

Report to: **Joint Overview and Scrutiny Panel and Development Management Committee**

Date: **24 January 2019**

Title: **Development Management – Performance Update**

Portfolio Area: **Customer First – Cllr Hilary Bastone**

Wards Affected: **All**

Relevant Scrutiny Committee: **Overview and Scrutiny Panel**

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

Date next steps can be taken: Any recommendations will, in the first instance, be presented to the Executive meeting on 7 February 2019

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RECOMMENDATIONS:

That the Joint Overview and Scrutiny Panel and Development Management Committee Meeting RECOMMENDS to the Executive to:

- 1. Endorse the actions being taken to secure improved performance within the Development Management Service; and**
- 2. Support, as part of the 2019/20 Budget Setting process, the addition of an L5 Specialist, at a cost of £29,000, within the Development Management service (to be funded through planning income).**

1. Executive summary

1.1 The report outlines present performance of the Development Management service, factors influencing performance and the measures that are planned to secure sustainable improvement.

1.2 There has been a marked improvement in performance against Government targets for the time taken to determine applications. This improvement is set against a background of difficulties in recruiting suitably qualified officers and the transition between software systems.

1.3 Despite the sustained good performance against Government targets, in depth analysis of underlying trends within the service have identified that further steps need to be taken to improve efficiency and customer focus.

1.4 Effective Development Management supports the Councils themes specifically with regard to Homes, Enterprise and Communities.

1.5 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 as a result of the improvement in performance as demonstrated in Table 1.

2. Background

2.1 At its meeting on 1 November 2018, the Overview and Scrutiny Panel considered the Performance Measures for Quarter 2 in 2018/19 (Minute O&S.65/18 refers). In so doing, a detailed debate took place and a number of concerns were raised. As a way forward, the Panel agreed that a 'Development Management Performance Review' should be given formal consideration at this joint meeting.

2.2 Stability within the Community of Practice of Development Management has been affected by a number of internal and external factors.

2.3 The national shortage of suitably qualified Planning Specialists has meant that recruiting has been, and remains, very difficult. Posts have been back-filled with Agency staff which does not, generally, offer the same continuity and stability as afforded by establishment staff.

2.4 The migration of all planning records into new software and improvements to the website have also impacted on capacity within the team.

2.5 The additional staff secured through the national 20% increase in planning fees has now improved the capacity of the team that has in turn helped embed the way work has been managed between case managers and specialists. Case managers now undertake validation and some discharge of conditions, work previously undertaken by specialists.

3. Outcomes/outputs

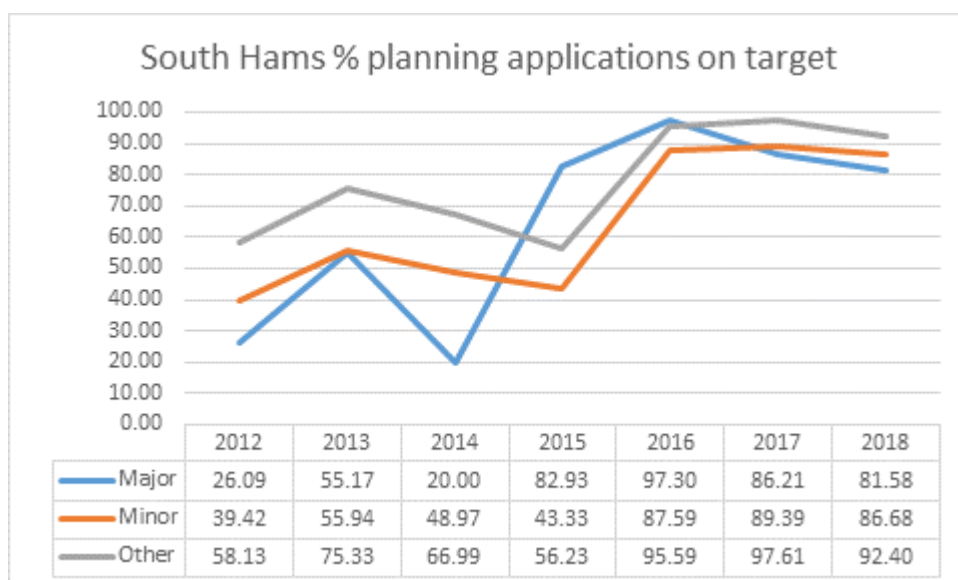
3.1 In order to further improve performance within Development Management, a number of factors still need to be addressed:

- Resourcing of suitably qualified/experienced staff;
- Reduction of the number of live applications; and
- Improvements in the efficiency of process and a more proactive approach to keeping relevant parties informed of progress.

