



Committee and Date

Development Services
Scrutiny Committee

26 January 2010

5 pm

Item/Paper

11

Public

REVIEW OF DEVELOPMENT MANAGEMENT (PLANNING SERVICE)

Responsible Ian Kilby

Officer: Head of Development Management

e-mail: ian.kilby@shropshire.gov.uk

Tel: 01743
252622

Fax: 01743
252619

Summary

The Directorate Service Plan 2009/10 sets out the service objectives to be met by the Directorate over the year April 2009 to March 2010. This third quarter report provides a review of Development Management service having regard to the following issues raised by Members at the meeting of 15 December 2009:-

- Overall performance trajectory
- Performance within each of the 3 areas
- ICT performance
- Resources
- Enforcement performance and resources
- Customer Experience

The task on reorganisation of merging six planning services impacted on Development Management in particular. But, unlike many of the other new unitary councils, Shropshire took some key transformational steps on reorganisation, including implementation of a new, integrated IT system. The issues have and continue to be addressed and the service will present a more stable performance in quarter 4.

Recommendations

- A. That Members note the issues raised and actions being taken to improve the underperformance for April – December 2009.

REPORT

1. The report has been produced to review the service performance for Development Management during the first three quarters of this financial year 2009/10.

2. All activities within the Directorate Service Plan 2009/10 are linked to the corporate aims.
3. The Development Management Service forms part of the Council's overall planning function, which includes Strategy and Policy and Environment, linked to Economic Development and Growth Point within the Strategy and Development division. Development Management comprises Planning, Building Control, Land Charges and Systems Administration. This report is concerned with the planning function together with the associated systems administration.
4. The term Development Management indicates a philosophy that is different from traditional Development Control. It is part of a broader approach that integrates planning from vision and policy through to delivery. It is not, in principle, primarily about the application of a rule book or a tick-box approach. Moving to this new philosophy at the same time as establishing the unitary council has been challenging but the benefits of integration between policy and delivery are already being felt in economic regeneration, affordable housing and rural regeneration.
5. A Development Management Charter was adopted by the Implementation Executive and sets out service standards and processes such as committee operation, public speaking, consultation and links to the Scheme of Delegation in the Council's Constitution. All of this has implications for the type and quality of service that we are aiming for and area able to deliver.
6. A copy of the full report has been placed in the Member's Library for reference.

Overall Performance Trajectory

7. There are 4 parts to National Indicator 157 (NI157) which measures the percentage of planning applications that are processed within statutory timescales. These are:
 - 13 weeks for "Major" applications;
 - 8 weeks for "Minor" and "Other" applications;
 - 13 weeks for all "County Matter" applications.
8. Achievement of this National Indicator supports the Corporate Plan priority 18; 'Managing and Improving the Environment throughout Shropshire'. This measure is not part of the Local Area Agreement.
9. Minimum achievement targets have been set by Government for NI 157. Shropshire Council targets are more challenging than the national targets. Both targets are shown in Table 1 for comparison.

Table 1 - Shropshire Council (SC) Development Management Performance

Indicator	SC Target	Actual Q1	Actual Q2	Actual Q3	Status
NI 157 processing of major planning applications	80% (60%)	64.71	67.86%	66.7% (fall of 1.7% from Q2)	
Ni 157 (Processing of minor applications)	80% (65%)	48.92	48.48%	54.07% (increase of 5.59% from Q2)	
NI157 (Processing of other planning applications)	86% (80%)	60.19	59.77%	68.79% (increase of 9.02% from Q2)	
NI 157 (Processing of County matter planning applications)	82%	67%	45%	63.45 (increase of 18.45% from Q2)	

= Underperformance > 5%

* Govt Target shown in brackets, there is no govt target for county applications.

