



**Report To:** Scrutiny and Overview Committee  
**Lead Officer:** Planning and New Communities Director

8 September 2016

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## 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 Scrutiny and Overview Committee notes the 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 July 2016. At this meeting Members sought reassurance about staffing levels over holiday periods. They also queried whether the target to clear the backlog by the end of October 2016 is ambitious, as well as how many out of time applications had been appealed against non determination. An update on performance and appeals, progress with other improvements and clearing the backlog is included in this report.

### Performance Highlights

6. The performance of Planning Authorities is measured by the Department for Communities and Local Government (DCLG) on speed of major applications (target 60%) processed with 13 weeks or with an otherwise agreed extension of time, and the percentage of appeals for major applications which are allowed at appeal as a major of quality.
7. The Growth and Infrastructure Act 2013 gave the Secretary of State power to “designate” Planning Authorities if their performance in handling major planning applications was below an acceptable standard. In 2015 designation measures were revised to include local authorities whose speed of processing majors fell below 50% on average over a two year period and/or if major applications allowed on appeal exceeded 20% over the two year period.
8. In addition, there are key performance indicators for the speed of processing other types of cases; 65% for “minor” applications and 80% for “other” applications.

9. Returns are made every quarter of the calendar year to the DCLG on the numbers of planning applications received, decided and speed of determination.
10. The Planning department is currently reviewing performance reporting including additional local indicators and customer feedback. The revised reporting format will be reported back to Scrutiny in November 2016. This will include information on appeals and customer feedback.
11. Meanwhile the performance highlights from the last report to Scrutiny are as follows (See **Appendix 1**):
  - There has been an upward trend in performance over the last three months from June 2016.
  - In August all three performance indicators for speed of processing all types of applications have been exceeded.
  - The speed of processing major applications is being carefully monitored weekly with officers and where possible extension of times are being agreed for example to allow for completion of legal agreements.
  - However, in some cases, in particular 5 year land supply housing applications it is a clear strategy for some applicants to appeal applications when issues have not been resolved without agreeing extension of time with the local authority.
  - Quality of submissions and supporting information has been an issue with some applications. We encourage applicants to engage in pre-application submissions to improve the quality of proposals and application submissions.

#### **Improvement Measures**

12. The service improvement measures put in place and the progress against other measures are highlighted in **Appendix 2**.
13. The following have been areas of focus over the last few months:

#### **Legal Support**

14. The process for securing completion of S106 agreements and issuing decisions has been historically lengthy. The shared service should provide more resiliency in this regard now the principal planning lawyer has been appointed and will be in place from October 2016. We are currently exploring measures to make most efficient use of our resources and have started discussions with developers and also County officers. Work will include standardising legal agreements for common head of terms which we will develop with the Development sectors and also key stakeholders such as the County to minimise the need for protracted discussions between legal teams. We are also increasingly encouraging applicants to submit heads of terms up front with planning applications and as well as increasing details reported to committee, including triggers. A table now accompanies all reports to committee with details of contributions. Regular monthly review meetings will be held with the principal planning lawyer when in post and extensions of times are being sought by officers as appropriate, to manage the process more effectively.

A workshop has been set up with the County in early October to discuss protocol for negotiating and securing infrastructure including transport, education provision and drainage. This will inform guidance that the County is developing with us and other planning authorities across Cambridge, to provide further clarification on approach and to maximise potential to secure important CIL compliant contributions.

### **Five year land supply applications**

15. Officers are exploring potential measures to address growing concerns about the ability the Council has to shape outcomes and resist proposals for unplanned/speculative development in light of lack of a five year land supply and recent appeal decisions.
16. There has been an over growth throughout the district in light of the five year land supply and recent appeal decisions in Swavesey and Melbourn has caused some anxiety in our local community. Officers are exploring whether this situation can be improved prior to the local plan adoption through current and pending decisions. A report to the Portfolio Holder on this subject is in hand and an update will be provided to this committee in November.