4. Analysis of Performance

4.1 There has been a clear and necessary focus on improving the time it takes to determine applications in line with Government targets and guidance.

4.2 Table 1, below, shows the marked and sustained improvement against the Government target of Majors (60%), Minors (65%), Others (80%).



4.3 As part of ongoing performance management, data on performance and volumes of applications is provided to Development Management Committee bi-monthly and the Overview and Scrutiny Panel quarterly.

4.4 Securing the improvement in performance has involved a combination of changes including requesting extensions of time from agents on some applications and closer monitoring of officer performance. The use of extensions of time is common practice and beneficial to both applicants and the Council to ensure that applications are considered in the light of all necessary information and views.

4.5 In order to look more closely at the overall impact of this new approach, in depth analysis using control charts to look at how processes have changed over time has been undertaken. The analysis has identified a number of key trends;

- a. The volume of applications received is consistent at an average of 47 per week
- b. There are seasonal peaks in numbers with an increase just after Christmas; this results in a 'backlog' that is often difficult to reduce and has, in part, led to c below.
- c. There has been a year on year increase in the average number of 'live' applications from approximately 490 in 2016 to 560 in 2018
- d. There has been a steady increase in the time taken to complete applications. In Quarter 1 of 2017 80% of cases were completed within 90 days. In Quarter 4 this had increased to 112 days.

4.6 A number of observations can be made from the identified trends. The volume of work coming into the system can be reasonably well predicted (a and b) and, where possible, resources can be aligned to respond. There is an increase in 'live' work and the average time to deal with 80% of the cases has increased (c and d).

4.7 When these trends are compared with the performance data at Table 1, it points to the fact that the extensions of time mutually agreed with applicants, whilst improving performance against Government targets, may be increasing the overall time that applications are taking to determine. This in turn has increased the number of live applications being worked on at any one time.

4.8 In addition to the above statistical information, the subjective view from attendees at the quarterly Agents and Developers forums is one of steady improvement in terms of communication and user satisfaction with the service.

5. Improvement Plan

5.1 In order to seek further improvement within the service as outlined in 4. above, the focus has been on the following;

- Process Review focussing on Customer Satisfaction
- Resources
- Alternative service offers

6. Process Review focussing on Customer Satisfaction

6.1 A project team has been working on the above since late 2018. The scope of the project has been agreed in consultation with key users of the service and is focussed on:

- Automatic updates on progress of applications – sent to applicants/agents at key stages of the process. This enables relevant parties to be updated on progress and reduces the need for contact with the team. A key area of concern has been the inability of agents in particular to have timely updates of progress on their cases.
- Increased visibility of up to date information both internally and on the website to further support management of applications within the Case Management team.
- Reviewing processes to ensure efficiency and increase capacity within the team

6.2 The review is due to be completed in March 2019 and subsequent impacts on performance will be reported back to Members in the normal way. In addition, officers are exploring the use of 'constraints theory' to manage workflow within the service. The concept has recently been introduced into Council Tax and Housing Benefits with encouraging results.

7. Resources

7.1 Development Management draws resources from across the Council and from external partners. The service review detailed in 6. above will help increase the capacity of the internal team by making processes more efficient and through the provision of automatic updates.

7.2 The capacity of the internal team increased following the additional resources secured following the 20% increase in National planning fees. Now that there has been sufficient time for the new resource to settle in it is considered that the team is suitably resourced to deal with expected workloads across most areas. It is however considered that additional capacity is needed at Specialist Level to ensure that caseloads, primarily minors and smaller majors, are manageable and to secure a reduction in live cases. It is proposed that an additional L5 Specialist be added to the Council's Staffing Establishment that will be funded through planning income. The post will cost £29K per annum including on costs.

