

Report of Chief Planning Officer

Report to Joint Plans Panel

Date: 16 July 2015

Subject: End of year performance report for 2014-15

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	☐ Yes	☒ No
Are there implications for equality and diversity and cohesion and integration?	☐ Yes	☒ No
Is the decision eligible for Call-In?	☐ Yes	☒ No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	☐ Yes	☒ No

Summary of main issues

1. In the reporting period, application numbers submitted overall were up slightly from those submitted in 2013-14. Over 4,000 decisions were made on applications over the year.
2. Performances on the statutory timescale for determining applications has continued to improve. This is due in part to the extensions of time provisions brought in under the Growth and Infrastructure Act, but also due to better project management and proactive working with applicants. There is significant activity in many sectors and a noticeable increase in developments under construction.
3. Service improvements continue to be made: a wide scale planning review commenced in early 2014 has concluded and actions are now being implemented, a series of proactive workshops with the volume house builders have taken place to move forward the delivery of the Council's ambitious housing growth programme and the retention of the Customer Services Excellence award for customer services for the whole of planning services has been achieved.
4. It has nevertheless been a further challenging year, balancing workloads and the available resources within a changing planning environment, brought about by the Governments planning reform agenda and pick up in the economy.

Recommendation

5. Members are asked to note the report and comment as they feel appropriate and to receive a further performance report in six months time.

1 Purpose of this report

- 1.1 At the last Joint Plans Panel meeting on 26 February 2015, members received and noted a performance report for planning services for quarters 1 to 3, covering the period April to December 2014. It was resolved that the Joint Plans Panel would receive a year end performance report for 2014-15 at its next meeting.
- 1.2 This report is presented for information and comment.

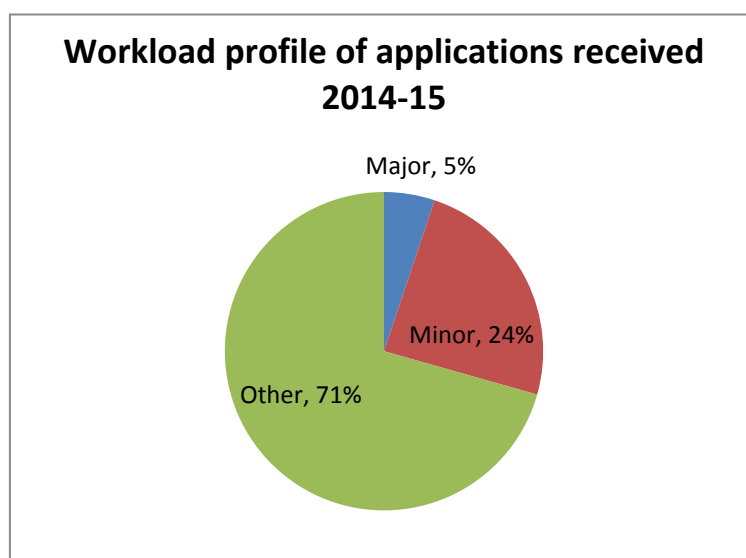
2 Background information

- 2.1 In 2014-15 the service continued to deal with a significant workload, whilst progressing with a number of large and strategically important planning applications. The service contributes to the Breakthrough Project Housing growth and jobs for young people and has been working positively with applicants, communities and Ward Members to deliver the Council's ambitious housing targets, whilst at the same time trying to raise the quality of design to reflect the distinctiveness of communities in Leeds.
- 2.2 Whilst the number of planning applications received in 2014-15 was similar to the numbers received in 2013-14, performance against government time targets for determining applications has improved significantly across all categories. It is particularly important to hit time targets with the government's planning guarantee whereby out of time majors over 26 weeks old are liable for their fee to be returned if there is not an agreement on behalf of the applicant in place to continue the period of time before a decision is made.
- 2.3 The service uses several measures to assess the quality of decision making: lost appeals, number of complaints and upheld complaints. Performance in these areas compares well with last year; this year there are fewer complaints being upheld and there were no local settlements required on Ombudsman complaints. There are fewer appealed decisions in 2014-15 compared with 2013-14, however, the number of those appeals being dismissed has dropped from the previous year, from 71% in 13-14 to 66% in 14-15.
- 2.4 The service has an ongoing commitment to service improvement and a number of activities have taken place throughout the year to ensure the decision making process is robust and accountable and customer service is integral to the organisation. This includes the planning review- a four month review of the planning "function" by external consultants, working with volume house builders to develop a high quality Standard for new homes in Leeds and extending the scope of the Customer Services Excellence award.

