

DEVELOPMENT MANAGEMENT PERFORMANCE UPDATE - AUGUST 2021

1. Introduction:

1.1 This report sets out performance in relation to the determination of planning applications in both Development Management and Majors teams on the basis of speed and quality of decision against national benchmarks. This report is provided as an analogous report to the monthly reporting of The Planning Portfolio Holder to Full Council. The report will be provided on a monthly basis going forward.

2. Background:

2.1 The table below sets out the current national performance targets as set by Central Government as measured over a cumulative 24-month period.

Measure and type of application	Threshold and assessment period
Speed Major Development	60% of applications determined within 13 weeks or an agreed extended deadline over a 24-month cumulative period. NB for EIA development this extends to 16 weeks or an agreed extended deadline.
Quality Major Development	Not more than 10% of appeals overturned over a 24 month cumulative period.
Speed of Non-major ¹ Development	70% of applications determined within 8 weeks or an agreed extended deadline over a 24 month cumulative period.
Quality of Non-major Development	Not more than 10% of appeals overturned over a 24 month cumulative period.

2.2 Persistent failure to reach the national standards of performance in these categories may lead to an authority being designated as poorly performing. Poor performing Councils can lose the right to determine planning applications with MCHLG intervention to secure performance improvements until performance improvement is secured. All categories carry equal weight in these matters.

2.3 An authority can claim 'exceptional circumstances' before designation occurs. An authority will be given the opportunity to provide clear evidence to justify any corrections to data and to set out any exceptional circumstances which would, in their opinion, render designation unreasonable. Such claims are judged against two criteria:

- Whether the issue affects the reasonableness of the conclusions that have been drawn from the data provided, and;
- Whether the issue had a significant impact on the authorities' performance for reasons beyond its control.

3. Current Performance:

3.1 The current period for assessment runs from 2019 to 2021. Applications performance data in relation to speed of decisions for Majors and Non-majors is shown below for quarters from October 2019 to June 2021. The Council receives on average around 2500 applications in anyone year, spread across all applications types, the most numerous case are Householder developments with other smaller scale Non major projects following behind.

3.2 Major developments as measured under Table 151 of MCHLG guidance:

	All Major Decisions	Major Decisions within 13 weeks	PPA, EoT or EIA Decisions	PPA, EoT or EIA Decisions in time	Out of time	Result
Oct - Dec 2019	7	2	4	4	1	86%
Jan - Mar 2020	5	0	4	3	2	60%
Apr - Jun 2020	6	0	6	6	0	100%
Jul - Sep 2020	3	1	2	2	0	100%
Oct - Dec 2020	7	2	5	5	0	100%
Jan - Mar 2021	8	0	7	4	4	50%
Apr - Jun 2021	4	0	4	3	1	75%
Jul - Sep 2021						
total	40	5	32	27	8	80%

Minimum level required

60%

* *EoT – Extension of Time Period for determination.*

Please note that no major decisions were made in July, as such our position remains as above.

3.2 Performance in major developments remains 20% above national designation for intervention on performance measures. However, poor performance has resulted in three quarters. Previously our team has striven to exceed 90% of decisions being within the performance criteria. Officers and managers will be re- focused on performance improvements to ensure the figures rebound to a point around the 90 – 95% mark.

The comparatively limited number of major applications requires a maintained

focus on speed of decision to deliver on the targets and ensure good customer service and deliver strategically important development.

Of the 40 cases determined then reliance remains on time extensions 32 cases required extended time periods. This position relating to extension of time periods for major applications is not unusual, given both the complexity of major cases and NNDC's requirement for most major cases to be supported by S106 legal agreements. Those agreements provide affordable housing, infrastructure and ecology mitigation. Critical to performance in this area will be ensuring that wherever possible that extensions of time period are adhered to for decision making.