### **Appeals**

17. In light of the increasing volume of appeals for five year land supply applications against the shortage of staff in early 2015, the interim service manager at that time outsourced the District's appeals.
18. Subsequently our team leader John Koch has been identified as the service lead for appeals and has been working with colleagues to define roles and responsibilities. This has included a programme of work to develop the technical support team and also planning officers.
19. As a result we have been increasing bringing appeals back in house as they are lodged, including all written submissions and hearings. Whilst Inquiries continue to be outsourced, the case officer is required to actively contribute to the process to ensure we maximise the potential for success at appeal. Our figures to date are included in **Appendix 1**.

### **Team and staffing**

20. Members have previously raised concerns about the workload for the Development Management Service including providing continuity over peak holiday periods.
21. The team continues to have case loads which are around the benchmark levels referred to by the Planning Advisory service. The officers on hand numbers are reviewed by the management team monthly and at one to ones with officers.
22. The service is building further resiliency by developing its team, offering secondment opportunities for a number of staff to principal and senior planner roles across the department. Similar to the project officer model this will enable the officers to build experience in other areas of planning and where to appropriate deal with more complex work.
23. Planning officers have all been provided with mentors who support them in processing their case load, this is in addition to case conference which allows the officer to present their application to a weekly panel of officers.

24. The Service has been working with HR to develop an apprentice scheme with local further education establishments which will also contribute to the “grow your own” planner initiative, first introduced formally in 2015 with the five project officers who were recruited in November and for whom the local authority is now investing in a masters qualification for them in planning, which they will attend from October 2016.
25. There are currently two vacancies in the team, one which will be covered by an agency member of the “legacy” team from November and a senior planner post which is being advertised as a secondment opportunity.

### **Processing of backlog applications**

26. In April we reported in December 2015 there were 977 backlog applications and in July we reported that this had reduced to 595 cases. The number recorded at end of August 2016 has now further decreased to 320 cases.
27. In July 2016, Members raised concern that the target to have the backlog cleared by end of October 2016 was ambitious. We are continuing to meet weekly with the “Legacy” team who process these applications to monitor progress. This is combined with management of other factors, which have historically contributed to producing the backlog; including poor quality submissions, delays in registration and validation as the new technical team were up skilling and inconsistencies with officers not always securing extensions of time when required.
28. The “legacy” team comprises of an additional four agency members of staff, and despite changes in some of team members over the last few months, they are continuing to clear the out of time applications in a timely manner.
29. Members asked for information of how many out of time applications were appealed against non-determination. This information is included in **Appendix 1**. These are largely 5 year land supply applications.

### **Implications**

30. 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**

31. 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**

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

#### **Staffing**

33. 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**

34. 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. A paper is also being prepared for the Portfolio Holder with proposals on how we will manage the issues associated with lack of five year land supply.

### **Equality and Diversity**

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

### **Climate Change**

36. No specific implications.

### **Effect on Strategic Aims**

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

**Background Papers** – Appendix 1: Speed of determining applications  
Appendix 2: Service Improvements

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## Appendix 1

### Application speed of determining applications against National Targets

National Targets	% in time
Large Major	60%
Small Major	60%
Minor	65%
Other	80%

5% and over from meeting target
Within 5% of target
Hit Target

### 2015/16 Performance: percentage of applications in Time

	% in time												Total
	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	March	
Lg Major	33	100	50	100	0	n/a	100	0	100	n/a	50	33	59%
Small Major	71	80	50	71	0	33	25	0	50	20	0	100	46%
Minor	47	61	55	57	55	55	53	50	80	49	45	88	56%
Other	73	83	74	81	60	57	61	42	73	50	57	83	65%

### 2016/2017 Performance: percentage of applications in Time

	% in time					Total
	Apr	May	June	July	August	
Lg Major	67	67	50	67	100	70%
Small Major	n/a	100	20	50	100	67%
Minor	59	65	70	70	74	67%
Other	75	81	77	82	86	80%

### Out of Time Backlog Application Figures: January – June 2016

	Jan	Feb	Mar	Apr	May	June	July	August	Total
Backlog c/forward	977	892	725	590	486	412	358	320	320
New backlog	+ 25	+ 41	+82	+17	Retained by officer	Retained by officer	Retained by officer	Retained by officer	
									320

