning fills in data on the architectural and planning task.

Step 7. Through the e-government, the applicant receives the following documents:

1) Architectural and planning task according to the form, according to Appendix 3 to these Rules;

2) Technical specifications;

3) Schemes of routes of external engineering networks;

4) Copy of the detailed layout of the project;

5) Vertical planning marks;

6) Cross-sections of roads and streets.

In total, the term of public service delivery depends on the complexity of the construction

object, which can be from 6 to 17 working days.

Public service “Approval of the sketch (sketch project)”

The public service “Approval of the sketch (draft project)” is provided by the local executive body in the field of architecture and urban development through the “E-government”.

The delivery period is 10 working days. The form of public service provision is electronic; the result is an e-mail about approval of the draft project.

List of documents: application form, electronic copy of the draft project, additional information is specified in the “electronic government” system. [6] As you can see in Figure 2, the entire business process of this service consists of 5 steps.

Results

We propose to optimize and combine the business process of the public service “provision of raw materials for the development of construction and reconstruction projects (redevelopment and re-equipment)”, “Approval of the sketch (sketch project)” which is shown in Figure 3.

Step 1, the changes are available in the package of documents attached to the application. We believe that it is necessary to exclude a copy of the questionnaire for a technical condition, since the architectural and planning task will be provided without a technical condition. We suggest enabling this function when providing a