7.3 The national shortage of suitably qualified planning specialists persists and recruitment remains very challenging. This is an experience shared by other Devon and South West Councils. The time to successfully recruit specialists can range between 3 and 6 months and so the impact in terms of performance and cost of staff changes is considerable.

7.4 In order to better manage change and secure succession planning, the council are developing a range of approaches. At present two case managers are undertaking Planning technical training at Bridgewater College. We are also now offering an opportunity for relevant officers to take an MSc in Planning to convert from a non-planning first degree.

7.5 In addition to the above, discussions are underway with a large private sector developer to explore the opportunity to jointly fund a graduate planning officer. It is felt that offering prospective candidates a private/public sector partnership opportunity would be attractive in the present job market.

8. Alternative Service Offers

8.1 Officers have been in discussion with a group of Planning Agents with regard to developing a fast track, paid for premium planning service. The broad concept is that there are instances when it is financially viable for an applicant to want to secure a planning decision as soon as is practicably possible. For example, where an applicant is in rented accommodation pending an extension/refurbishment or where there are options on land. In this instance paying an additional fee for a timely decision is an option that may well prove attractive.

8.2 The provision of such a service would clearly still be subject to existing statutory process, consultation and delegation procedures and in no way would the decision itself be secured or influenced. It would simply offer some key performance milestones and, potentially, a quicker decision.

8.3 The benefits of offering such a service include an income which could be used to further enhance the wider service in terms of overall performance and capacity.

8.4 Initial trials are due to take place in the final quarter of 2018/19. An initial review will take place with a view to reporting back to Members on the viability of introducing the service later in 2019.

9. Motion to Council

9.1 At Council on 6 December 2018 the following was resolved (minute 47/18 (c) refers)

RESOLVED

It has been recognised that at present SHDC Officers do not have the capacity to monitor the implementation of environmental mitigation measures that are specified as conditions in planning approvals. The requirement for mitigation measures being put in place is often fundamental to Councillors giving approval for developments and there is concern that, without a significant increase in monitoring, many mitigation measures will not be implemented.

Therefore, as part of the 2019/20 draft Budget Setting process, the joint Overview and Scrutiny Panel / Development Management Committee meeting on 24 January 2019 will give consideration to a proposal to recruit a full-time Officer to be responsible for checking on the implementation of environmental mitigation conditions specified in planning approvals and helping to enforce compliance.

9.2 It is recognised that monitoring of mitigation measures is important to ensure that development reflects the approval given. Equally it is recognised that there are finite resources available to deliver the Development Management service in terms of processing applications in a timely manner.

9.3 On balance, officers are of the view that there may be alternative ways of achieving the monitoring function; for example through planning enforcement. In addition, new guidance has just been issued for consultation regarding the reporting of developer contributions from the Community Infrastructure Levy and section 106 planning obligations through the Infrastructure Funding Statement. In order to support this, the Government proposes to specifically permit authorities to seek a monitoring fee through section 106 planning obligations. Any fee should be 'proportionate and reasonable' and reflect the actual cost of monitoring'

9.4 In view of the above, Officers recommend that further work is undertaken to determine how monitoring could be effectively undertaken either through existing resources and structures or through utilising potential funding arrangements such as, but not restricted to, 9.3 above.

10. Summary and Conclusions

10.1 There has been a marked and sustained improvement in performance against Government targets for the time taken to determine applications since 2015.

10.2 The focus on improvement has resulted in an unexpected but measurable increase in the number of live applications.

10.3 A number of different actions are being undertaken to sustain further improve performance by increasing efficiency and capacity across the service.

10.4 There is a need for an additional level 5 Specialist within the DM team to secure sufficient capacity given existing caseloads and it is recommended that Members support this proposal as part of the 2019/20 Budget Setting process

11. 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 and, in light of the relevance of the report to the Development Management Committee, it is considered most relevant for this report to be presented to the Joint Meeting as part of the annual budget setting process.
Financial	Y	The report recommends the addition to the establishment of a L5 Specialist within DM at a cost of £29,000 (This is the SHDC share of costs, as it is recommended that the post would be shared).
Risk	Y	There are both reputational and financial risks associated with the performance of the DM service. Whilst there have been a number of factors that have previously had an adverse impact on the function, this report evidences that performance is improving and sets out proposals to sustain and improve further.
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:

None