

# TEWKESBURY BOROUGH COUNCIL

<b>Report to:</b>	Overview and Scrutiny Committee
<b>Date of Meeting:</b>	8 January 2019
<b>Subject:</b>	Planning Key Performance Indicators
<b>Report of:</b>	Head of Development Services
<b>Corporate Lead:</b>	Deputy Chief Executive
<b>Lead Member:</b>	Lead Member for Built Environment
<b>Number of Appendices:</b>	None

## **Executive Summary:**

The Development Services Review was approved by Council on 17 April 2018. This review was supported by an action plan containing a number of actions which needed to be addressed to help improve the service. The progress on the Action Plan was presented to Overview and Scrutiny Committee on 16 October 2018. At that meeting it was requested that a report on the Key Performance Indicators (KPIs) in relation to the Planning service be presented to the Committee.

## **Recommendation:**

**To CONSIDER the Key Performance Indicators (KPIs) in relation to the Planning service.**

## **Reasons for Recommendation:**

The Overview and Scrutiny Committee requested this report following a report presented to Committee in October 2018.

## **Resource Implications:**

None as a direct result of this report.

## **Legal Implications:**

None as a direct result of this report.

## **Risk Management Implications:**

None as a direct result of this report.

## **Performance Management Follow-up:**

Performance management on a number of KPIs is reported to Overview and Scrutiny Committee as a matter of course. This report further sets out more detailed performance indicators for the planning service.

**Environmental Implications:**

None as a direct result of this report.

**1.0 INTRODUCTION/BACKGROUND**

- 1.1** The Development Services Review was approved by Council on 17 April 2018. This review was supported by an action plan containing a number of actions which needed to be addressed to help improve the service, make it more efficient and put the service in a position to be able to commercialise, should there be a business case to do so in the future. The action plan is a dynamic document which is being used as a tool to help manage improvements in the service. An update on the Action Plan was presented to Overview and Scrutiny on 16 October and, at that meeting, details on KPIs relating specifically to Planning were requested.
- 1.2** Members will be aware that the statutory key indicators of planning performance in relation to speed of decision on planning applications are very positive with the team exceeding national targets and meeting the stretched local targets in most cases. In some quarters, performance on the speed of determination of planning applications could be considered as top quartile. The actions in the action plan seek to sustain this performance. The indicators that have been identified are in the areas where improved performance will have the greatest impact on service efficiency and customer service. These priorities are: validation; pre-application services; customer service complaints; quality and speed of decision making; and enforcement. Similarly, information in relation to the cost of delivering the service is a priority. The team is piloting time-recording methods to ensure efficient capturing of operational cost data.

**2.0 PROPOSED INDICATORS**

The proposed indicators are set out below and are focused on a number of key themes. These include: validation; speed of decisions on applications; appeals; Planning Committee; enforcement; and customer satisfaction. This report sets out a number of quantitative and qualitative indicators to ensure that the service can improve efficiency and deliver better outcomes for customers and service users. In response to these indicators, changes to working practices are being made to boost performance and customer satisfaction.

**2.1 Validation of Planning Applications**

- 2.1.1** Validation is the process whereby an application is checked to assess whether it is accompanied by the requisite fee, information and plans. Frequently, this is the first contact the customer has with the Planning team. Customers like to know as soon as possible whether their application requires further information to be valid so as to enable processing of the application to start. The complexity of the process depends on whether an application is major (10 or more dwellings or 1,000 or more square metres) minor (one to nine dwellings of less than 1,000 square metres), other (predominantly householder applications but also includes advertisement consent, listed building consent and changes of use).

**2.1.2** In 2017/18, the average number of days for customers being advised whether their application was valid or invalid was as follows:

- Major applications: 16.8 days
- Minor applications: 16.5 days
- Other applications: 13.5 days

**2.1.3** There has been an improvement this financial year. From 1 April to 30 November 2018 the average number of days for validation was:

- Major applications: 14 days
- Minor applications: 11 days
- Other applications: 8 days

**2.1.4** Nevertheless, it is recognised there is room for improvement and the following KPI's are recommended in respect of validation:

**Major Applications**

Proposed Indicator	<b>% Major Applications where customers advised within 10 working days whether or not the application is valid</b>
Outturn 2017-18	26%
April to Nov 2018	50%
Target 2019-20	75%

**Minor Applications**

Proposed Indicator	<b>% Minor Applications where customers advised within 7 working days whether or not the application is valid</b>
Outturn 2017-18	37%
April to Nov 2018	47%
Target 2019-20	80%

**Other Applications**

Proposed Indicator	<b>% "Other" Applications where customers advised within 5 working days whether or not the application is valid</b>
Outturn 2017-18	37%
April to Nov 2018	59%
Target 2019-20	90%

