

<b>SUBJECT: MONMOUTHSHIRE PLANNING SERVICE ANNUAL PERFORMANCE REPORT (APR)</b>
<b>MEETING: ECONOMY AND DEVELOPMENT SELECT COMMITTEE</b>
<b>DATE: 19 OCTOBER 2018</b>
<b>DIVISION/WARDS AFFECTED: ALL</b>

## 1. PURPOSE

- 1.1 To provide Members with a report on the performance of the Council's Planning Service for the financial year period 2017-18.

## 2. RECOMMENDATION:

- 2.1 To note the contents of the Annual Performance Report for submission to the Welsh Government by 31 October 2018 and comment accordingly.

## 3 BACKGROUND

- 3.1 The Welsh Government requires all Local Planning Authorities (LPAs) in Wales to submit an Annual Performance Report for the planning service by 31<sup>st</sup> October 2018. This requirement links with the Planning (Wales) Act 2015, and the Welsh Government's objective of creating a positive and enabling planning service. The Act includes new powers for the Welsh Government to intervene, including removing planning powers from a Local Planning Authority, requiring the preparation of joint Local Development Plans (LDPs), or requiring the merger of LPAs.
- 3.2 This is the fourth Annual Performance Report (APR). The three previous APRs were reported to this Select Committee and the opportunity to review and discuss performance was welcomed by the Committee, with a request that it become an annual item.
- 3.3 The APR looks at the performance of the Planning Service against nationally set performance indicators, Welsh Government targets, the Wales average performance, and Monmouthshire's performance last year. The results are considered in the context of the challenges, opportunities, priorities and resources (staffing and financial) available. The objective of the APR is to reflect on and celebrate good performance, identify areas for improvement, and look across Wales to identify potential areas of best practice that Monmouthshire could learn from or share with others.
- 3.4 The APR is divided into sections, with the format and appearance being consistent throughout Wales, and all LPAs reporting on the same performance indicators. The report looks at where the Planning Service sits corporately, how it is structured and how its work fits with corporate priorities; local pressures; customer feedback; and performance. Performance is analysed across the five key aspects of planning service delivery as set out in the Planning Performance Framework:
- Plan making;
  - Efficiency;

- Quality;
- Engagement; and
- Enforcement.

This Framework was established by the Welsh Government in partnership with Local Planning Authority representatives, and Monmouthshire's Head of Planning, Housing and Place-shaping sat on the working group. Performance is ranked as 'good', 'fair' or 'needs improvement'. Monmouthshire continues to play a lead role in this area, and our Development Services Manager sits on the performance working group.

3.5 The Annual Performance Report is provided at Appendix 1.

## **4 KEY ISSUES**

4.1 The purpose of the Planning Service is to help build sustainable and resilient communities that support the well-being of current and future generations in Monmouthshire, which is a shared purpose with the Council's Corporate Plan and with our public service board partners. The service is directly involved with wider corporate projects such as 21<sup>st</sup> Century Schools, commercialisation of our estates portfolio and forms an enabling tool to help address some of the challenges and issues identified by Future Monmouthshire.

4.2 Key areas of work for the Planning Service include:

- Providing pre-application advice to customers;
- Determining planning applications in accordance with adopted policy and material planning considerations, taking into account stakeholder comments and corporate objectives;
- Securing financial contributions from developers to offset the infrastructure demands of new development and meet the need for affordable housing;
- Safeguarding the County's 2400 Listed Buildings and 31 Conservation Areas, areas of archaeological sensitivity, the Wye Valley AONB, the Brecon Beacons National Park and the European designated Special Protection Areas and Special Areas of Conservation;
- Taking robust enforcement action against unauthorised development that is unacceptable;
- Raising awareness of the statutory role and importance of the land use planning framework, building on the high levels of engagement underpinning the LDP process;
- Preparing supplementary planning guidance (SPG) to assist with the implementation and interpretation of LDP policy;
- Implementing the Council's LDP through engaging and working with communities, and partnership working with internal and external partners to foster the co-creation and growth of enterprise, community and environmental well-being. This will include involvement with the Whole Place work and Local Well-being Plan;
- Monitoring and evaluating Plan policies and the process of Plan preparation and formally reviewing the Plan where necessary; and
- Joint working with SE Wales Authorities with the ambition of preparing a Strategic Development Plan.

### **Customer service feedback**

4.3 Between 2010 and 2012 the Council's Planning Service underwent a Systems Thinking review. This review sought to strip the function back to first principles: what

is important to our customers, and how can waste (actions or procedures that do not add value to the outcome) be eliminated. This evidence-based review has been fully implemented, although part of the Systems Thinking approach requires services to be kept under review and closely monitored, and a 'refresh' is currently underway.