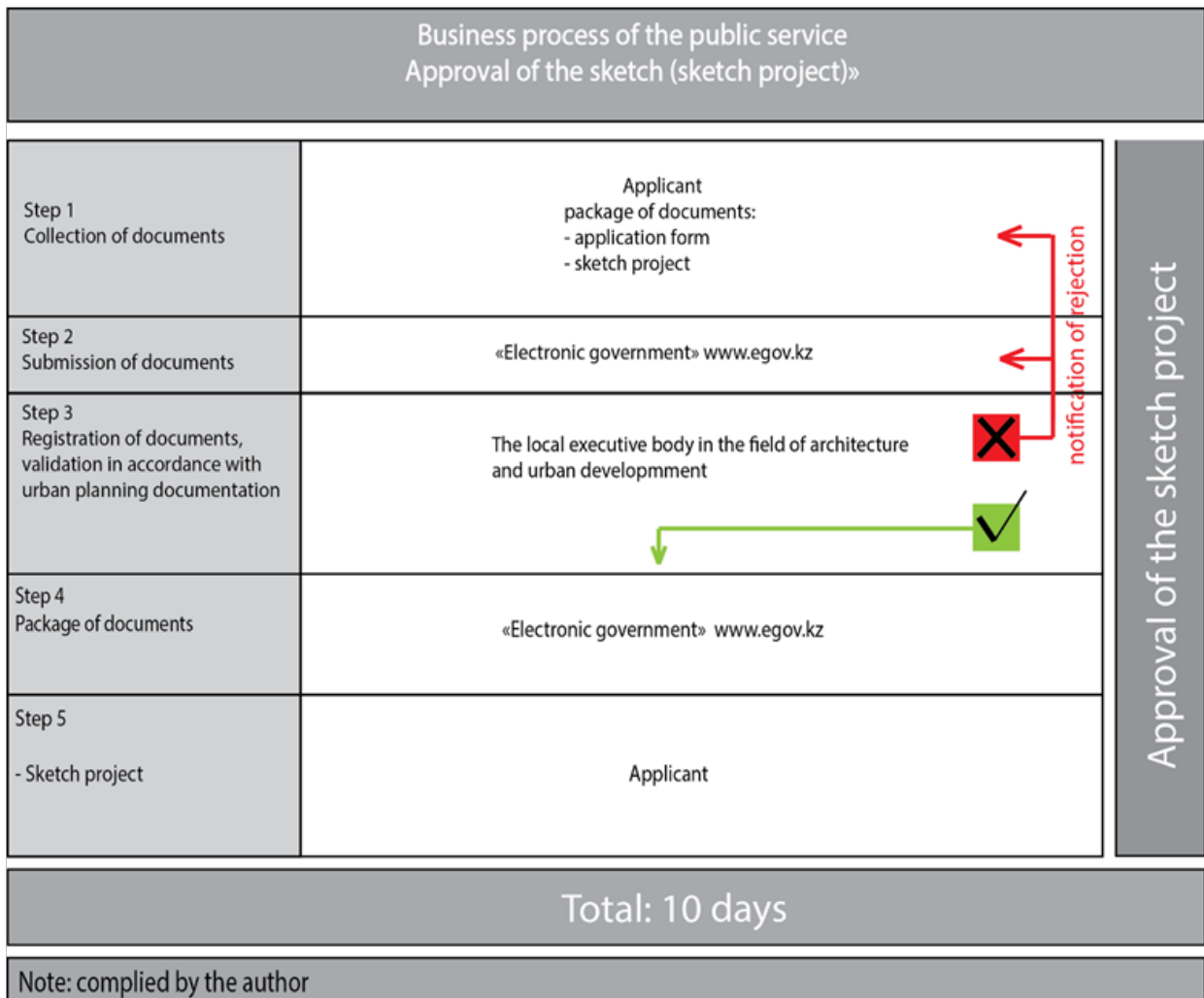


Figure 2 – Business process of public service in obtaining permits

land plot. Then add the draft project to the list of attached documents for approval.

Step 2. Acceptance of documents and issuance of the result of public services are carried out through the web portal of “electronic government” www.egov.kz.

Step 3 is the registration of documents that are considered by the urban planning documentation. In case of compliance, work is underway to prepare the architectural and planning task within 5 or 7 working days, depending on the complexity of the object.

Step 4, the set of documents is available for the Applicant in the E-government web portal.

Step 5, the Applicant receives an architectural and planning task, an agreed draft design, a copy of the detailed planning project, vertical planning marks, cross profiles of roads and streets.

Conclusion

Analysis of the business process of the current system of public services for the provision of permits revealed the following shortcomings.