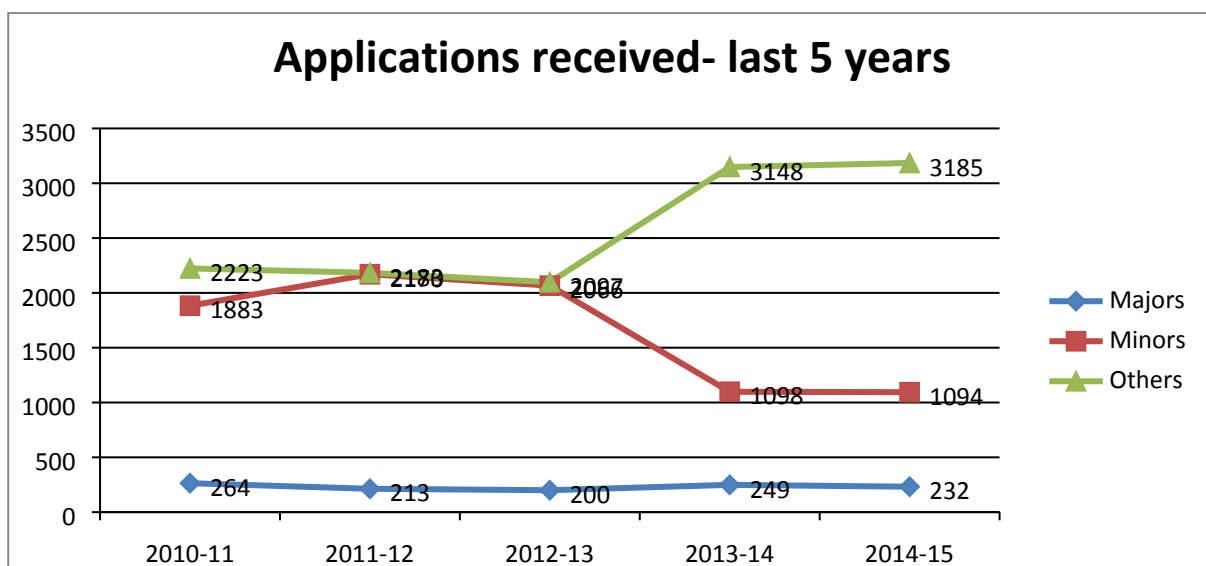
3 Main issues

3.1 Planning performance and workload

- 3.1.1 In the reporting period, application numbers submitted overall were up slightly from 4,495 in 2013-14 to 4,511 in 2014-15, a 0.5% increase, with 4,119 decisions being made in 2014-15. 96% of decisions were made by officers under the delegation scheme, a slight decrease from the previous year, where 97.7% decisions were made by officers under delegated powers.
- 3.1.2 The number of major applications received dropped slightly from 249 in 2013-14 to 232 in 2014-15. Major applications represent around 5% of the total current workload of the service. Nationally, local planning authority's workloads comprise around 3% of majors, so Leeds receives a greater number of larger applications than the national average. The workload profile in 2014-15 is demonstrated in the pie chart below:



- 3.1.3 The chart below shows the number of applications received over the last five years. The trend of fewer minor applications and increased number of "other" applications witnessed in 2013-14 has remained at similar levels in 2014-15. The "other" category includes householder applications.



3.1.4 The government sets national performance targets for decision making on planning applications as follows:

- 60% of major applications determined within 13 weeks
- 65% of minor applications determined within 8 weeks
- 80% of other applications determined within 8 weeks

3.1.5 Applications are also “in time” if they are determined within a timescale, agreed by both the applicant and local planning authority. These are “extension of time agreements”, brought in under the provisions of the *Growth and Infrastructure Act*. During 2014-15 there has been a considerable improvement in performance of applications which are determined in time, as demonstrated in the table below in comparison with the last three years:

	% Majors in time	% Minors in time	% Other in time
2014-15	93.6	87.2	92.7
2013-14	73.3	70.3	83.3
2012-13	61.3	77.4	88.9

3.1.6 The latest national figures for the period January to March 2015 show that LPAs decided 75% of major applications within 13 weeks or within the agreed time, down from 76 per cent a year earlier¹, therefore not only is Leeds’ performance an improvement on last year, it is also significantly above the national average determination rate.

3.1.7 A significant achievement was to deal with 40 major applications in the last month before the Community Infrastructure Levy was introduced on 6 April 2015, most of which included a completed Section 106 agreement.