10. Table 1 shows the underperformance against the measures for Shropshire Council as a whole. The underperformance has arisen due to a number of issues ranging from the configuration of the IT system, delays in validation, staff training/absence and the overall process of confirming a new set of regulatory processes which apply across Shropshire. The focus in the first three quarters has been to overcome the delay in determining applications which arose through the transition process. Taking each quarter in turn, quarter one figures are impacted by the delays in validation, this being offset to some extent by decisions on applications received by legacy authorities but taken by Shropshire Council. Quarter 2 shows the full impact of the delays in validation now working through the process but increased understanding of the system and continuing resolution of IT issues result in only slight falls in three of the four performance measures. In quarter 3 the focus is on clearing applications that would otherwise impact on Q4 figures and there are indications of improving performance. Clearly the year end figures cannot meet the targets identified by Shropshire Council due to underperformance in the first three quarters. All efforts have been on clearing applications which would otherwise be out of time so that Quarter 4 performance will provide a clear improvement trajectory.
11. Delays in the validation of planning applications throughout the first quarter and into the second impacted significantly on the processing time. The statutory 8 or 13 week timescales are measured from the date an application is received (however long the Council takes to validate the application) and consequently any delay in validation will impact the other stages in the determination process. Consultation periods for neighbours, parish or town councils and statutory consultees were not compromised and so delays in the process impacted on performance with a number of applications being determined outside the target performance times.

12. The service has provided a number of consultation meetings with Development Management stakeholders since April, including agents, parish and town councils, civic amenity and other groups. Notwithstanding the underperformance in time taken to deal with applications, feedback received at these meetings has confirmed that whilst timely decisions are important, particularly for agents, what is of greater importance for all involved in planning is that the process is robust and transparent and this is where the initial focus has been.
13. In quarter 2, targeted work was undertaken to reduce the number of outstanding validations from 200+ to 67, with most cases now being validated within the Service Standard of 3-5 days. A detailed process review for validation was completed and this resulted in a procedure manual which is used and maintained by the team to ensure efficiency and consistency.
14. Additional training for members and staff has been undertaken to ensure delays are kept to a minimum in subsequent stages of application determination. Further training will continue to be delivered to parish and town Councils to reinforce understanding of the processes and communicating effectively to deliver quality and timely decisions.
15. Speed is the only formal national indicator for planning performance. Key to Shropshire Council's objectives is quality and delivering customer service in addition to timely decision. Comparisons with neighboring unitary Councils suggests that the Shropshire Council Planning service provides a significantly greater opportunity for the public and community groups to engage with the decision taking process having regard to the scheme of delegation, procedures for committees, public speaking and use of the online planning register.
16. The planning decision taking process has required an increasing amount of information at the validation stage in recent years. Applicants are now required to supply comprehensive information in support of their application at an early stage. Where this information is missing, and is required by a consultee, this can introduce delays and ultimately affect performance. Where the impact is potentially greatest is with protected species such as bats or great crested newts. The surveys to determine the presence of these species can only be undertaken in late spring/early summer and so if a survey is required timing is critical. The Natural Environment team is developing guidance for applicants to assist in this respect.

Performance in Each Regulatory Area

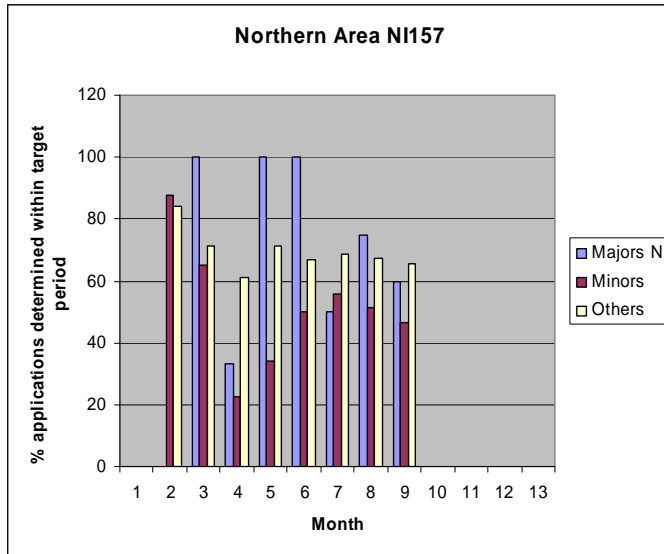
17. The performance for each area has been expressed graphically in the tables below and summarised in table 6.
18. The northern, central and southern teams were originally conceived as three equally resourced teams (although the minerals and waste team which serves the County as a whole is based at Shirehall with the Central Area team). Through the process of re-organisation the northern and southern teams were split so as to operate from two area offices each. The split staff resource

