

REPORT TO PLANNING COMMITTEE

MID-YEAR DEVELOPMENT MANAGEMENT PERFORMANCE REPORT 2015/2016

Purpose of the report

To provide members with a mid-year report on the performance recorded for Development Management between 1st April 2015 and 30th September 2015. Figures for 2013/14 and 2014/15 are also provided for comparison as are targets set within the Planning and Development Service Plans for 2013/14 and 2014/15.

Recommendations

(a) That the report be received.

(b) That the Head of Planning and Development with the Development Management Team Leader seeks to maintain performance of the Development Management team where satisfactory and improve the service provided where our level of performance falls significantly below the targets set out in the Planning and Development Service Plan for 2015/16.

(c) That the next 'Development Management Performance Report' be submitted to Committee around May 2016 reporting on performance for the complete year 2015/16.

Reasons for recommendations

To ensure that appropriate monitoring and performance management procedures are in place and that the Council continues with its focus on improving performance, facilitating development and providing good service to all who use the Planning Service.

1. Background:

An extensive set of indicators is collected to monitor the performance of the Development Management. These include both "National Indicators" and those devised by this Council – "local indicators". These indicators have changed over time and officers have sought to ensure that the right things are being measured to enable us to improve performance in every significant area. The range of indicators included reflects the objective of providing a *balanced* end to end development management service, including dealing with pre-application enquiries, breaches of planning control, considering applications, & approving subsequent details and delivering development

2. Matters for consideration:

There is an Appendix attached to this report:-

APPENDIX 1: 'NATIONAL AND 'LOCAL' PERFORMANCE INDICATORS FOR DEVELOPMENT CONTROL, 2013/14, 2014/15 and 2015/16: Contains quarterly and annual figures for the national and 'local' Performance Indicators applicable during 2015/16 (comparative figures for 2013/14 and 2014/15 are also shown).

This report is a commentary on the national and local performance indicators as set out in detail in Appendix 1. It follows on from a report that was considered by the Planning Committee at its meeting on the 23rd June 2015 which reported on the performance achieved in 2014/15, and discussed appropriate targets. In addition it follows a report considered by the Planning Committee at its meeting on 18th August 2015 providing a Development Management Performance Action Plan.

3. The performance achieved:

6 indicators are included in the Planning and Development Service Plan for 2015/16. These are referred to in the commentaries below. It is currently predicted that the target set is likely to be met in three cases, whilst in the case of the other three it is predicted that the target is unlikely to be achieved.

INDICATOR - Percentage of applications determined within timescales:-

- (1) 70% of 'Major' applications determined 'in time'**
- (2) 75% of 'Minor' applications determined within 8 weeks**
- (3) 85% of 'Other' applications determined within 8 weeks**

The above challenging targets for 2015/16 are local ones – the former comparable 'national' targets for this indicator as set by the Government prior to May 2010 were 65% and 80% respectively for Minors and Others. The Government has brought in a system of designation of poorly performing planning authorities – which includes the setting of a threshold relating to the speed of determination of Major applications, below which designation is likely. Designation as a poorly performing Local Planning Authority would have significant and adverse consequences for the Council. The Chancellor in his Autumn 2014 Statement announced that the Government would be keeping the speed of decisions on major applications under review, with the minimum performance threshold increasing to 50% of Major decisions on time as performance continues to improve. Parliamentary approval for this change was obtained in September.