¹ Department Communities and Local Government Planning applications January to March 2015 Statistical Release 18 June 2015

- 3.1.8 The planning guarantee was brought in through *The Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) (Amendment) Regulations 2013* and is now operational and means that any applications over six months old after 1 April 2013, where there is no extension of time agreement, can have the planning fee refunded. In 2014-15, £6,659 has been refunded. Whilst this is a relatively small amount and relates to seven applications in total, officers have been instructed to try to negotiate extension of time agreements for those applications reaching six months old, wherever possible, to mitigate the risk of returning the fees.
- 3.1.9 Overall planning fees in 2014-15 totalled £3.35million, just £1,700 more than the budget set at the start of the year. This compares with £3.55million received in 2013-14.

3.2 Comparison with Core Cities

- 3.2.1 The table below shows the performance of the Core Cities for 2014-15.

	Majors		Minors		Others	
	No decided	% in time	No decided	% in time	No decided	% in time
Birmingham	181	88%	1072	80%	3219	92%
Bristol	91	63%	1070	64%	1568	74%
Leeds	220	94%	962	87%	2941	93%
Liverpool	138	54%	514	55%	1252	56%
Manchester	107	73%	858	81%	1064	81%
Newcastle	73	90%	353	81%	1007	90%
Nottingham	63	93%	359	95%	1293	97%
Sheffield	88	72%	613	71%	1741	83%

- 3.2.2 From the table it can be seen that Leeds is performing very well in comparison with the other Core Cities, this is contrast to several years ago, where Leeds performance frequently appeared in the lower quartile compared with the other Core Cities. Leeds has also, by some way, made the most decisions on major applications of all the Core Cities.

3.3 Pre-application

- 3.3.1 The new pre-application service was introduced from 1st February 2015 and in February and March 113 pre-application enquiries were made generating fees of £25,980.
- 3.3.2 Over the course of the whole year in 2014-15 967 pre-application enquiries were made, generating a total of £73,830 in income.

3.4 Permitted development

- 3.4.1 On 30 May 2013 the Government amended legislation to allow certain types of development to go forward without the need for planning permission for a three year period. This included larger single storey rear house extensions and conversion of offices to residential use. Originally these permitted development

rights expired in May 2016, but this has now been extended in most cases for a further 3 year period to the end of May 2019 (see separate report on this agenda).

3.4.2 In 2014-15, the service received notifications of 207 larger single storey rear extensions.

3.4.3 The service received 34 prior approvals for office to residential schemes in the year.

3.5 **Panel decision making and decisions not in accordance with the officer recommendation**

3.5.4 In 2014-15, 235 items went to the Plans Panel and the three Plans Panels decided a total of 191 applications in 41 meetings. Fourteen were decided contrary to officer recommendation - 2 approvals and 12 refusals. This represents a slight increase in the proportion of decisions decided contrary to officer recommendation, 7.3% of total Plans Panel decisions in comparison with 6% in 2013-14. North & East Panel determined 58 applications with nine overturns and South & West Panel determined 62 applications with five overturns. There were no overturns at City Plans Panel and 71 decisions in 18 meetings (3 weekly cycle). The 12 refusals have resulted in 9 subsequent appeals. Of the 8 decisions made on these to date 4 have been dismissed and 4 allowed with no costs awarded against the Council (at Devonshire Lodge costs were awarded against the Council but were challenged by the Council and subsequently quashed and have been submitted back to the Planning Inspectorate for reconsideration).

3.6 **Appeals**

3.6.1 The table below shows that performance on the number of appeals dismissed has dropped in 2014-15 compared to the previous year but is consistent with performance and volumes in recent years.

Year	Appealed Decisions	Dismissed	Costs awarded against Council	Costs awarded to Council
2014-15	237	66%	5	0
2013-14	251	71%	4	0
2012-13	187	67%	3	0
2011-12	254	69%	7	2

3.6.2 The main area of concern in 2014-15 was householder appeals where out of 110 decisions, 40% were allowed, compared to 29% in 2013-14. Since the introduction of the National Planning Policy Framework (NPPF) and relaxation of the permitted development on larger house extensions, it appears from analysis of the Planning Inspectorate's (PINS) decisions that PINS is allowing more household extensions, which are "marginal". A continuous review of appeal decisions does take place to ensure that any common themes are highlighted and measures put in place to mitigate the risk of appeals occurring on similar grounds. However, there is a careful balance to be made between refusing an

application with the risk of a subsequent appeal and maintaining design quality, without being unreasonable.

3.6.3 In 2014-15 appeal costs of £2,092 have been paid on two claims, two costs have not been claimed and one has been quashed following a challenge and will be reconsidered by the Planning Inspectorate.

3.6.4 The table below shows the appeal performance of the Core Cities for 2014-15. Leeds continues to receive the highest number of appeals, and in 2014-15 has also lost the most appeals.

