Report To:	Scrutiny and Overview Committee	2 November 2016
Lead Officer:	Planning and New Communities Director	

Development Management Performance and Progress in Service Improvements

Purpose

1. To update the Scrutiny and Overview Committee on performance and service improvement within the Development Management Service.

2. This is not a key decision.

Recommendations

3. It is recommended that the Portfolio Holder notes progress in performance as well as the areas of focus within the Development Management Service.

Reasons for Recommendations

4. To enable Members to monitor performance of the Service

Background

5. Performance and improvement measures were previously reported in September 2016. At this meeting Members noted improvement in performance and requested the following:
   • Local Members are notified of major applications; it was confirmed this was already happening;
   • That numbers of applications are reported and well as percentages with performance reports; see Appendix 1
   • That appeals when costs were awarded against the Council are reported
   • Detailed reporting on remaining backlog both within the Legacy and Development Control teams.
   • That old planning documentation was not available on the planning portal this was to addressed by the Joint Director and Councillors Hart and Bradman following the meeting.

Performance

Speed of Decision Making

6. As previously reported performance of Planning Authorities are measured by the Department for Communities and Local Government (DCLG) on the speed of processing applications. For majors applications the target is 60% determined within 13 weeks, minor applications 65% within 8 weeks and other applications 80% with 8 weeks or with an otherwise agreed extension of time.

7. In September it was noted in August 2016 that the Service had exceeded its performance targets for speed of processing application in all categories. This trend has continued in both September and October 2016 with performance targets being exceeded in all categories for both months (See Appendix 1). The number of

applications due and processed each month are also included in the table in Appendix 1 as requested by Members at the last meeting.

Quality of decision making

8. The quality is of decision making is measured by the percentage of major applications which are allowed at Appeal. To date 15% of major appeals have been allowed in 2016 (see Appendix 1), this is high given that the current benchmark set by the DCLG for designation is 20%.

9. As explained at the previous Overview and Scrutiny meeting, the current position regarding appeals is largely reflective of the complex situation of the lack of the five year land supply.

10. Training is provided for Committee Members and officers on outcomes of appeals to ensure that appropriate lessons are learned and appropriate material considerations are taken into account for subsequent applications.

11. At the last meeting Overview and Scrutiny Members asked for details on awards of costs to be reported. To date in 2016, there has been one case of costs from the Foxton Inquiry, when there was a partial award of costs. This partly related to design case presented by the local authority and also the late withdrawal of the education contribution by the County Council. The amount is under negotiation and will be reported in due course. We have reviewed the cost case with the team and have provided training to address the issues, which have arisen.

12. The lessons from all appeals are shared with officers and members to further improve quality of decision making in the future.

Risk of Designation

13. At the last Overview and Scrutiny meeting officers reported and explained the risk of designation. The Government normally make decisions on which authorities it will designate during the final quarter of each year.

14. For appeals it will consider performance during the period of January 2014 – September 2016, measured against the benchmark of 20%. The current percentage of major appeals allowed throughout this period is 50% which placed the authority at risk of designation.

15. The DCLG will also take into account the speed of processing applications when deciding on whether an authority should be designated. The threshold for designation is 50% or fewer of an authority's major decisions made within the statutory determination period or such extended period as has been agreed in writing with the applicant. The assessment period would be June 2014- June 2016, however the DCLG will also take into account the final quarter July- Sept 2016. Speed of processing throughout the entire period is 53%

16. We have been liaising with Planning Advisory Service to find out when a decision regarding designated authorities will be taken, we understand that a date has not yet been identified by the DCLG.

Customer Feedback and other performance indicators

17. As previously reported we are reviewing performance reporting including additional local indicators and customer feedback. The service is currently undertaking further detailed customer engagement to determine what user's value. In the interests of the Shared Service it makes sense to do this with colleagues at

Cambridge. As such there has not been sufficient time to enable officers to report to this to November Overview and Scrutiny meeting. A timetable for this work and other service improvements, which will support the shared service is currently being prepared.

Backlog applications

18.   In December 2015 there were 977 backlog applications, which had accumulated over a number of years within the Service. In January 2016 we appointed a number of temporary planning officers to a specific team tasked with processing these applications, which is referred to as the "Legacy" team. This name reflects the desire to capture and address with service improvements relevant lessons the team identifies as a result of processing these applications.

19.   A backlog of 165 out of time applications continued to build up within the Development Control team from January to April. This was largely attributed to delays getting applications validated by the recently created Technical Support Team. The validation issue has now been addressed by training and development and this team are now validating 85% of applications within 5 working days.

20.   The majority but not all of these out of time applications were given to the Legacy team to process in order to support the Development Control officers in moving to the
new process for forward managing new applications, which was introduced at the end of April 2016.