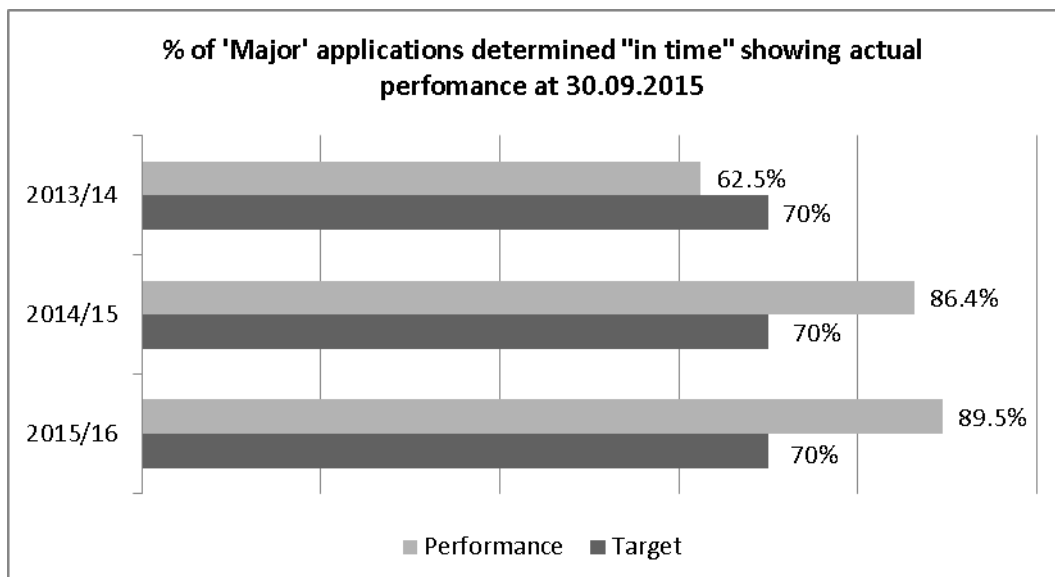
The other designation criteria relates to appeal performance and the Council's performance in this respect was considered in the Annual Appeals Performance report presented to the 26th May 2015 Planning Committee.

The Council is required in any case to determine applications in a timely manner and in the case of each application there is a date after which an appeal can be lodged against the Council's failure to determine it. That date can be extended by agreement with an applicant, but delays in the determination of applications are often quoted by various stakeholders as a symptom of a poor planning system, and the applicant's interests are not the only ones that need to be considered. If an Inspector, in any subsequent appeal, was to conclude that there was not a substantive reason to justify delaying the determination of an application, or that the Council had delayed development which should clearly be permitted, then it would be likely that costs would be awarded against the Council.

In the 'Productivity Plan' presented to Parliament by the Chancellor in July 2015 the Government's aspiration that all planning decisions be made on time is indicated (paragraph 9.17). In addition to reaffirming that local authorities making 50% or fewer of decisions on time are at risk of designation, the Government propose to

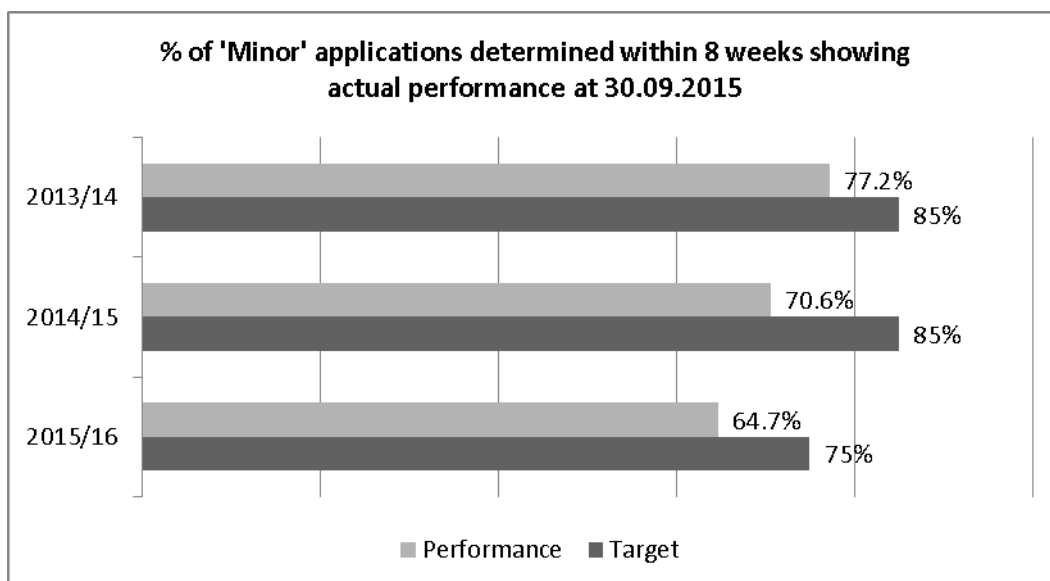
- Legislate to extend the performance regime to Minor applications,
- Introduce a fast-track certificate process for establishing the principle of development for minor development proposals and significantly tighten the 'planning guarantee' for minor applications, and
- Introduce a dispute resolution mechanism for Section 106 agreements, to speed up negotiations and allow housing starts to proceed more quickly

