

Report to: **Overview and Scrutiny (Internal) Committee**

Date: **8 March 2016**

Title: **Development Management Service Update**

Portfolio Area: **Customer First – Cllr J Moody**

Wards Affected: **All**

Relevant Scrutiny Committee: **Overview and Scrutiny (Internal) Committee**

Urgent Decision: **N** Approval and clearance obtained: **Y**

Date next steps can be taken: Any recommendations made by the Committee will be considered, in the first instance, by the Hub Committee at its next meeting on 22 March 2016 (e.g. referral on of recommendation or implementation of substantive decision)

Author: **Drew Powell** Role: **Specialist Manager**

Contact: **Ext 1240 drew.powell@swdevon.gov.uk**

RECOMMENDATIONS:

That the Committee note the measures that are being implemented to improve performance within Development Management (as outlined at paragraph 4).

1. Executive summary

1.1 The report outlines the measures that have been implemented, and are planned, to secure a sustainable improvement in performance in delivering Development Management.

1.2 A combination of factors including the loss of key officers, difficulties in recruiting suitably qualified replacements and the transition between software systems has had an adverse impact on the performance of the Development Management service.

1.3 Effective Development Management supports the Councils priorities and objectives and also supports the local economy.

1.4 Failure to deliver the service in line with National Performance Measures may result in the Council being 'designated'. Designation could have adverse impacts in terms of reputation and also financially. The Council is not at risk of designation under present performance requirements however proposals contained within the Housing and Planning Bill may have an impact on the Council in the future.

2. Background

2.1 Stability within the Planning Service, and in the new Community of Practice of Development Management evolving within the new operating model, has been affected by a number of internal and external factors over a number of years.

2.2 The national shortage of suitably qualified Planning Specialists, combined with the loss of experienced knowledgeable officers through the T18 recruitment process, has resulted in a reduced resource to deliver the service. Recruitment in advance of T18 was very difficult as there was no job security in view of the 'at risk' nature of the majority of posts. Posts have been back-filled with Agency staff which does not, generally, offer the same continuity and stability as establishment staff.

2.3 Delivery of the new operating model and the associated future efficiencies has required the migration of all planning records into new software. During the transition period, it was essential to operate both the old and the new software systems in order to maintain our statutory duties and minimise any risk to the council.

2.4 There has been extensive demand on key officers to support the transition and additional time spent training Case Managers and Specialists on use of the new systems.

2.5 The impact of the above has been an increase in the backlog of applications waiting to be determined, delays in validating new applications and reduced levels of customer satisfaction.

2.6 Elements of the new Planning system went live on 9 December 2015 after a programmed period of downtime and, notwithstanding some minor issues, applications are now being managed within the new software and the predicted efficiencies are beginning to have an impact. It is important to stress that these will take time to be fully realised.

2.7 The main benefit of the transition to date is that all applications received through the National Planning Portal are being automatically uploaded to the new planning software thereby removing the need for double handling and onward delay in processing the applications.

2.8 There have been some issues relating to uploading and viewing applications on the planning website which have now mainly been resolved. The website is now far more stable and increased functionality to improve the customer experience will be delivered in the near future.

3. Outcomes/outputs

3.1 In order to improve performance within Development Management, a number of factors still need to be addressed:

1. Engagement of suitably qualified/experienced staff;
2. Reduction of the backlog of applications; and
3. Improvements in the time to process and determine applications.

4. Proposed Way Forward

4.1 A number of initiatives have been, or are being, introduced in order to address the factors highlighted in paragraph 3.1 above and to improve performance. These are summarised as follows:

- Case Management has been moved to one location (Follaton) where all applications are processed. This initially created some issues during transition but is now operating well and will facilitate a move towards use of the Digital Mail Room where documents will be centrally scanned;
- A Work Plan to cover backlog reduction and determination performance has been implemented;
- Mobile Locality Officers are erecting site notices and taking site photos (changes to the Scheme of Delegation have now been agreed to further increase their roles in the future) thus freeing up Specialist time to determine applications;
- Shropshire Council (I P and E) were engaged on a trial basis to manage some non-contentious householder applications. This has proven successful to date with approximately 30 being determined. This arrangement has now ceased.
- TerraQuest, an external business support company, has been engaged to undertake validation of all minor/other applications received through the National Planning Portal. This arrangement went live in early February and is already resulting in an improvement in performance and creating the capacity needed during transition;

- Robust Performance Management has been introduced at an operational level and is reported, monitored and acted upon on a weekly basis;

The implementation of some of the above initiatives has already resulted in Officer caseloads reducing to an average of less than 50 applications, compared with caseloads in excess of 130 in the past 12 months.

4.2 In addition to the above, the outcome of the recent recruitment exercise will be clear in the coming weeks and it is hoped that all Specialist roles will be filled using permanent establishment staff as opposed to agency officers. There will remain however vacancies in Case Management which will need to be filled as soon as possible.

4.3 In order to take a wider look at Development Management, The Local Government Association and the Planning Advisory Service have been engaged to undertake a Peer Challenge. The challenge, due to commence in April 2016, will be undertaken by a small team experienced in Development Management and focus on areas for improvement identified in advance by the Council. Members will be consulted as part of the challenge process.