3.3 Non Major Performance as measured under Table 153 of MCHLG guidance:

	Non-major Decisions	Non-major Decisions within 8 weeks	PPA, EoT or EIA Decisions	PPA, EoT or EIA Decisions in time	Out of time	Result
Q1	297	168	112	91	38	87%
Q2	259	143	107	96	20	92%
Q3	200	71	122	110	19	91%
Q4	182	44	131	126	12	93%
Q5	235	61	155	118	56	76%
Q6	308	41	178	130	137	56%
Q7	298	83	123	104	111	63%
Q8						
	1779	611	928	775	393	78%
	Minimum level required					70%

* EoT – Extension of Time Period for determination.

Please note performance in July for non-majors:

102 total decisions; 43 decisions within time (no EOT); 48 decisions were made under EOT with 32 decisions made within the agreed EOT; 27 decisions exceeded time periods. In total 74% of decisions were made in time for July. This maintains a position at 78% over the two-year performance period.

Performance in non-major developments remains challenging, we stand at no

more than 8% above national designation for intervention on performance measures. Performance below 70% has occurred in two consecutive quarters, performance of this nature is not acceptable and must be addressed. Performance must improve, both in the interests of customer service and reputation. Officers and managers will be re-focused on performance improvements geared to ensure the figures rebound to a secure position that represents more timely decision making and better customer service as soon as possible.

There is a reliance on the use of agreed time extensions, in this area also. It will be critical that where extension of time periods is agreed that decisions are delivered within those timelines. Reliance on extension of time periods for these application types will be reviewed and will provide a key indicator of performance improvements going forward.

3.4 Appeals performance data (the quality criteria) is defined as no more than 10% of all appeals against the Council's decisions being overturned over via the appeal process over the same two-year period.

3.5 For major development appeals the current figure to July 2021 stands at 2.17%; this is single case overturned during the performance period.

3.6 For Non-Major development the figure is 0.55%; the appeals determined are independently reported on a monthly basis to Development Committee, members will be aware of the strong performance from the Council in this area.

4.0 Influencing factors and actions

4.1 Capacity –When discussing performance, it is relevant to consider the flow of work that has been received. Officers have tracked all applications received through May, June, and July. Those figures are for all applications not just those returned under the Council's PS1/2 requirements to MCHLG. I have given the figures within the context of the last two previous years' receipts:

Applications received

May 2021 = 299 (May 2020 = 154; May 2019 = 255)

June 2021 = 272 (June 2020 = 254; June 2019 = 226)

Applications received

July 2021= 262 (July 2019=257; July 2020=266)

The pattern is one whereby incoming work has been higher than normal through this three-month period. The current period shows 833 cases in total over the three months; as against 665 in 2020 and 747 in 2019. As an average over the three months than 277 applications were received per

month in 2021; as compared to averages of 221 cases per month in 2020 and 249 cases per month in 2019. The overall impact has been for officer capacity to be stretched in this time resulting in higher than normal caseloads.

- 4.2 Software updates – members will be aware that the planning applications software system has been migrated to the Uniform system in December 2020. Further that software updating was required in May 2020. Those processes required substantial down time which imposed backlogs in the validation process. Those backlogs are resolved but have an impact upon the case officers handling capacity, bunching of application can result.
- 4.3 Illness – the development management team operated through December to March with three senior managers and two cases officers absent for extended periods. Case officer capacity and management of the team was impacted during this time.
- 4.4 Consultations – the service is reliant upon consultation response to facilitate determination of cases. In some instances, consultation responses have been delayed as internal and external consultees have had competing demands placed upon them.
- 4.5 Key performance areas for improvement will be discussed with the Incoming Director of Place and Climate Change, along with the Planning Portfolio holder. Areas for discussion may focus upon:
- Extension of time period
 - Any need to boost capacity in the short or longer term.
 - Proactive case management / case conferences.
 - Development of enhanced performance management reports for Case Officers, Team leaders and Managers.
 - Improved business process

5.0 Recommendations:

5.1 Members are asked to note the content of this report.