coincides with a dual committee meeting schedule so there is a planning committee meeting in each former district area. This means that whereas the central area has a planning committee once a month there are two committee meetings each month in the north and south regulatory area and some key staff, area managers and technical supervisors divide their time between two area offices.

19. Performance in each team has been impacted through vacancies and illness resulting in cases of long term absence. This has been particularly acute in the south and contingency measures have included the re-deployment of one member of staff (from the north) and a temporary consultant drafted in to support the team. Enhanced performance in one legacy area can compensate for poorer performance in another. It is the aggregate figure for the County that is recorded as part of NI157. The number and type of applications varies between each area and, although the original structure took account of this, it is difficult to predict fluctuations.
20. For the first three quarters the northern area determined 805 applications, the central area 712 applications and the southern area 915 applications. As a percentage of the total number of applications received between each area, major planning applications varied between 1.8% in central and southern areas and 2.8% of the total in the north. The south and central areas have a broadly similar split between application type with 1.8% majors, between 27% (central) and 31% (south) minors and between 71% (central) and 67% (south) others. In contrast the north has 2.8% majors, 41% minors and 55.2% others. What this suggests is that it is the north of the county that has witnessed the more significant development schemes but all areas have been affected by the economic downturn which has reduced the number of major applications received as a whole.
21. The scheme of delegation influences the number of applications being considered by committee. The Government, Audit Commission IDeA and professional associations recommend delegation levels of 90% as best practice. Such practice needs to be underpinned by efficient processes and a robust scheme of delegation. A review of the effectiveness of the scheme of delegation between the elections in June and the end of October revealed that delegation rates varied between 85% in the north, 91% in the central area and 89% in the south. This confirms that the scheme of delegation is broadly achieving the objective set out above. At that time the north committee had considered 56 applications, the central committee 33 applications and the south committee 52 applications. Factors to take into account are the broader geographical areas north and south and significantly the larger number of parish and town councils each of which can trigger a referral to committee, for example, there are over 70 or Parish or Town Councils in the southern area, this compares with less than 30 for the whole of Telford & Wrekin. In this period approximately half of the committee items in the central area (15 out of 33) were referred by parish or town councils. In the north this rises to 75% (42 of 56) and in the south this rises to 86% (45 of 52). This demonstrates that parish and town councils are continuing to influence the process. The high number of referrals in the North and South can also affect performance

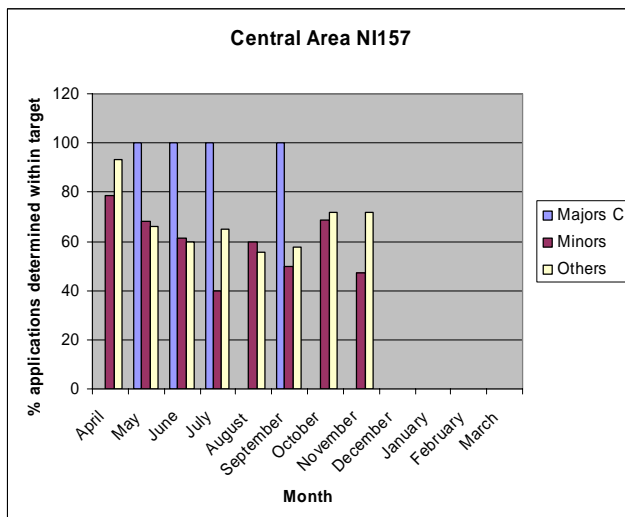
and the training needs identified in paragraph 2.8 above will be delivered as part of a rolling programme throughout early 2010.