4.4 Subject to the outcome of the Peer Challenge, a range of Performance Indicators (PI's), for both operational and strategic use, will be developed in order to drive, maintain and demonstrate effective performance.

5. Present Performance

5.1 The transition into the new APP and W2 Software system has limited the ability to collect, accurately, performance data that has historically been reported.

5.2 The data attached at Appendix 1 gives an indication of an improving position with regard to reducing the backlog of applications and improving performance

- Graph 1 – determination performance for minors and other applications (non-major) – marked improvement in January and February
- Graph 2 – determination performance for major applications
- Graph 3 – The average time to validate applications has been improving – the peak in January resulted from transition into the new software.
- Graph 4 – shows the comparison between applications registered and those determined

5.3 There has been a concerted effort to reduce the number of out-of-time (backlog) applications and, as a result this has reduced from 102 in

November 2015 to 50 in February 2016. This reduction will help reduce complaints and enable a clearer focus on determining applications in line with service targets.

6. Future National Performance Targets

6.1 The Department for Communities and Local Government issued a Technical Consultation on implementing planning changes proposed under the Housing and Planning Bill on 18 February 2016. The wider implications of the consultation are presently being assessed however specific proposals relating to expanding the approach to planning performance are of specific interest at this stage.

6.2 The consultation proposes extending the present performance regime to include non-major planning applications in line with the approach already in place covering determination time for major applications. The proposals are that the thresholds at which authorities would become liable for designation should fall within the following ranges;

- Speed of decisions: where authorities fail to determine at least 60-70 per cent of applications for non-major development on time, over the two year assessment period, they would be at risk of designation
- Quality of decisions: where authorities have had more than 10-20 per cent of their decisions on applications for non-major development overturned at appeal, they would be at risk of designation.

6.3 At this stage, assuming the regime is adopted, it is not known when the two year assessment period will be measured from or whether the target will be 60 or 70%. The indication from the Planning Advisory Service (PAS) suggests that the target will be 60% and it will be a two year retrospective period likely to cover the latter part of 2014, all of 2015 and the beginning of 2016.

6.4 Based on the above present performance is 55.4% over the two year period up to the 24 February 2016, which includes the difficult period during 2015 outlined above in Sections 1 and 2 of this report. During this time the back log of out of time applications were tackled which has given rise to a low percentage of applications determined in time as highlighted in Graph 1. It is clear that the robust performance measures, introduced alongside the approach to back log reduction, have had a positive effect on performance as shown during the months of January and February.

6.5 It is not possible at this stage, given the unknowns about the target and assessment period, to determine whether the Council will be designated. The Council are working closely with PAS to ensure that all steps are being taken to maintain performance at the present high level.

6.6 Further work is planned over the coming weeks to obtain an accurate forecast of performance against the proposal and the clear focus will be on ensuring that determination performance over the next two quarters is as high as possible. It is not considered that the Council is at risk of designation in terms of quality of decisions.

6.7 The implications of designation under the new proposals are that it would enable an applicant to apply directly to the Planning Inspectorate (on behalf of the Secretary of State) for determination of a planning application rather than to the Council. This power would only apply to minor development and changes of use under the proposals, householder applications would still come to the Council. As the application fee would also go to the Inspectorate this may have an impact on the Council if substantial numbers of applicants took this option. In addition the Council would have to prepare an Improvement Plan to show how it was going to improve performance and apply to be de-designated.

7. Summary and Conclusions

7.1 Key areas of the planning system went live on 9 December 2015 and development of the new ways of working and its associated benefits continue. Further recruitment to the permanent establishment is underway, with agency staff being retained in the interim. There has been a reduction in the backlog of applications of over 50% and caseloads are now considered to be at a more manageable level. There are clear signs of improvement in determination performance arising from the measures that have been implemented. Further work is needed to fully assess the implications of proposed new National performance measures.

8. Implications

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance	Y	The Council Constitution includes the provision for the Overview and Scrutiny Panel to set its own work programme. In so doing, the Panel has requested receipt of this report.
Financial	Y	The risks associated with being 'designated' highlight that there could be a reduction in income from application fees. Whilst it is not possible to predict this at this early stage, the experience from the regime covering major applications is that the financial risk is very low.

Risk	Y	In addition to the risks associated with being 'designated' (paragraph 1.4 and section 6 above refer), there are well rehearsed reputational risks associated with the performance of the Development Management Service. Whilst there have been a number of factors that have had an adverse impact on the service, this report evidences that performance is improving.
Comprehensive Impact Assessment Implications		
Equality and Diversity	N	There are no equality and diversity implications directly related to this report.
Safeguarding	N	There are no safeguarding implications directly related to this report.
Community Safety, Crime and Disorder	N	There are no community safety or crime and disorder implications directly related to this report.
Health, Safety and Wellbeing	N	There are no health, safety and wellbeing implications directly related to this report.
Other implications	N	N/A

Supporting Information

Appendices:

Appendix 1: Performance Data

Background Papers:

None.