21.   It is noted that there has been an upward trajectory in the speed of processing application since validation of applications has improved as the new process has been introduced.

22.   Overview and Scrutiny Members have asked for information on progress the Legacy team has made in meeting its target to clear applications it was dealing with largely by end of October 2016. In addition they have also asked for information on out of time applications, which are currently within the Development Control Team.

Status of remaining out of time applications, Legacy Team

23.   On 31st October, the total number of applications left to complete within the Legacy Team, were 47. A break down of these applications are included in Appendix 2. The majority of these applications are with Legal Services or waiting amended plans and are due to be determined in November 2016.

Status of out of time applications, Development Control Team

24.   On 31st October there were 81 out of time applications within the Development Control Team, a further breakdown is included in Appendix 2.

25.   It is commonly the case that there will be a number of out of time applications at any one given time within a planning service. Based on experiences of managing other Planning Services, 50-60 applications would be indicative of the number of out of time applications you would expect for this size and type of service at any one given time.

26.   There are numerous external factors, which can lead to out of time applications for example, Agents may make a decision not to agree an extension of time, or

delay to submit amended information to address officers concerns. There are also internal factors well as team resilience, individual performance, delays in consultation responses, legal advice and validation.

27. We are embedding monthly review of the backlog figures as part of our performance management and as part of this we are actively managing internal factors, which can contribute to applications being out of time.

28. When the legacy team has completed processing their applications they will be sharing lessons learned with the team and we will agree any actions which will be taken forward which can further support officers in managing applications. These can be reported to Overview and Scrutiny at a later date.

Improvement Measures

29. In the interests of moving towards a Shared Service with Cambridge City, we are currently reviewing our programme of improvements with our colleagues at the City to identify areas where we can align what we do. For example using the same planning conditions is one area, which we have identified would be useful to take forward in the short term. The agreed programme and timeline can be reported to Overview and Scrutiny.

Five Year Land Supply Applications

30. The area of focus over the last few months has on increasing engagement with parishes that are particularly affected by five year land supply applications. We have been encouraging parishes to help shape outcomes of these applications and found it beneficial where parishes are open to engaging in ongoing dialogue with the planning service and developers relating to their aspirations and concerns about these developments.

31. In the latter part of October we have consulted on changes to the Council's local validation list to ask for additional information to be submitted with Outline applications. The proposals included parameter plans and housing delivery statements as well as viability assessment guidance and drainage checklists in line with the Cambridgeshire Flood and Drainage SPD, which is due to be reported to the Planning Portfolio Holder in November. The consultation responses received are currently being considered and further will be reported to Planning Portfolio Holder in due course.

Other improvements

32. Neighbour representations for applications received after 31st October 2016, will be made available on line. This increases transparency and enables applicants to better address concerns raised. To manage this we have advised applicants to speak to planning officers prior to submitting any amended plans. We have also prepared guidance to help neighbours make representations which have relevant planning material considerations. As well as a list of dos and don'ts to support the planning authority in meetings it legal requirements when publishing information on-line.

33. During October the Trees service implemented a number of improvements. Tree applications are now processed electronically as opposed to manually, providing a number of benefits to the team in terms of efficiency savings and also to our customers. We have written to applicants to encourage increased use planning portal for electronic submission of applications. Applicants can follow status of progress of their application on line www.scambs.gov.uk/services/planning-

applications and can check whether trees have a TPO on line
www.scambs.gov.uk/content/district-map. There are also Trees frequently asked
questions on line www.scambs.gov.uk/contact/trees-faqs

Implications

34.   In the writing of this report, taking into account financial, legal, staffing, risk
        management, equality and diversity, climate change, community safety and any
        other key issues, the following implications have been considered: -

Financial

35.   The costs are contained within budgeted resources for this financial year,
        although the agency staff costs to clear the backlog applications are high and
        require careful monthly management.

Legal

36.   There are no specific legal implications arising from this report.

Staffing

37.   All improvements to process and working arrangements are being made with
        involvement of staff and training will be included as an integral part of
        implementation.

Risk Management

38.   Service performance has improved over the last three months, the team will
        continue to monitor this with the teams each week and extensions of time will
        be used as appropriate. We will continue to liaise with the Planning Advisory
        Service regarding the risk of designation. Improvements in performance in the
        speed of processing applications will support the Council when the DCLG are
        making their decision.

Equality and Diversity

39.   The recruitment campaign and working arrangements allow for full flexibility to
        meet specific requirements of current staff and candidates.

Climate Change

40.   No specific implications.

Effect on Strategic Aims

41.   The recommendation seek to achieve the Council's three A's

Background Papers – Appendix 1: Speed of determining applications
                        Appendix 2: Out of time applications

Report Author: Julie Baird – Head of Development Management
                         Telephone: (01954) 713144