	Appeals			
	2013/14		2014/15	
	No. decided	% upheld (i.e. % lost)	No. decided	% upheld
Birmingham	136	26%	118	21%
Bristol	95	28%	115	31%
Leeds	251	30%	237	34%
Liverpool	44	27%	18	33%
Manchester	54	35%	42	43%
Newcastle	44	34%	49	12%
Nottingham	37	43%	36	15%
Sheffield	50	38%	36	25%

3.7 Major projects

3.7.1 There has been significant activity with major projects being progressed across the city in the past year. The last year has been marked by sites being brought forward for development on both brownfield and greenfield sites – some of which have not progressed previously due to the economic downturn.

3.7.2 Phase 1 of the Victoria Gate development to bring a landmark John Lewis store to the city is progressing well on site. Approval has been given for an extension to the White Rose Centre to include the extension of two existing stores and a multiplex cinema including an Imax screen. The new retail units in Kirkstall centre on the former BHS/ Alders site are now well advanced. Work is progressing on delivering two new rail stations at Apperley Bridge and Kirkstall Forge and plans are being submitted for the initial phases of development on the Kirkstall Forge site to include commercial offices and residential. The City Council has invested in the refurbishment and redevelopment of Little London, Beeston Hill / Holbeck estates and that work is progressing on site. Council housing has also been delivered in the year and a number of schemes are in the pipeline for delivery at various stages. Private sector housing is being delivered on brownfield and greenfield sites including some PAS sites that were brought forward to assist housing delivery eg Cookridge and Otley Hospital sites, High Royds, Optare site in Crossgates, Clariant / Riverside Mills at Horsforth / Rodley, Bodington, Adel, Daisy Hill, Morley, Royds Lane, Rothwell, Fleet Lane, Oulton, and Owlers Farm, Morley. Within the City Centre the Dandara site in Holbeck for a large private

rented apartment scheme has been given permission and is due to commence shortly.

- 3.7.3 The KPMG office building at Sovereign Street is now complete and about to be occupied and a second office building is under way. Further commercial developments at MEPC on Whitehall Road, Central Square (to include a winter garden) , Queen Street and Bond Court are at various stages of construction.
- 3.7.4 The Downings tower at Leeds Beckett University has been completed and is occupied and the next phase of student accommodation close to the Civic Hall is well under way. The new University Library on Woodhouse Lane and the Leeds College of Building complex close to Alf Cooke works have been finished and occupied and have recently been visited by members of City Plans Panel – there was general agreement they provide high quality environments for their users as well as impressive additions to the City’s townscape.
- 3.7.5 Outline planning approval has been given for the redevelopment of the Yorkshire Post site and revised proposals are under consideration for the master planning of Quarry Hill – there are likely to be major schemes coming forward in detail in the coming year across the city.
- 3.7.6 In the run up to the introduction of CIL after the Easter holidays a significant number of majors with legal agreements were completed and permissions issued – comprising some 2330 dwellings and 300,000 sq m of commercial floorspace in total.

3.8 Compliance activity

- 3.8.1 The number of enforcement cases received in 2014-15 has dropped by 12% in comparison with those received in 2013-14. Notwithstanding this the workload through the service remains significant due to reduced staff resources and the complexity of cases being investigated . The number of cases on hand has been reduced overall to the region of 1100 which has been a long standing service plan objective. The total number of open cases currently stands at 1073 .

	Q1	Q2	Q3	Q4	Total
No of cases received	358	363	270	302	1293
No of cases resolved	310	436	244	327	1317
Initial site visits:					
Category 1: Site visit same day/within 1 day. Target 100%	100% (3)	100% (5)	80% (5)	100% (6)	95%
Category 2: Site visit within 2 working days. Target 95%	93% (14/15)	100% (14)	93% (14)	100% (12)	95%
Category 3: Site visit within 10 working days Target 90%	72% (245/339) 96%*	85% (303/355) 97%*	84% (231/275) 96%*	84% (211/252) 96%*	81% 96%*

* Figures for site visits undertaken within 20 working days in accordance with amended temporary target.

3.8.2 Cases received and resolved and performance in undertaking initial site visits

- 3.8.3 Performance in undertaking initial site visits has been maintained with a revised target of 20 days for category 3 visits. This revised target has been in place throughout the reporting period due to the resource and staff absence experienced by the service. This continues to be an issue which is hoped will be addressed by the completion of a restructure in the near future.
- 3.8.4 In relation to the Category 1 and 2 cases the figures relate to a relatively small number of cases. For example there were 18 category 1 cases during the reporting period and only 1 of those cases missed the 1 day target and this is reflected in the figures.
- 3.8.5 The overall number of open cases on hand has been progressively reduced and has achieved the service plan target of less than 1100 which is positive.