## 2.2 Speed of Decision on Applications

- 2.2.1** The current performance indicators for major, minors and “other” planning applications are presented to Overview and Scrutiny Committee on a quarterly basis and there is a requirement for the Council to report on these to the Ministry of Housing, Communities and Local Government (MHCLG) quarterly. Performance on these indicators is excellent.
- 2.2.2** A national planning performance regime was introduced in October 2013 in which the government set minimum standards for the speed and quality of planning decisions on planning applications over a rolling two year period. The measures are applied separately to “major” and “non-major” (minor and other) applications.
- 2.2.3** A local planning authority can be “designated” as underperforming if it does not meet the minimum standards. If a Council is designated, applicants may apply directly to the Planning Inspectorate for the category of development (major, non-major or both) for which the Council is under performing.
- 2.2.4** The MHCLG published criteria for designation in November 2018 and this is likely to have effect in February 2019 (subject to parliamentary procedures). The proposed designation thresholds and assessment periods for speed of decision (determination within the statutory period or such extended period as has been agreed in writing) are as follows:

<b>Measure &amp; type of application</b>	<b>Threshold and assessment period: October 2016 to September 2018</b>	<b>Threshold and assessment period: October 2017 to September 2019</b>
Speed of major development	60%	60%
Speed of non-major development	70%	70%

- 2.2.5** Tewkesbury Borough Council’s performance to date is:

<b>Measure &amp; type of application</b>	<b>Threshold and assessment period: October 2016 to September 2018</b>	<b>Threshold and assessment period: October 2017 to September 2018</b>
Speed of major development	88.89%	95.24%
Speed of non-major development	86.31%	89.33%

**2.2.6** As current performance is significantly above the thresholds for designation, it is recommended that the current local target performance indicators which distinguish between major, minor and other applications as set out below are retained:

**Major Applications**

<b>Proposed Indicator: Percentage of ‘major’ applications determined within 13 weeks or alternative period agreed with the applicant</b>	
Outturn 2017/18	89.58 %
Local Target 2019/20	85%
Up to Q2 2018/19	100

**Minor Applications**

<b>Proposed Indicator: Percentage of ‘minor’ applications determined within 8 weeks or alternative period agreed with the applicant.</b>	
Outturn 2017/18	78.2%
Local Target 2019/20	80%
Up to Q2 2018/19	80.4%

**Other Applications**

<b>Proposed Indicator: Percentage of ‘other’ applications determined within 8 weeks or alternative period agreed with the applicant.</b>	
Outturn 2017/18	88.66%
Local Target 2019/20	90%
Up to Q2 2-18/19	88%

## 2.3 Contribution to the Delivery of Housing

- 2.3.1 The number of homes and affordable homes permitted demonstrates how the authority is contributing to the housing needs of the borough, therefore, a KPI in relation to dwellings and affordable dwellings permitted is proposed. The annually prepared monitoring report reports on the number of dwellings completed, however, it is also reported here for completeness:

### Number of Dwellings Permitted

<b>Proposed Indicator: Number of dwellings permitted during the year 17-18 (includes appeal decisions)</b>	
Full planning permission	647
Outline planning permission	2157
Reserved matter approval	519
No of dwellings completed	945

### Number of Affordable Dwellings Permitted

<b>Proposed Indicator: Number of affordable dwellings permitted during the year 17-18</b>	
Full planning permission	TBC*Approximate 220
Outline planning permission	TBC*Approximate 620
Reserved matter approval	TBC*Approximate 225
Number of affordable units completed	233

## 2.4 Annual Review of Planning Committee Overturns

- 2.4.1 It is inevitable, from time to time, that decisions will be made by the Planning Committee which are contrary to the Officer recommendation. However, it is good practice to identify the number of cases where Officers' recommendations were not accepted. The annual review would be considered by the Planning Committee and would identify if there are any actions required to improve the quality and consistency of decision making. These actions will include: a review of appeals decisions and lessons learned; Member briefing sessions on key topics; Member training; review of quality of Committee reports; and, potentially, a Planning Advisory Service peer review.

**Proposed Indicator: Annual review of application recommendations overturned by the Planning Committee**

## 2.5 Appeals

**2.5.1** An applicant has a right of appeal where an application is refused, or where the Council fails to make a decision within an agreed timescale. If an appeal is dismissed, this can be taken to indicate that the decision of the Council is appropriate.

**2.5.2** The MHCLG criteria for designation as a poorly performing planning authority also relates to the quality of planning decisions on planning applications over a rolling two year period. *Quality* is measured as a proportion of all applications which are refused planning permission but then allowed on appeal. As with speed of decision, the measures are applied separately to “major” and “non-major” (minor and other) applications.

**2.5.3** The measure to be used is the percentage of the total number of decisions made by the authority on applications that are then subsequently overturned at appeal, once nine months have elapsed following the end of the assessment period. It is considered that this would be an appropriate measure for the Council to use for measuring performance in relation to appeals.