Table 2



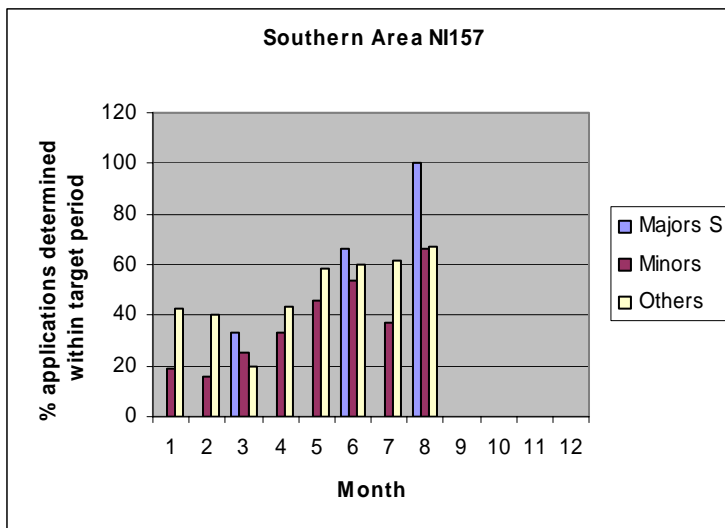
22. Table 2 (above) illustrates month by month performance. In general terms this indicated the fall in performance affected by IT configuration and in particular delays in validation in the first quarter with a stabilising trend over quarters 2 and 3. The reason that there has not yet been an increase in performance is because all teams have focussed on clearing older planning applications to ensure that these do not affect performance through the final quarter thereby providing a clear improvement trajectory between January and April 2010. In the northern area 805 applications have been determined in the first three quarters including 23 majors, 335 minors and 447 other applications. Of these 65.22% of majors 51.94% of minors and 70.02% of others were determined within target periods. Compared with local and national targets and the aggregate figures for Shropshire Council to date, the northern area team is broadly similar to the aggregate figures as indicated in table 6 below.

Table 3

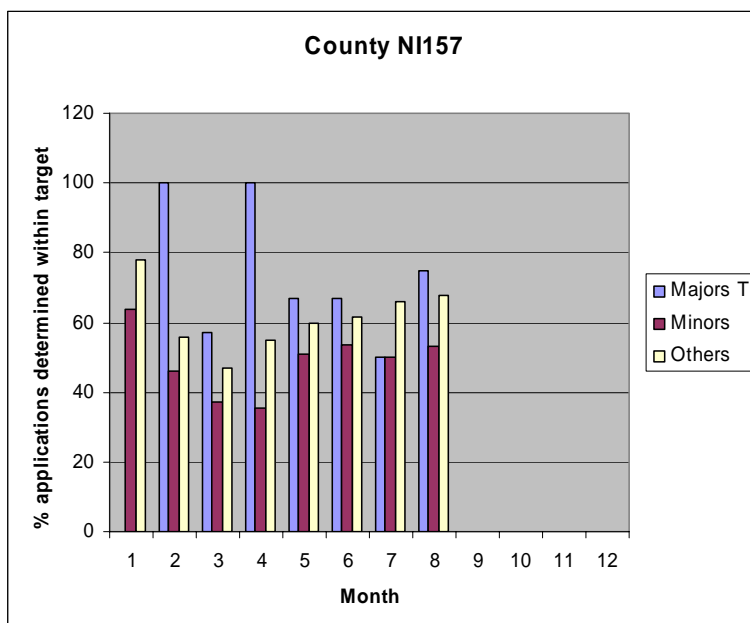


23. Table 3 indicates month by month performance for the central team. It confirms that the team are particularly effective in determining major applications. Although major applications account for a relatively small proportion of the total applications, they can account for a significant proportion of fee income and be very significant in economic regeneration terms. In the central area, major applications account for 1.8% of the total but 31.8% of the fee income to date for that area. The central area has determined 712 applications to the end of quarter 3 of which 13 were majors, 192 minors and 507 others. Of these 92.31% of the major applications were determined in time exceeding both national and local targets. 59.9% of minors and 68.64% of other applications were determined in time. These figures exceed or broadly equal the aggregate figures for Shropshire Council to date as indicated in table 6 below.