3.8.6 Outcomes of case resolved

No Breach*	42.5%
Resolved by negotiation	31.7%
Breach but de minimis/ not expedient	10.5%
Planning permission/ CLU granted/ appeal allowed	10%
Enforcement/other Notices complied with/resolved by prosecution action	5.2%

*Includes matters that are "permitted development"; where no development or material change of use is involved; matters that were time exempt from enforcement action on investigation; or where approved plans and conditions have been found to have been complied with.

- 3.8.7 The number of complaints investigated that that are found to either involve no breach of planning control or are minor infringements averages out over the period to approximately 53% . This has reduced from a figure of 60% in 2010/11. This can possibly be accounted for by the increased rigour in examining cases as they come into the service, which may also explain the reduced overall number of cases resolved. Where there is clearly no breach of planning control, cases have not been opened and complainants advised that the matter will not be investigated and the reason why. The remaining 47% of cases which have been closed involve significant breaches which have been resolved to the satisfaction of the Council. Ward Member meetings have continued throughout the year. Invitations are sent out with the bi monthly key cases list which continues to be sent to both ward members and parish councils with updates on priority cases within each ward.

3.8.8 Enforcement and other Notices

- 3.8.9 The number of Enforcement and other formal notices served has increased during the reporting period. A total of 90 enforcement and other notices have been served. This is compared to 66 for the whole of the 2013/14 period and indicates (coupled with a reduction in the number of no breach cases) an increasingly

complex workload for the service moving forward. There have been 4 temporary stop notices served during the period and injunctive action also taken in relation to one of the sites to prevent significant breaches occurring.

- 3.8.10 The compliance service continues to draft and issue its own notices with input from legal officers only on the more complex cases. This is continually monitored and whilst it does carry an increase risk, the resource savings in doing this have been significant . It does however place increased pressure on case officers in progressing cases within the service and additional training needs have been highlighted.

3.8.11 Comparison with Core Cities

- 3.8.12 The table below shows the performance of the Core Cities for 2014-15 in relation to formal enforcement action.

Core City	Enforcement Notices issued	Stop Notices issued	Temp Stop notices issues	BCNS served	PCNs served	Enforcement injunctions granted by High Court	Enforcement injunctions refused by High Court
Birmingham	59	-	-	3	17	-	-
Bristol	30	-	-	10	2	-	-
Leeds	79	-	6	9	91	-	-
Liverpool	5	2	1	7	37	-	-
Manchester	11	-	-	-	3	-	-
Newcastle	6	-	-	1	30	-	-
Nottingham	16	-	-	-	12	-	-
Sheffield	17	5	2	13	11	-	-

- 3.8.13 From the table it can be seen that Leeds takes more formal actions in comparison with the other core cities.

3.8.14 Prosecution Outcomes and outstanding cases

- 3.8.15 A number of cases have been brought before the courts for non-compliance with enforcement and other notices. There continues to be some frustration with a number of requests for adjournments by defendants normally being accepted however this does result in some cases being resolved in advance of the adjourned date due to the pressure exerted through potential court action. This has been notable in relation to the city centre long stay car parking initiative where the commencement of court proceedings has been sufficient to address the long standing non compliances without the need to attend court as the defendants have agreed to cease the use and meet the Councils costs in a number of these cases. The To Let Board initiative has resulted in a number of successful prosecutions for the display of adverts within the Article 4 area. Work continues with legal services pursuing a number of prosecutions to secure positive outcomes to long standing breaches.

3.8.16 Proactive Initiatives

3.8.17 City Centre long Stay Car Parks

3.8.18 Work continues to monitor and control unauthorised long stay car parks within the city centre. All appeals submitted in relation to both enforcement notices and planning applications have been dismissed and a significant number of car parks have ceased operating. Court action has been taken against car parks that have continued to operate in breach of their enforcement notices and this has resulted in them closing. Regular monitoring is undertaken of all car parks collaboratively with officers in parking services. A number of new car parks have opened in the area around St James Hospital and further meetings are being arranged with the hospital and car park operators in relation to their parking and travel planning to meet their future needs for staff and patients including car parking.

3.8.19 Headingley / Hyde Park To Let Boards

3.8.20 Proactive monitoring and enforcement of the Direction and the adopted code of practice to control the display of To Let Boards in parts of Headingley /Hyde Park has resulted in a number of actions some of which have progressed through the courts to successful prosecution. Bi monthly surveys have been undertaken as well as a number of survey days in the November Board free month. Active dialogue is maintained with many key letting agencies in the area to achieve the intended outcome. This initiative is successful in controlling the excessive display of boards within the area and continues to be a priority for the service. At the present time , confirmation of the renewal of the Letting Board Code is awaited from the Secretary of State for Communities and therefore whilst dialogue is being maintained with key stakeholders the survey work has been temporarily suspended as there is no code currently in place.