(1) In dealing with '**Major**' applications during 2014/15 we determined 86.4% against the 'local' target of 70% (19 out of 22). Performance for the first half of 2015/16 was 89.5% reflecting a continued focus by the Service on the obtaining of agreements by applicants to extend the determination period (17 out of 19) by the provision of a satisfactory service to them. Based on performance up to the end of October it is predicted that the target will be met.



TARGET FOR 2015/16 LIKELY TO BE ACHIEVED

(2) During 2014/15 70.6% of 'Minor' applications were determined within 8 weeks against the 'local' target of 75% (154 out of 218). Performance for the first half of 2015/16 was 64.7% (90 out of 139) and the predicted result for the year against the 'local' target of 75%, taking into account actual performance up to the end of October, is that this target is unlikely to be achieved, although there are still 5 months to go and it is noted that performance is improving.



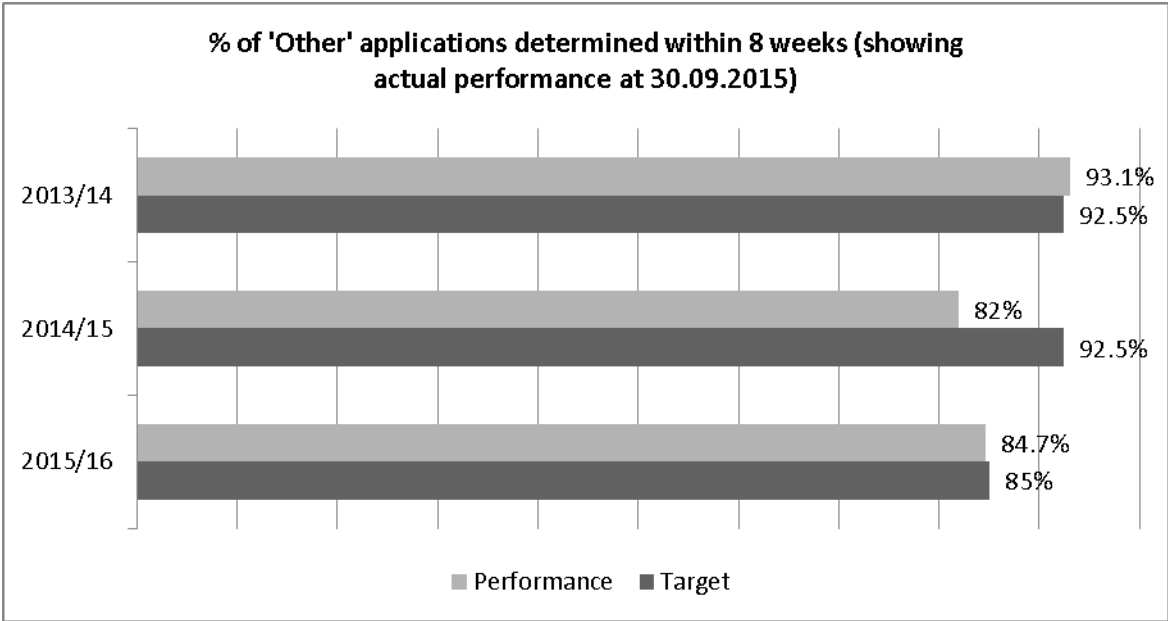
It was hoped that performance on Minor applications would improve this year, however at the mid-point of the year it would appear that performance will drop for the fourth consecutive year. This is primarily as a result of staff absences for long periods due to illness, and there has been a consistent increase in the number of decisions to be made on Minor applications. The backlog of undetermined applications has had, and continues to have, an impact on performance against this indicator.

