

CABINET

12 OCTOBER 2005

PLANNING DEVELOPMENT CONTROL COMMITTEE

9 NOVEMBER 2005

PLANNING IMPROVEMENT AND PLANNING DELIVERY GRANT

REPORT OF THE DIRECTOR OF DEVELOPMENT

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RECENT REFERENCES:

None

EXECUTIVE SUMMARY:

The report introduces and seeks approval for the planning improvement plan which is attached as Appendix 1. It also advises Cabinet of the allocation of Planning Delivery Grant in 2005/06.

RECOMMENDATIONS:

To Cabinet and Planning Development Control Committee

- 1 That the planning improvement plan is approved for implementation subject to recommendation 2.
- 2 That the consequential amendments to the Constitution, as set out in Appendix 2 be approved.

To Cabinet

- 3 That those items requiring additional resources be put forward as growth items for consideration as part of the 2006/07 budget making process.
- 4 That the amount of planning delivery grant received in 2005/06 be noted.

CABINET12 OCTOBER 2005PLANNING DEVELOPMENT CONTROL COMMITTEE9 NOVEMBER 2005PLANNING IMPROVEMENT AND PLANNING DELIVERY GRANTREPORT OF THE DIRECTOR OF DEVELOPMENTDETAIL:1 Introduction

1.1 Along with all other planning authorities in England and Wales the City Council is required by Government to achieve a level of performance in the time it takes to reach a decision on planning applications. The targets are set down in best value performance indicator (BVPI) 109.

1.2 The target levels of performance to be achieved by March 2007 are:

Major Applications	60%	to be determined in 13 weeks
Minor Applications	65%	to be determined in 8 weeks
Other Applications	80%	to be determined in 8 weeks

1.3 The Government's advisors have described these targets as 'non-negotiable' and government ministers have stated that direct intervention will be considered in those authorities that do not achieve the target performance.

1.4 It should be noted that the Government does not consider speed of decision making to be at odds with quality of decision making but has undoubtedly placed the emphasis on the former. It takes the view that most planning applications should not be controversial and should be processed swiftly, leaving reasonable time to deal with the relatively few that are genuinely difficult.

1.5 Each planning authority makes quarterly returns to its government office stating performance over the previous months. Where these figures show a pattern of underperformance against the target figures (and interim 'trajectory' figures) the government may designate an authority as a 'planning standards' authority.

1.6 The City Council has been designated a planning standards authority for 2005/06 – although it should be noted that this decision was taken last year and is based on performance in 2004/05. The Portfolio Holder for Planning announced this designation at a previous Cabinet meeting. It is the result of the Council's failure to achieve what the Government considers to be acceptable levels of performance over an extended period. This means that the Government is concerned that the authority will not achieve the March 2007 target figure unless it takes specific action to improve performance. The authority is placed under close scrutiny and will receive an inspection from government consultants followed by a level of monitoring by the government

office depending on the residual concerns. A first stage of that inspection started last week with the receipt of detailed questionnaires to assess our current position.

- 1.8 Although designation as a planning standards authority does not, in itself, have any consequences other than intense scrutiny, the implications are that the Council must improve performance and demonstrate that this can be sustained. The Government advises all planning standards authorities to prepare an improvement plan and to link this to resource requirements.
- 1.9 The preparation, adoption and implementation of a performance improvement plan is evidence that the Council is taking the task of improving performance seriously, and the plan needs to set out specific actions which will generate improved speed of decision making. It needs to be ready by the autumn of 2005 and the measures in the plan need to be implemented as soon as possible thereafter.
- 1.10 Performance in meeting targets is one of the major factors in determining the amount of planning delivery grant payable to a planning authority.

2. Winchester's Improvement Plan

- 2.1 Over the last three months officers in the planning team, in consultation with the Planning Portfolio Holder and the Chairman of the Planning Development Control Committee have been researching planning processes, comparing these with good practice elsewhere and investigating options to improve performance in planning development control and in other areas of the planning service. Leading members of all party groups have been kept informed of the work in progress.
- 2.2 The improvement process has taken a more rounded view of the performance improvement agenda than simply addressing speed of determination. It is important that the City Council provides a robust and administratively sound process and works towards high quality outcomes in design and environmental quality. Although they are few in number, some planning applications can have a profound effect on the quality of 'place' and time and expertise needs to be available to concentrate on these.
- 2.3 Recruiting and retaining good staff is essential if the planning function is to maintain high performance in every sense of the word. Planning staff are in short supply due to nationally high demand. In order to maintain a strong team the City Council has not only to provide pay and conditions which are attractive but also to offer a working environment, training and support for planning officers which is comparable or better than other potential employers.
- 2.4 Attached as Appendix 1 is a proposed Planning Improvement Plan. Its introduction contains an analysis of the relevant issues and statistics in support of this analysis. The proposed actions in the plan are a direct response to this analysis. They seek to identify the reasons for some weaknesses in current performance and to suggest measures which would improve these.