Table 4



24. Table 4 indicates the performance of the southern area team. This team has been affected with the long term absence due to illness of two experienced (albeit part time) members of the team. Both carried large case loads resulting in a significant impact. Particular IT configuration issues and understanding of how to use the new integrated IT system in both southern area offices have also affected performance. When the effects of delays in validation, the larger geographical area a larger number of applications and significantly greater number of parish/town councils are taken into account, the impact on performance here has been most significant resulting in much poorer performance in the early months. However, this has also been the area with most significant performance improvements as illustrated by table 4 above. The southern area has determined 915 applications since April of which 16 were majors, 284 minors and 615 others. Of these 50% of the majors were determined in time, 41.2% of minors and 52.85% of others.

Table 5

25. Table 5 illustrates aggregate performance of all area teams with a general trend of improvement.

Table 6 - Performance by Application Type and by Area Team

Application Type	National target	Shropshire Council target	Aggregate to Date (Q3)	North	Central	South
Majors	60	80	66.7	65.22	92.31	50
Minors	65	80	54.07	51.94	59.9	41.2
Others	80	86	68.79	70.02	68.64	52.85

ICT Performance

26. Prior to April this year the validation of planning applications was undertaken at each of the 6 separate local authorities. The business case for Shropshire Council identified efficiencies by centralising this activity and a team was established at Shirehall to undertake this process. A backlog of applications awaiting validation arose as a result of:

- the poor data quality resulting from the merging of legacy data
- the varying experience within the team
- the disruption of the 6 legacy authorities shutting down and a new service being created
- familiarisation with new working procedures and IT systems

27. Following the appointment of the Systems Administration Manager to post in August significant progress has been made with colleagues in ICT and the system supplier to enhance the efficiency of the system. In addition the

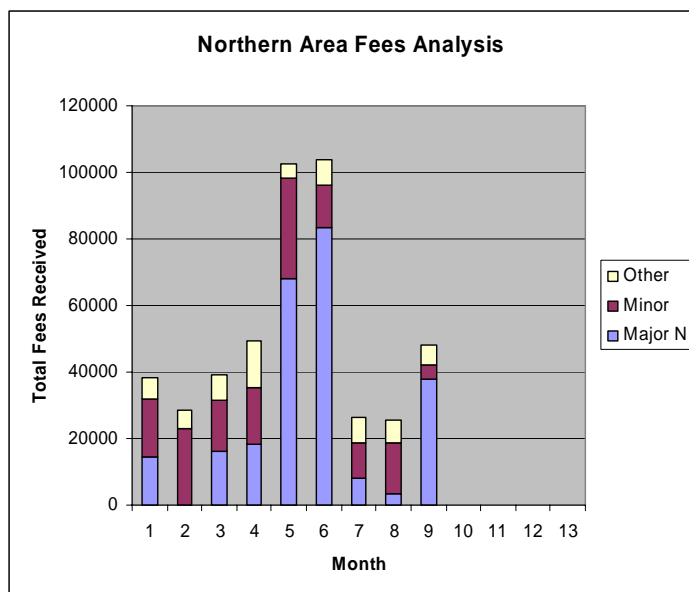
business has focussed efforts on reviewing processes and understanding of the IT system and stakeholders are making better use of the “Public Access” online planning module. Initial high profile problems with weekly lists and scanning of documents into the system were, in fact, resolved relatively quickly.

- 28. A service data group has been established to coordinate and manage priorities for the continuing migration and management of data in both hard copy and electronic formats.