This target will become even more important when the Government do as they intend and legislate to extend the performance regime to include Minor applications in the designation criteria for poorly performing Local Planning Authority. What the criterion will be for designation is not yet known.

TARGET FOR 2015/16 UNLIKELY TO BE ACHIEVED

(3) During 2014/15 82% of 'Other' applications were determined within 8 weeks (300 out of 366). Performance for the first half of 2015/16 was 84.7% (166 out of 196) compared with the 'local' target of

85%. The prediction for the year is that the target will probably be achieved, bearing in mind performance to date, the applications in hand, measures agreed by Cabinet in July and those within the DM Performance Action Plan agreed by the Planning Committee in August.



TARGET FOR 2015/16 LIKELY TO BE ACHIEVED

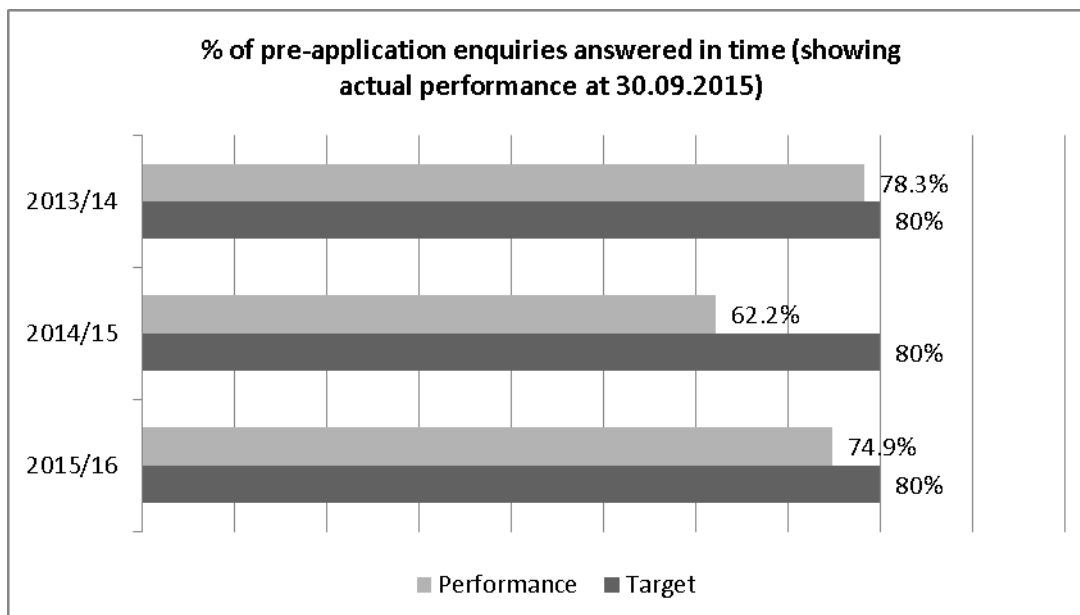
In conclusion the prediction is that two of the three targets relating to speed of determination of applications are likely to be met.