- 2.5 Many of the measures are 'internal' to the Council and will only have an impact on the public by virtue of the improvement that implementation will bring about. Other measures do relate directly to the way in which the Council interacts with the public on the determination of planning applications.
- 2.6 After discussions with the Planning Portfolio Holder it was agreed that Cabinet would wish to have the views of the Planning Development Control Committee members on the draft Improvement Plan before it considered the plan itself. An informal meeting of the members of that Committee was held on the 25th July 2005 and although not all members of the committee gave their endorsement to every item it is fair to report that the meeting, as a whole, formed a consensus around the issues which should be addressed and did not raise fundamental objections to any item in the plan either on grounds of practicality or reasonableness, subject to consideration of any views arising from the consultation process set out below. A briefing for all Members was subsequently held which, again, did not give rise to any major area of concern about the proposed changes, subject to the outcome of the consultation process.
- 2.7 To explain and seek views on the proposals which affect the way in which the Council interacts with others involved on a regular basis in the planning process, three sessions have been held at which full briefings have been given – two for parish councils and one for agents, architects and other development interests. The response at each of these meetings seemed generally positive and receptive to the Council's aims and objectives. There was a strong view that the planning system and the processes within it need to be better understood on all sides, with more training and dialogue between those involved. Only one proposed change produced any significant discussion at the meetings. This was the proposal to increase the number of representations necessary to trigger an automatic consideration of an item by Planning Development Control Committee from 4 to 10. Some parish councils, and some Members, have expressed concern that this is disadvantageous to people living in rural areas where a smaller number of people may be directly affected by a particular application and therefore might find it harder to 'raise' the number of representations necessary. Whilst officers consider that raising the number of representations to 10 is a reasonable suggestion, Cabinet may wish to consider a different figure in the light of feedback received.
- 2.8 Cabinet is asked to consider all aspects of the plan as it is essential that its implementation represents a policy commitment as well as a change in mechanisms for administration. In particular Cabinet needs to consider the resource implications which are a matter for it alone. Planning Development Control Committee is asked to consider and agree to the changes in the way in which it conducts its business in the light of consideration of the report by Cabinet.
3. Planning Delivery Grant
- 3.1 Planning Delivery Grant (PDG) is a funding stream which has provided a varying annual payment to local authorities to assist in funding improvements in the planning service. The amount of PDG to be received in a given year is calculated on a complex formula that is heavily dependent on the authority's most recent performance in meeting targets for the speed of determination of applications.

- 3.2 In 2004/5 the City Council received £570,000 by way of planning delivery grant, which was a very large amount for a district council and was based, in large part, on reported performance in 2002 and 2003.
- 3.3 In March the Government published the provisional allocations of planning delivery grant for 2005/06 and these were announced by the Planning Portfolio Holder at the first available Cabinet meeting. The figures for 2005/06 have now been confirmed by the Government and Winchester has been allocated a total of £281,550. This reflects the decline in performance in 2003 and 2004 in meeting target figures.
- 3.4 As announced by the Planning Portfolio Holder the £281,500 will be reduced by £124,000 because the figures on which the 2004/05 PDG were discovered to have overstated the Council's performance.
- 3.5 Members will recall that the Statement of Accounts Committee at its meeting on 4 August 2004 was informed that an error had been discovered in the reporting of performance statistics to the Government Office which could have an impact on the grant and might lead to a need to make a repayment of some part of the 2004/05 amount although the amount was not known.
- 3.6 An investigation into the misreporting of the statistics was conducted involving staff, internal and external audit. This concluded that there had not been any systematic or deliberate misrepresentation of the figures reported and no deliberate attempt to obtain additional grant by providing inflated performance. A misunderstanding had arisen between administrative staff and staff signing off planning decisions about when those decisions should be reported as having been taken. This was not unique to Winchester and other local authorities had also made similar errors. However, it should not have arisen and earlier action should have been taken to verify the returns being made. Appropriate action was taken to improve systems and to ensure that staff were aware of their responsibilities. A recent audit by the Council's external auditors found no reportable errors in the sample of applications tested.
- 3.7 The Council will therefore receive £157,000 net PDG in 2005/06. This is sufficient to meet the on-going commitments to the salaries budget for additional staff funded from PDG (mainly in the enforcement team) but does not leave any additional funding towards the improvement plan. However, PDG will be distributed by the Government again in 2006/07 and if a figure over £150,000 is received then this will help to meet some or all of the additional costs,

OTHER CONSIDERATIONS:

4. CORPORATE STRATEGY (RELEVANCE TO)

- 4.1 The Council has a stated aim in its Corporate Strategy to improve performance management and to achieve service delivery. Additional expenditure on the planning development control service is not a key priority for resources but it is necessary to consider this if BVPI targets are to be achieved.

5. RESOURCE IMPLICATIONS

- 5.1 The Planning Improvement Plan does have resource implications. It suggests that one additional Principal Planning Officer post is required to manage the current case load and improve performance. In fact, this is a replacement for the post which was deleted with the creation of the Winchester4Business post in 2004, but it does require new funding.
- 5.2 It is also proposed to create two new posts in Planning Support. One post will provide general support to the validation process which is crucial to prompt and efficient administration. The other post will provide specialist support to performance management, active case management and ICT systems, including maintenance of the web-site. These are all current areas of weakness which affect performance arising directly from lack of staff time and expertise being allocated to them. The establishment of these posts is a matter for Personnel Committee but the necessary funding is a matter for Cabinet.
- 5.3 These additional posts will require a permanent growth in the Development Directorate budget. Other proposed changes will move resources within the Directorate and do not require separate budget approval.
- 5.4 The Improvement plan also identifies a one-off requirement for significant additional training in the use of existing ICT systems to establish 'super-users' within each team who can train and support other staff. This will have a one-off cost. In addition it is proposed in the plan to ensure that all planning staff are equipped with a personal computer capable of running current and future software effectively, which is not currently. This will represent another one-off cost which will provide a modest efficiency gain.
- 5.5 If these elements of the Improvement Plan are agreed by Cabinet, provision will need to be included in the 2006/07 budget and therefore these items considered as growth bids within the budget-making process. If any amount of PDG is received above the current 'base' it would be possible to offset some part of the additional cost. Consideration will be given to the growth items and the use of PDG as part of the Budget process.

6. BACKGROUND DOCUMENTS

None

7. APPENDICES:

Appendix 1 – Draft Planning Improvement Plan

Appendix 2 – Consequential Amendments to the Constitution