<b>Proposed Indicator: % total number of major decisions subsequently allowed on appeal</b>	
Outturn for decisions on major applications April 2015 to March 2017	6.3 % allowed
Target for decisions on major applications April 2016 to March 2018	No more than 10% of all major decisions to be allowed on appeal
<b>Proposed Indicator: % total number of non-major decisions subsequently allowed on appeal</b>	
Outturn for decisions on non- major applications April 2015 to March 2017	7.5 % allowed
Target for decisions on non-major applications April 2016 to March 2018	No more than 10% of all non-major decisions to be allowed on appeal

**2.5.4** The MHCLG criteria for designation published in November 2018 can be found at [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/760040/Improving\\_planning\\_performance.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/760040/Improving_planning_performance.pdf)

**2.5.5** Either party at appeal (i.e. the appellant or the Council) can submit an application for the other side to pay its appeal costs if it considered that the other party has acted unreasonably.

<b>Proposed Indicator: Applications for costs against the Council a planning appeal upheld</b>	
Outturn 2017/18	0
Target 2019/20	0

## 2.6 Planning Enforcement

- 2.6.1 The purpose of these performance indicators is to measure the extent to which investigations are initiated in accordance with the Council's priorities set out in the Planning Enforcement Plan. The Enforcement team is now starting to enter dates into the Council's database which will enable this performance indicator to be measured from January 2019.

<b>Proposed Indicator: Investigate CATEGORY A cases within 24 hours (Without prompt action, material risk of further harm which could be reduced by early intervention)</b>	
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Target 2019/20	90%
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<b>Proposed Indicator: Investigate CATEGORY B cases within 5 working days (Development causing, or likely to cause, irreparable harm or damage)</b>	
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Target 2019/20	90%
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<b>Proposed Indicator: Investigate CATEGORY C cases within 10 working days (Risk of material harm to the environment or undue harm to residential amenity)</b>	
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Target 2019/20	80%
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<b>Proposed Indicator: Investigate CATEGORY D cases within 15 working days (Breaches causing limited material disturbance to local residents or to the environment)</b>	
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Target 2019/20	70%
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## 2.7 Customer Satisfaction

- 2.7.1 Customer satisfaction with the planning service is often difficult to measure. The customer can also be difficult to define as often the Planning Service responds to matters raised not only by applicants but also neighbours, objectors and interested groups who are also customers of the system. The Council has a system of corporate complaints and, while the total number of those relating to the planning service may be an indicator of the service, it is important to understand the issues raised and whether any actions need to be undertaken to address them. Therefore a "qualitative" indicator is recommended comprising an annual review of complaints relating to planning matters:

<b>Proposed Indicator: Annual review of corporate complaints relating to Planning Matters</b>
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**2.7.2** A customer satisfaction questionnaire has been prepared and initially will be tested on customers of the pre-application service in the New Year. Customers will access the questionnaire by clicking on a link in the pre-application response and questions will address satisfaction levels with quality of advice, speed of response and helpfulness of staff. The key outputs resulting from this survey will be reported to Members in due course.

## **2.8 Speed of Response to Pre-Application Queries**

**2.8.1** The Council's pre-application service will be reviewed in the New Year. This will include a review of the timescales for responses for different categories of development and consideration will be given to different levels of service to meet the needs of customers. This will likely take the form of a bronze/silver/gold service which is more reflective of customers needs, rather than the current one-size fits all approach. The review will also consider the best way of delivering the service and the costs/benefits of the pre-application service. Additional KPI's relating to the pre-application service will form part of the review.

## **2.9 Cost of Service Delivery**

**2.9.1** The cost of delivering various aspects of the service is often difficult to measure, but an understanding of cost vs. fee income is essential in looking to address areas of inefficiency. To that end, measures are being deployed to provide a more refined approach to capturing the costs of various aspects of the planning service using the functionality available within existing IT systems allowing quick, easy and dynamic access to operational cost information. Once this data is captured and analysed, it will provide information which is likely to form the basis of further KPI's.

## **3.0 OTHER OPTIONS CONSIDERED**

**3.1** None.

## **4.0 CONSULTATION**

**4.1** None as a direct result of this report

## **5.0 RELEVANT COUNCIL POLICIES/STRATEGIES**

**5.1** Joint Core Strategy [www.gct-jcs.org/](http://www.gct-jcs.org/)

Planning Enforcement Plan

Council Plan

Development Services Action Plan

## **6.0 RELEVANT GOVERNMENT POLICIES**

**6.1** National Planning Policy Framework (NPPF) and Planning Practice Guidance – Updated July 2018 <http://planningguidance.planningportal.gov.uk/>

## **7.0 RESOURCE IMPLICATIONS (Human/Property)**

**7.1** None as a direct result of this report, albeit projects to help improve efficiency individually may require new or re-scoped resources to effectively deliver the benefits of service improvements.

**8.0 SUSTAINABILITY IMPLICATIONS (Social/Community Safety/Cultural/ Economic/ Environment)**

8.1 None as a direct result of this report.

**9.0 IMPACT UPON (Value For Money/Equalities/E-Government/Human Rights/Health And Safety)**

9.1 None as a direct result of this report.

**10.0 RELATED DECISIONS AND ANY OTHER RELEVANT FACTS**

10.1 Council Plan approved by Council 15 May 2018 and Development Services Review approved by Council 17 April 2018.

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**Background Papers:** None

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**Appendices:** None