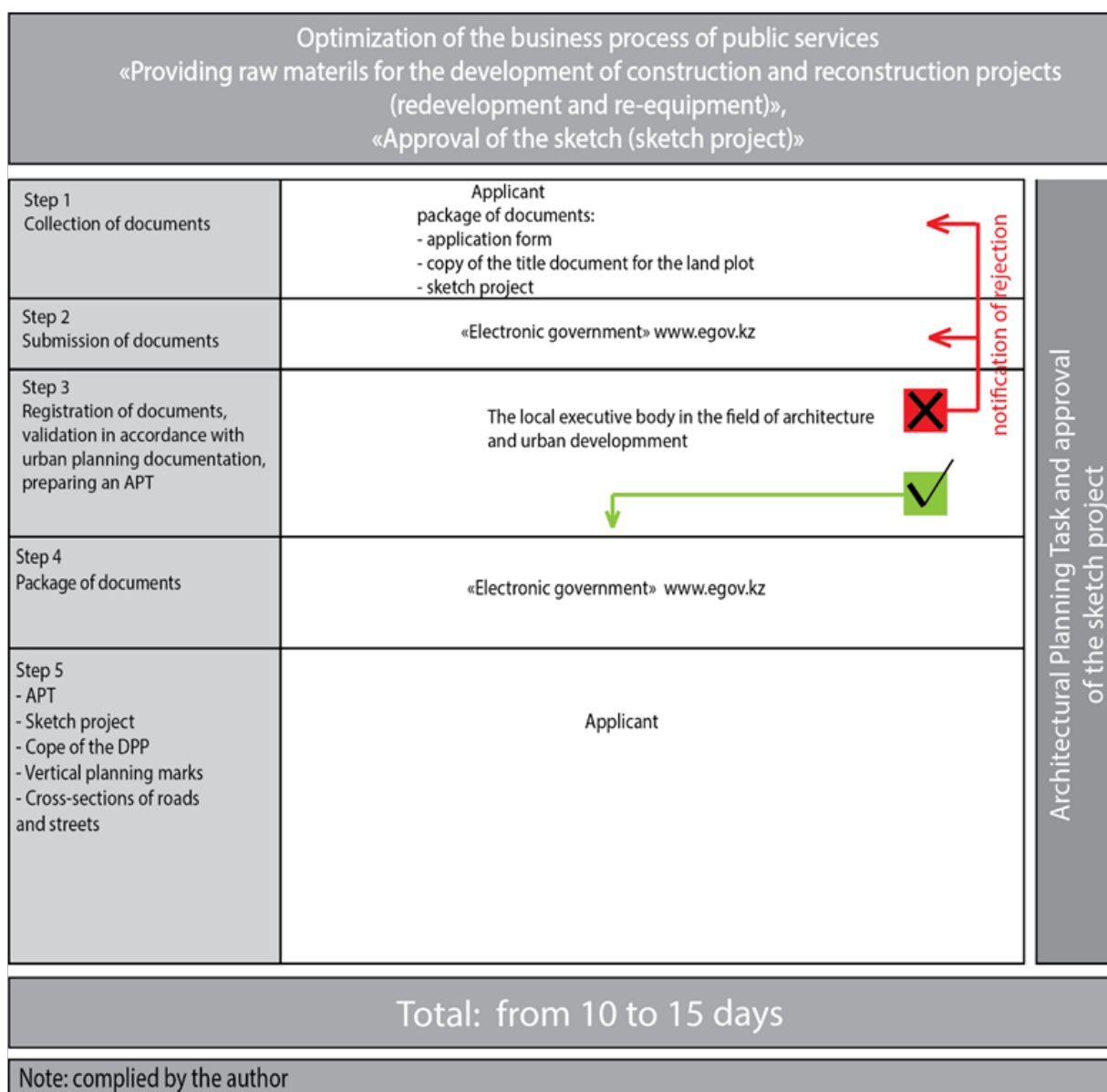


Figure 3 – Optimization of the business process of public services

Firstly, the statement on architecture and the technically complex and simple objects are sent to the approval of the municipal authority. This point can be excluded, when granting a land plot, the land commission, including municipal authorities, considers it.

In this state service, it is possible to provide registration of a land plot with technical conditions for connection to engineering networks, since according to the "Land Code of the Republic of Kazakhstan" all land plots must be provided with engineering communication networks.

In the process of obtaining a land plot, the approving authorities consider 12 days for compliance and the possibility of providing the site and at this stage can provide a technical condition together with the approval. This will eliminate the possibility of considering this land plot twice and eliminate corruption risks.

Secondly, the exclusion of the approval procedure with municipal authorities for the provision of technical specifications will give a positive result in the provision of public services by reducing the consideration of the application by the service provider, which will speed up the process of obtaining a construction permit.

Thirdly, the procedure for approving a sketch project is a different public service. This means that the applicant must re-apply to the state authority to obtain permits in the form of approval of the sketch project.

Thus, the optimization of public services will reduce the time for processing applications and implement the "One window" principle for obtaining construction permits. By combining two public services into one, the applicant receives an architectural and planning task for the development of a working project and approval sketch project.

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**Қазақстанда құрылысқа рұқсат құжаттарын алу саласындағы
мемлекеттік қызметтерді оңтайландыру**

Аннотация. Қазіргі уақытта Қазақстанда мемлекеттік басқаруды жаңғырту жүргізілуде. Ондағы бағыттардың бірі мемлекеттік қызметтер көрсетудің сапасын арттыру болып табылады. Осы мақалада

біз құрылыстағы бизнесті дамыту үшін көп жағдайда байланысты болатын рұқсат құжаттарын алу сала-сындағы жергілікті атқарушы органдардың қызметін оңтайландыру бойынша зерттеу жүргіздік.