3.8.21 Derelict and Nuisance Sites

3.8.22 The compliance service continues to play a key role on the Derelict and Nuisance site initiative which is a cross department initiative to help secure improvements to sites in a poor state which have proved difficult to bring forward by one single action. A number of notices have been served together with actions from Building Control and other services. Improvements have been secured, in many cases without a large capital spend through coordinated action. A regular working group agrees actions and work continues with a rolling budget to secure improvements to the most problematic sites.

3.9 Staffing

3.9.1 During 2014-15, a total of 11 people have left the planning service: six from the area teams, four in customer services and one from enforcement. Of the 11, four left for alternate jobs, five through the early leavers' initiative and two on ill health grounds. Some recruitment has taken place as a result and some additional staff have been added to the workforce.

4 Service quality

4.1 Complaints

- 4.1.1 During the year, the total number of complaints received by the Planning Service decreased from 154 to 124 (19%). 14% of complaints were upheld, compared with 19% upheld in 2013-14.
- 4.1.2 In 2014-15, the service received 12 complaints from the Local Government Ombudsman (LGO). Nine of the cases were received closed or after preliminary enquiries by the LGO requiring no investigation or action by the LPA. This is a significant decrease in the number of LGO cases received (21 in the same period last year to 12 this year) and constitutes a 43% decrease in the number of Ombudsman complaints received.
- 4.1.3 Three cases required a written response from the LPA. One case was closed by the Ombudsman, finding no maladministration; in a second case, following their investigation, the LGO found no fault in the way the Council considered a planning application and the final case relates to previous investigation by the LGO where no maladministration causing injustice was found. However, the complainant has successfully challenged the LGO who has now appointed a different investigator to look at the matter again. The issue of the complaint was how a development carried out in breach of planning control took such a considerable period of time to be resolved. The Ombudsman has yet to adjudicate on the further information provided by the LPA.
- 4.1.4 There were no financial settlements awarded by the Ombudsman during the year against the Council.

5 Service improvements

5.1 E-planning

- 5.1.1 The upgrade to our main application system Uniform 9.1 was completed in January 2015 bringing new functionality especially for mapping and the extension of time process although there have been continuing problems with the mapping function which Idox are seeking to resolve..
- 5.1.2 A new completely electronic pre application process went live on 1st February. This involved new forms, updates to the website, a new process with Enterprise tasks and a new set of decision reports, which provides hyperlinks to useful documents and policies and provides a template for officers to populate to ensure there is consistency in the information provided.
- 5.1.3 Community Infrastructure Levy (CIL) which largely replaces the pooled off-site contributions from S106 legal agreements went live on time for the 6th April. This has been a massive project and involved a new process for collecting the CIL information on relevant applications, changes to the website including an online calculator, changes to the validation criteria, a huge number of complex letter templates to meet the legislative process requirements, links to Land Charges and Finance, Enterprise tasks to prompt and monitor this complex process and training

for customers and staff. This is critical to bringing in money to the Authority to support infrastructure such as public transport improvements, upgrading green spaces, and new schools.

- 5.1.4 The land charges system has also been upgraded and moved onto new servers so that it can deal with the CIL information.
- 5.1.5 A large number of legislative changes were introduced at very short notice to come into effect on 15 April. This resulted in 18 new or amended prior approval types plus some new prior notifications. This meant new processes and changes to a large number of documents. This was a success and delivered on time.

5.2 House builders' workshop

- 5.2.1 Members heard in the last report about a meeting with the volume house builders in January 2015, which aimed to take a proactive approach to housing growth and delivery in Leeds. From this meeting, it was agreed to hold a series of three workshop sessions to explore specific issues encountered by the industry and the Council, with the aim of reducing delays in determination, ensuring quality and facilitating a swift start on site.
- 5.2.2 A full report on these events and the arising action plan is on the agenda of this meeting.