Cabinet at its meeting on 22nd July authorised the spending of up to £20,000 on the securing of short term assistance to the DM function. Since then there have been further staff absences due to ill health. A consultant was secured in September joined by a second in October. Both have been working on a part time basis. The consultants are primarily dealing with Minor and Other applications and are currently ensuring that performance does not continue to drop and will hopefully soon assist in achieving improvements to performance. The Planning Committee approved a Development Management Performance Action Plan in August 2015 and implementation of this should also assist in securing improvements in performance.

INDICATOR - Percentage of pre-application enquiries answered in time

This indicator, introduced in 2013/14, allows for more time for enquiries concerning the more significant proposals, and so more accurately reflects the differing demands which various pre-application enquiries involve. For 'Major' pre-application enquiries the target response time is 35 calendar days, for 'Minor' pre-application enquiries the target response time is 14 calendar days, and for 'Other' pre-application enquiries the target response time is 10 calendar days. The decision as to when an enquiry has been answered can however sometimes be quite subjective, and clarification has recently been provided to officers on this aspect.

The performance for the first half of the year is 74.9% against a target of 80%.



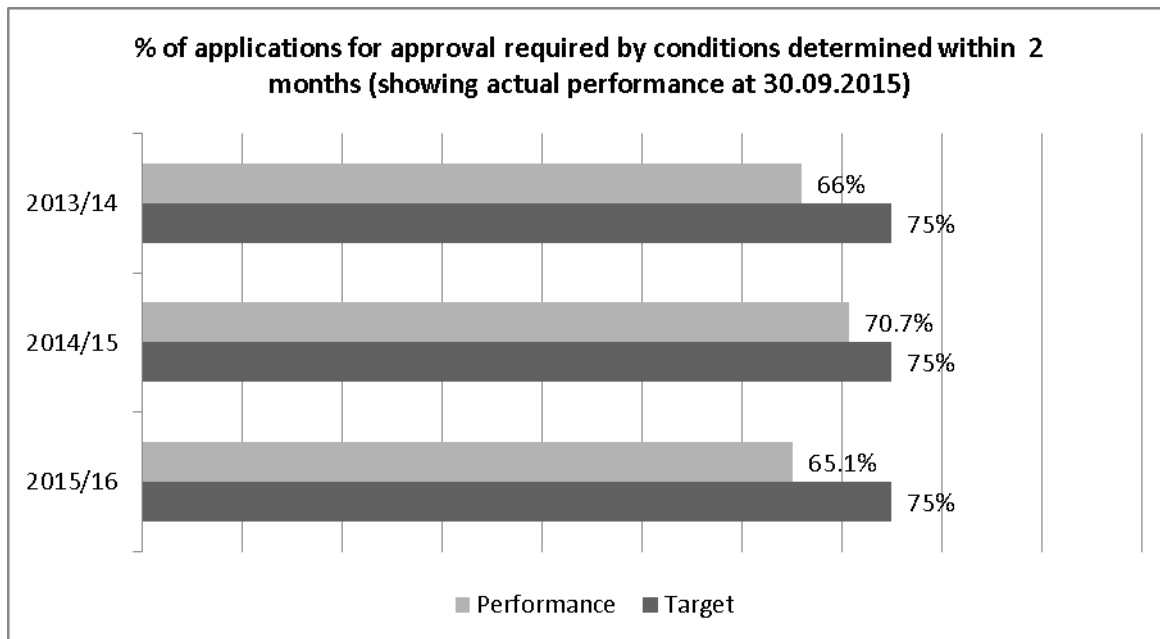
To give members some idea of volume the Service received some 251 such enquiries in the first 6 months of 2015/16 (compared to 332 for the same period last year) of which 15 were 'Major' pre-application enquiries; 62 were 'Minor' pre-application enquiries; and 174 were 'Other' pre-application enquiries.

Whilst the performance at this mid-year point is significantly below the target it is noted that performance has improved from last year and hopefully with the additional consultancy resources referred to above, performance will continue to improve. It is predicted, however, that this target will not be met given the performance achieved to date, unless there is a significant downturn in caseload.