«Құрылыс және реконструкция (қайта жоспарлау, қайта жабдықтау) жобаларын әзірлеу кезінде бастапқы материалдарды ұсыну» және «Эскизді және (эскиздік жобаны келісу) қызметтерін көрсету» бойынша нормативтік-құқықтық актілерді талдау бірқатар проблемалардың бар екенін көрсетті. Атап айтқанда, бұл келісу кезеңінің ұзақтығына (27 жұмыс күні) және құрылысқа рұқсат беру құжаттарын алу кезіндегі бюрократияға (функцияны қайталау, қайта жүгіну, қосымша құжаттарды талап ету) қатысты.

Жоғарыда аталған проблемаларды шешу мақсатында біз осы қызметтерді оңтайландыруды, яғни оларды бір қызметке біріктіруді ұсынамыз. Ол үшін сәулет-жоспарлау тапсырмасын беру кезінде өтінішті қарау кезеңінде эскиздік жобаны құжаттар тізбесіне енгізу қажет. Нәтижесінде өтініш беруші шығу кезінде құрылысқа рұқсатты да, келісілген эскиздік жобаны да алады. Бұдан басқа, сәулет-жоспарлау тапсырмасын және техникалық шартты көрсету кезінде коммуналдық қызметтерден инженерлік инфрақұрылымға қосылуға техникалық шарттарға рұқсат алу функциясын алып тастау ұсынылады, өйткені ол құрылысқа жер учаскесін алған кезде беріледі.

Мемлекеттік қызметтерді оңтайландырудың ұсынылып отырған нұсқасы функцияның қайталануын болдырмауға, құжаттарды қарау мерзімін объектінің күрделілігіне байланысты 27 жұмыс күнінен 10-15 жұмыс күніне дейін қысқартуға, композиттік қызмет жасауға және «бір терезе» қағидатын сақтауға мүмкіндік береді.

Түйін сөздер: мемлекеттік қызметтер, рұқсат алу, мемлекеттік орган, бизнес-процесс, мемлекеттік басқару.

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*Академия государственного управления при
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Оптимизация государственных услуг в сфере получения разрешительных документов на строительство в Казахстане

Аннотация. В настоящее время в Казахстане проводится модернизация государственного управления, в которой одним из направлений является повышение качества оказания государственных услуг. В данной статье нами проведено исследование по оптимизации услуги местных исполнительных органов в сфере получения разрешительной документации, от которой во многом зависит благоприятная среда для развития бизнеса в строительстве.

Анализ нормативно-правовых актов по оказанию услуг «Предоставление исходных материалов при разработке проектов строительства и реконструкции (перепланировки и переоборудования)» и «Согласования эскиза и (эскизного проекта)» показал, что имеется ряд проблем. В частности, это касается длительности этапа согласования (27 рабочих дней) и бюрократии при получении разрешительных документов на строительство (дублирование функции, повторное обращение, истребование дополнительных документов).

С целью решения вышеперечисленных проблем нами предлагается оптимизировать эти услуги, то есть их объединить в одну услугу. Для этого необходимо при предоставлении архитектурно-планировочного задания включить эскизный проект в перечень документов на этапе рассмотрения заявления. В результате заявитель на выходе получит как разрешение на строительство, так и согласованный эскизный проект. Кроме того, рекомендуется исключить функцию получения разрешения технических условий на подключения к инженерной инфраструктуре от коммунальных служб при оказании услуги архитектурно-планировочного задания и технического условия, так как она уже предоставляется при получении земельного участка на строительство.

Предлагаемый вариант оптимизации государственных услуг позволит исключить дублирование функций, сократить сроки рассмотрения документов с 27 рабочих дней до 10-15 рабочих дней в зависимости от сложности объекта, создать композитную услугу и соблюдать принцип «Одного окна».

Ключевые слова: государственные услуги, получение разрешение, государственный орган, бизнес-процесс, государственное управление.

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