Resources

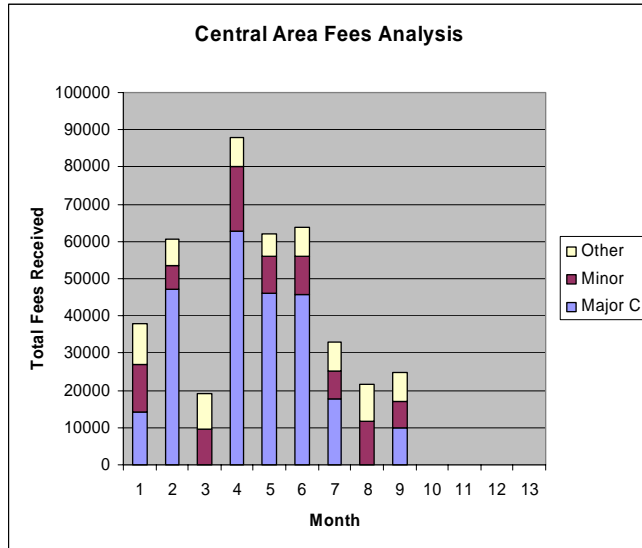
- 29. For Development Management the key resources are staff and income received through planning applications, building regulations and land charges. The scope of this report is limited to planning applications. Planning application fees are set by central government and the Council has no influence over these and cannot supplement them significantly with other charges. Although some Councils charge for services such as pre-application discussions, we have resisted this so far because we wanted to allow the service to bed down and because we value and encourage such discussions.

Table 7



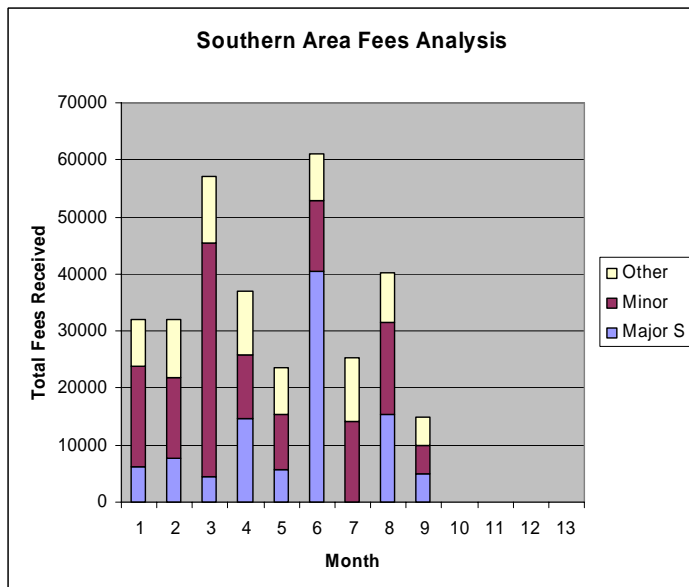
- 30. Table 7 above indicates the profile of fee income received by the northern area team from April 2009. Consistent with both central and southern teams, the fee income for minor and other planning applications is broadly evenly profiled each month. Overall fee income is significantly affected by the number and value of major applications received each month. Income exceeds £100,000 in August and September 2009 before falling sharply. Given the current volatility of the market it is unlikely that these peaks can reliably be used as indicators of seasonal trends. The overall trend is for a fee income of broadly £50,000 per month.

Table 8



31. Table 8 provides a profile for the fees received in the Central Area. Again the proportion of the total fee income for minor and other applications is largely consistent throughout the year. The trend indicates a peak in the summer months and a decline towards autumn largely due to the value of major planning applications.