5.3 Customer Service Excellence reaccreditation

- 5.3.1 The customer services section within planning services has been the holder of the Customer Services Excellence Award (CSE) since 2009. This is a national government standard awarded to organisations which demonstrate that they are a customer centric organisation. The scope was broadened to include the wider planning service and the whole service was awarded CSE in 2014.
- 5.3.2 In April 2015, the service was assessed against rigorous criteria- Customer Insight- the identification of customers, customer satisfaction, engagement and consultation. The service was formally assessed by an external assessor who met with service users- agents, developers, community representatives and spoke with them about the service they received. The assessor attended a North & East Panel meeting and the site visits beforehand. The assessor concluded that the service continued to meet the CSE standard. However, there was one partial compliance in the area of customer satisfaction data. The response rate to the 2015 customer satisfaction survey was very low and work is needed to try to obtain a greater response rate in the future so we can be assured that the views received represent the whole population we serve. Methods are currently being considered to try to achieve a better response, in a cost effective way.
- 5.3.3 The service will continue to be externally assessed on an annual basis.

6 Challenges Ahead

6.1 Planning reform

- 6.1.1 Reforms aimed at making the planning system quicker and simpler to use were high on the agenda of the former Government. A number of these proposals are still outstanding. The Conservative Party's manifesto and new legislation announced in the May 2015 Queen's Speech pledge further reforms.
- 6.1.2 Brandon Lewis MP has been reappointed to his role as planning Minister in this new Parliament. Rt Hon Greg Clark has replaced Rt Hon Eric Pickles as Secretary of State for Communities and Local Government. These outstanding proposals stem from Budget 2015, the Technical Consultation on Planning July 2014, Consultation: planning and travellers, September 2014, National Infrastructure Plan 2014 and Autumn Statement 2014, December 2014, which include:
- a proposed new permitted development right for the drilling of boreholes for groundwater monitoring for petroleum exploration (including for shale gas exploration);
 - amending the definition of “travellers” for planning purposes;
 - proposals to get more brownfield land back into use;
 - steps to speed up section 106 negotiations; and
 - proposed reform of the compulsory purchase regime
- 6.1.3 The Conservative Party 2015 Manifesto document contained several planning commitments, including proposals to “change the law so that local people have the final say on wind farm applications” and to “let local people have more say on local planning and let them vote on local issues.” High on the agenda of the new Government are the delivery of new homes and starter homes, giving housing association tenants “the right to buy” and the devolution of powers to the regions.
- 6.1.4 The full detail of new legislation has yet to be announced, but as with any changes, they will require internal process and procedural changes. The government has signalled that there may be further changes ahead over this parliamentary period, however have also said there is 'no interest' in revisiting the NPPF.

6.2 Electronic working- “paperlite”

- 6.2.1 Members have heard at previous meetings about the planning review undertaken in 2014 and the subsequent implementation plan. The implementation of some of the projects is well under way such as the new pre-application service, site notices process and validation.
- 6.2.2 From 1 July the service will start to move toward “electronic working”. This is part in response to the recommendations made in the planning review in order to realise operational and financial efficiencies, but also so the service can respond positively to the New Ways of Working environment.
- 6.2.3 From July, officers will receive a much slimmed down planning file and the definitive planning file will be the electronic record. In addition to the process

changes there are also cultural and working practice changes that will be needed. Training and support has been provided to all officers, but it anticipated that this may be a challenging time for the service in the short term whilst the move from paper to digital record takes place.

- 6.2.4 The changes will save the service approximately £50,000 pa, as well as speeding applications coming through to teams quicker, ability for team managers and leaders to allocate applications via Enterprise and ensure workloads are fairly and appropriately distributed to case officers.
- 6.2.5 A pilot is also being undertaken by one of the area teams to work fully electronically, without the use of a hardcopies, relying on new technology such as tablets when out on site and uploading comments directly online. This pilot will commence once the necessary hardware has been procured.
- 6.2.6 Following the annual meeting with Town and Parish Councils at the end of January a further meeting has taken place with representatives and agreed that from 1st July the Council will not send paper copies of plans and documents for householder and change of use applications to Town and Parish Councils as a first step towards electronic working.

6.3 Customer services

- 6.3.1 Clearly whilst performance against timescales is an important indicator on the efficiency of the service and in 2014-15, the service has demonstrated a significant improvement in expeditious decision making, the way customers are dealt with is also paramount.
- 6.3.2 A customer survey was carried out in February 2015 to ascertain the level of satisfaction with the planning service. The survey only received a 2% response rate and therefore the results are not necessarily representative. However, of those who responded, 54 % were satisfied with the service they received; this is an increase from 51% in the customer satisfaction survey conducted in 2013.
- 6.3.3. However, despite the low response rate there are some common themes and the main areas highlighted for improvement were communication with objectors, the lack of information and notification of an application's outcome and lack of acknowledgement by the LPA to any comments made. This resulted in respondents commenting that they didn't feel their representation was taken into consideration when a recommendation was reached.
- 6.3.4 To avoid criticisms relating to inadequate consideration of the issues, or claims of unclear reasoning behind an officer's recommendation, officer reports need to ensure they robustly address, among other things the substance of objections and the views of those who have been consulted and their materiality in the decision making process. Several actions are going forward to address these issues:
 - A new draft report template is being produced which introduces a new section "balance of considerations", which aims to show more clearly how the decision has been made