TARGET FOR 2015/16 UNLIKELY TO BE ACHIEVED

INDICATOR - Percentage of applications for approvals required by conditions determined within 2 months

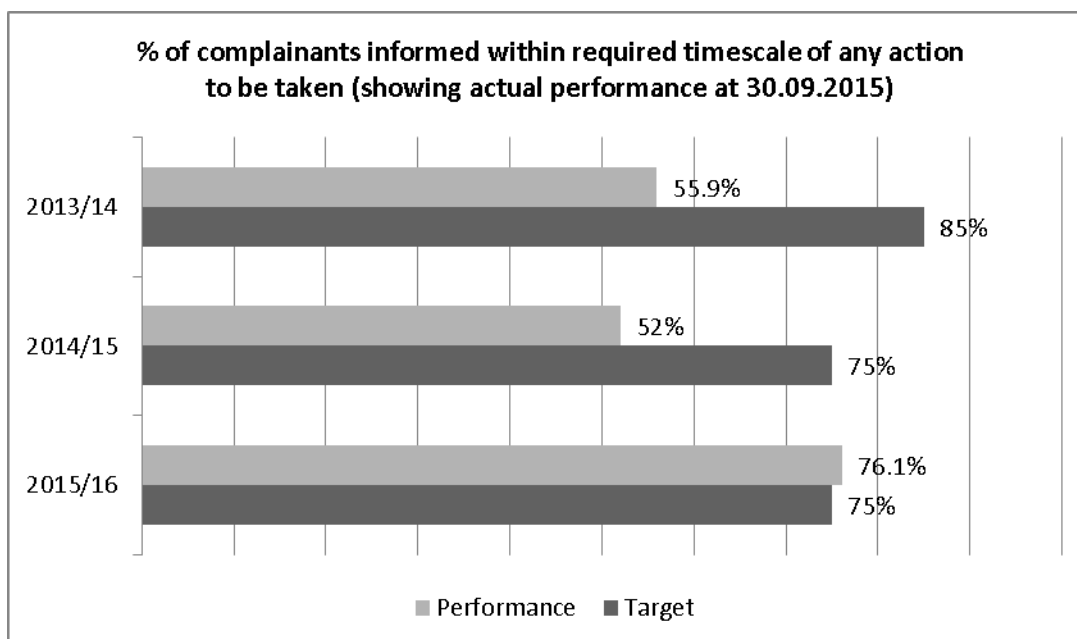
The figure for 2014/15 was 62.2%. The figure so far this year is 65.1%. The target for 2015/16 is 75%. The Service received some 238 such applications in the first 6 months of 2015/16 compared to 312 for the same period in the previous year. Hopefully with the additional consultancy resources referred to above, performance will improve. It is predicted, however, that this target will not be met, given the performance achieved to date, unless there is a significant downturn in caseload.



TARGET FOR 2015/16 UNLIKELY TO BE ACHIEVED

INDICATOR - Percentage of complainants informed within the required timescales of any action to be taken about alleged breaches of planning control.

Performance was 52% in 2014/15, and performance recorded so far this year is 76.1% compared with the 'local' target of 75%. The Service received some 117 reports about alleged breaches of planning control over the first 6 months of 2015/16, compared with 102 for the same period last year.



This is a significant improvement and reflects well upon the members of staff involved. Cabinet at its meeting on 22nd July agreed a new post of Senior Planning Officer (Enforcement). It is anticipated that someone will be in place by the end of this financial year, if the forthcoming recruitment process is successful, and that this will result in further continued improvements in performance against this target, unless there is a significant upturn in caseload.

TARGET FOR 2015/16 LIKELY TO BE ACHIEVED

Source of information/background papers

- 1. General Development Control Returns PS1 and PS2 for 2013/14 – 2015/16**
- 2. Planning Services own internal records, produced manually and from its uniForm modules**

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