**Planning Appeals figure 2016**

	Jan	Feb	March	Apr	May	June	July	August	Total to date
No. Lodged Majors	0	1	0	1	2	1	0	0	5
No. Lodged Minors	1	2	0	1	1	5	4	1	15
No. Lodged Others	2	1	0	1	5	2	1	3	15
Total no. allowed	2	7	3	4	6.5	7	3	7	39.5
Total no. Dismissed	4	10	3	9	3.5	12	8	8	57.5
Total no. majors allowed	1	0	0	1	1	2	0	1	6
Total no. majors dismissed	0	2	1	0	1	4	0	0	8

## Appendix 2: Service Improvements

### Implemented Improvements

Measure	Outcome	Timeframe	Improvement Type
Making consultation responses available on line	Transparency	Temporarily suspended pending changes to website end Sept	Speed Customer
Consultation response guidance for public	Higher quality consultation Reduce need for redaction Reduce risk of complaint	June 2016	Speed Customer Quality
Calls to application at key stages in application process	To keep customer up to date Reduce risk of complaint	May 2016	Customer
Process to allow Decision in week 5 if no issues	Speedy decisions on straightforward applications	May 2016	Quality
TSO Validation training and processes	Speedy decisions Quality submissions	June 2016	Speed Quality Customer
Agreed approach on lack of 5 year land support	To develop staff Sound planning decisions	April & June 2016	Quality
Timetable for committee preparation	To manage impact of last minute To ensure we are prepared for committee	April 2016	Quality Customer
Early briefings for committee with officers presenting cases	Empower and develop the team To ensure we are prepared for committee	December 2015	Quality
New performance management process	Empower and develop the team Improve and manage performance	December 2015	Quality Customer Speed
Case conference	To develop the team To enable the team to share experiences and discuss cases To coach staff in making high quality and decisive decisions	December 2015	Quality Speed
Significant case list with target dates	To forward manage performance To develop a shared understanding of all significant cases To grow partnership working with Policy	March 2016	Quality Speed
Weekly application lists with target dates for each officer	To forward manage work To manage resources effectively	January 2016	Speed



“Legacy” team with weekly monitoring and target setting	To close down out of time applications	January 2016	Speed Customer
Complaint analysis	To draw lessons learned from complaints	March 2016	Customer
Revised scheme of delegation	To reduce the number of applications going to committee and provide a more efficient service for customers	April 2016	Speed Customer
Team customer charter	To development commitment from staff to achieve good customer service	June 2016	Customer
Duty householder service	To ensure customers are provided with a more responsive service	May 2016	Customer Quality
Traffic light issues log for significant pre-apps	To provide clear guidance for applicants on what issues need to be resolved prior to an application being submitted	March 2016	Customer Quality Speed
Pre-application protocol	To engage members, the parishes and the public in the early application stages	April 2016	Quality Customer
Members training	To develop Members and support them in making good decisions	March 2016	Quality Customer
ICT workflow to support new application process	To support new application process	May 2016	Speed
Appeal process and mapping of roles and responsibilities & staff training	Transparency More effective management of appeal process	June 2016	Speed Customer Quality

## Improvements In progress

Measure	Outcome	Timeframe	Improvement Type
Review Appeal contract	More effective management of appeal process More effective use of resources	Under review, whilst bringing majority in house	
PAS Quality Framework	Higher quality consultation Reduce need for redaction Reduce risk of complaint	June 2016 - Delays due to incomplete datasets	Speed Customer Quality
Committee roles and responsibilities and PAS peer review	To keep customer up to date Reduce risk of complaint	September 2016	Customer
Mapping of service ICT requirements	Speedy decisions on straightforward applications	September 2016	Quality
Recording of duty service calls to inform scripts & training for contact centre	To improve customer experience ensuring they have access to information they need	August 2016 (extended to Sept for accurate data)	Customer
Staff development programme	To improve the confidence of staff	August 2016 (extended Oct)	Quality Speed Customer
Reduce volume of paper information being prepared for parishes	To make most efficient use of time and ensure parishes are getting information they need in the best way Will enable staff to spend more time on validation	July 2016 (team focusing on 5 day validation extended end Sept )	Speed Customer