- Officer training on the new template will reiterate the need for a summary of the issues raised by representations and addressing of them clearly and concisely in the appraisal section so representations can be identified
- Better use of Plain English in reports and reducing jargon and technical language wherever possible, particularly when addressing representations so objectors can easily identify their issues
- Managing expectation through clearer information that the LPA cannot respond directly to people who have made representations

6.3.5 The challenge moving forward is to improve on satisfaction levels whilst maintaining the good performance made in determining planning applications in time.

6.3.6 A further change will be the moving of Plans Panels to the new accommodation in the Civic in the former members lounge and dining area (to be known as 6 & 7) which should substantially improve the Panel experience for customers. The move is planned to take place in the summer period following the relevant training.

6.4 Budget/ Succession Planning

6.4.1 Despite a challenging year in 2014-15 Planning and Sustainable Development finished the year in surplus with the budget. Planning fee income met the budgetary target set for the year by £1,700 and staffing efficiencies and savings were achieved in the year.

6.4.2 Another challenging year is in prospect for 2015-16 with the need to maintain tight budgetary control and achieve additional income. The changes to the pre application service introduced in February has so far worked well and achieved additional income. A review will be carried out after 6 months including engagement with customers to seek feedback.

6.4.3 The planning service is not self financing. Planning fees are set nationally and there have been calls from across the sector to the new Secretary of State to increase resources to deliver the new homes that the country needs. Without additional resources then there will be a need to continue to balance staffing resources against income and workloads, recognising that this gives little flexibility and can lead to short term problems and pressures which have to be handled.

6.4.4 Within the Council the Early Leavers Initiative continues for another year and it has been known for some time that some senior managers within the service have expressed their intent to retire at the end of March 2016. This is being actively considered at present and is likely to involve some restructuring within the service.

7 Corporate Considerations

7.1 Consultation and Engagement

7.1.1 This report is presented for information and there has not been the need for wide consultation.

7.2 Equality and Diversity / Cohesion and Integration

- 7.2.1 There are no specific equality considerations arising from this report.

7.3 Council policies and City Priorities

- 7.3.1 The effective and expedient determination of planning applications contributes to the overall prosperity of the City and plays a key part in the regeneration and growth agenda. The service makes a key contribution to the delivery of housing growth, a priority in the City Priority Plan 2011-15 .

7.4 Resources and value for money

- 7.4.1 There are no specific implications arising from this report. However, measures are being taken to ensure that the service is delivered within the present financial climate and close monitoring occurs of the budget.

7.5 Legal Implications, Access to Information and Call In

- 7.5.1 There are no specific legal implications and this report does not relate to a key or major decision.

7.6 Risk Management

- 7.6.1 There are a number of risks associated with the decision making process which are both financial and reputational. Measures, processes and future service improvements outlined in the report seek to minimise the risk of challenge.

8 Conclusions

- 8.1 There has been a significant improvement in performance on major applications, with the number of application's determined in time overall in 2014-15 standing at 93.6%. Emphasis will continue to be placed on the efficient and expeditious determination of majors, use of Planning Performance Agreements and extensions of time agreements when it is clear that applications cannot be determined in the statutory timeframe.
- 8.2 Application numbers received in 2014-15 remained similar to those received in 2013-14, however the service saw the reduction in its staffing establishment again in the year with the service losing 11 members of staff. A close watch will be kept to ensure that there are sufficient resources to maintain the quality and speed of service necessary.
- 8.3 Performance on appeals will be kept under continuous review, due to the rise in numbers of appeals being upheld by the Planning Inspectorate. Performance on major appeals is one criterion for local planning authorities being placed in special measures, so it is imperative to maintain a close watch on this and take appropriate action.
- 8.4 Work is progressing with the planning review, with the next big change being paperlite and electronic working. This will have significant benefits for the

service, both operationally and financially, but will not be without its challenges in the short term and involves some culture change.

- 8.5 The following year will focus on implementing the recommendations identified through the planning review in a bid to maximise efficiencies and utilise resources in the most effective way and a further challenging year ahead is anticipated. However, the direction of travel and objectives are clear in terms of transforming how we work, maintaining and improving performance levels and continuing to improve services to customers.

9 Recommendations

- 9.1 Members are asked to note the report and comment as they feel appropriate and to receive a further performance report in six months time.