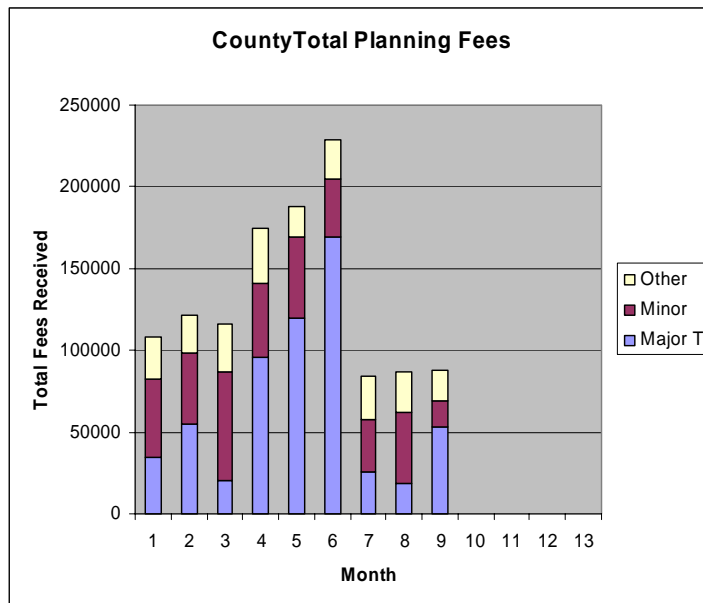
Table 9



32. Table 9 indicates the profile of fee income for the southern area. This largely rural part of the county has historically attracted fewer major planning applications. In contrast to the other areas Minor and Other applications account for a significantly higher proportion of the overall fee income by month. Key to the profile of the income received is that the overall values are lower than the central and northern teams resulting in a monthly average of between £30,000 and £40,000. In addition to the lower overall income levels the southern area has dealt with over 100 more applications than the northern

area and over 200 more than the central area in the same period confirming the affect application type and value has on overall income received.

Table 10



33. Table 10 profiles fee income for the County as a whole.

Enforcement Performance and Resources

34. Enforcement and Compliance staff consist of 3 full time equivalents in each of the three area teams, although teams in north and south have only recently been at full strength following absence in both areas due to illness. In north and south the enforcement teams are divided across two offices and large geographical areas. The Shropshire Council compliance policy is set out as Appendix 2 to the Charter for Development Management. Quarterly reports on performance will be presented to the each planning committee outlining the number of cases and key issues in each area. Reports for Northern and Central teams have been produced for consideration in January.

Customer Experience

35. Customer views on the Shropshire Council Development management Service have not yet been formally assessed. Planning is a time sensitive service with high levels of public exposure to decisions taken. Feedback from customers received to date confirms the importance of effective communication with all service users both internal and external. In terms of delivering the service, our customers want and expect a choice in how information is delivered. The enhancement of the Council's web site to raise the profile of the planning pages and access to the online planning register has been well received. The development of the on line register itself as a single reference point for all planning information, decisions and correspondence has been significant in reducing the need for face to face or telephone contact and positively changing the way the service and information

is conveyed. However, in addition to electronic means of communication, customers value, and expect personal contact with planning staff to help and support with their enquiries. As problems with settling into new roles and frustrations with ICT and the backlog of applications have diminished, staff have been able to focus more on a high quality personal service.

Conclusion

36. A number of challenges arose from the transition to Shropshire Council which impacted on planning performance. Unlike many other Unitary Councils, Shropshire has taken some key transformational steps at the transition stage bringing together new teams and significantly a new integrated IT system from Day 1. This has revealed a large number of issues for the service which have and continue to be addressed in a decisive manner. A common set of new procedures and practices under the Charter for Development Management have been introduced drawing from the best practice from legacy authorities. There is a high level of customer access to the service compared with some other Unitary Councils at all stages of the decision taking process. Quarter four should present a more stable performance recovery and consistency although it is recognised that there will continue to be challenges ahead in ensuring efficiency and performance in the context of the wider economic downturn, customer expectations and resource pressures.

List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)

Development Services' Service Plan 2009/10

Human Rights Act Appraisal

The recommendations contained in this report are compatible with the provisions of the Human Rights act 1998.

Environmental Appraisal

There are no direct implications arising from this report.

Risk Management Appraisal

There are no direct implications arising from this report.

Community / Consultations Appraisal

As contained in the report

Cabinet Member:

Martin Taylor Smith, David Roberts

Local Member

All Members of the Development Services Scrutiny Committee

Appendix

None