- 4.4 This review identified that the following things are important to customers:
- Customers value pre-application advice and advice during the consideration of the application;
  - They want officers to be accessible and for there to be open and honest communication;
  - They want consistency of pre-application advice and in the validation of applications;
  - They want Planning Committee to follow the officer's recommendation and value being able to have a dialogue with Members prior to determination;
  - They don't want too many conditions being attached to decisions, and when conditions are imposed they should be relevant and easy to discharge;
  - They value being able to submit an application online and to search for applications and information online; and
  - Third parties value being listened to during the application process.

- 4.5 The service therefore operates with these priorities as guiding principles, shaping behaviour and procedures. The service is committed to having an outcome focus rather than chasing arbitrary performance targets that are not a priority to our customers.

## **5 ACTIONS FROM OUR PREVIOUS APR**

- 5.1 Our 2016/17 Annual Performance Report identified five actions:

Action 1: Systems Re-visit to improve customers' experience of our service and to improve our end-to-end performance in dealing with pre-application advice and planning applications

Action 2: Roll out training for our new Development Management database software for all Planning Service staff

Action 3: Streamline enforcement processes following a triage system to reduce the time taken to resolve cases

Action 4: Arrange a training seminar on planning enforcement for Town and Community Councils via the new area-based clusters (to be arranged via Planning Aid Wales)

Action 5: Absorb the results of the Planning Advisory Service (PAS) Benchmarking exercise to learn from areas of good practice across Welsh planning authorities and put those into practice, where feasible.

- 5.2 Actions 1 and 2 resulted from the desire to ensure we provide a timely service for our customers in delivering planning outcomes. Although the performance in 2016/17 was good in determining applications within agreed timescales (moving from amber to green), this was seen as an area for potential improvement. Thus, we proposed to undertake a 'Systems Revisit' to assess how much waste was in our processes and to understand if there were common themes as to why applications were not being determined within a timely fashion. There should also be reductions in waste in our systems and time savings to be made by the implementation of our new Idox Uniform database for the DM service (Action 2). Action 5 also overlapped into making our application processing more efficient in that we might have been able to identify good practice from the benchmarking exercise being carried out across Wales by the

Planning Advisory Service, the results of which had been anticipated expected in Autumn / Winter 2017.

- 5.3 While our evidence shows that customers prefer a positive outcome than a quick decision, we fully recognise that if customers are going to continue using our pre-application advice service (which streamlines the subsequent stages, improves outcomes and generates fee income), they must receive timely and meaningful responses. In addition, new regulations allow customers to claim an application fee refund if their application is not determined within a given timescale. We can reduce this risk by agreeing extended deadlines, which we do to good effect. Customers, however, will not be willing to agree a time extension if they cannot see a timely conclusion being reached or have previously received poor service.
- 5.4 Action1 was commenced and work was carried out to identify where our customer demand was focussed. As a result of this a web team was set up from within the DM team to seek to reduce day-to-day demand on officers by helping customers to self-serve using an improved and more sophisticated web site. This work is on-going in conjunction with the Council's Digital Team and substantial redesign of the DM team's web pages should be implemented within the next reporting period.
- 5.5 Action 2 has been implemented following the Go Live of the new Uniform software from March / April 2018. The Idox Uniform Implementation team made up of members of the DM Team, spent considerable time in developing a series of comprehensive guides to the different stages required to process an application for pre-application advice and planning applications. DM, Heritage and Enforcement officers have all benefited from the training guides and the transition to the new system has been smooth. Feedback from officers is that the system is easier to use and more efficient than the old M3 software (there is more automation and fewer steps to produce documents). This project allowed a 0.5FTE post to be deleted in the Planning Business Support Team, secured via a voluntary redundancy request.
- 5.6 In respect of Action 3, this was instigated following a surge in enforcement cases in 2016/17 and mixed performance under some the previous enforcement measures in that reporting period, which have since been amended following work undertaken by Welsh Government Planning and a POSW officer performance indicator sub-group. Key stages of the triage system, piloted by Swansea Council have been implemented, but in the meantime, following the appointment of a new enforcement manager early in 2018/19 it has been decided to undertake a more holistic systems review of the Council's the Enforcement service in the next reporting period. This should determine whether the structure and working methods are appropriate given the demands on this small but important team. This aspect will be reviewed within the next APR.
- 5.7 Action 4 was delayed given the timing of the local elections in May 2017 and thus the election of a new cohort of community and town councillors who would benefit from enforcement related training – this being arguably the most controversial and misunderstood aspect of the planning system. Monmouthshire volunteered as a pilot authority to undertake the training, which took place in May 2018 following Planning Aid Wales's appointment of a new Chief Executive. The training was well attended by over thirty community and town councillors and was well received. It was particularly useful in conveying to the councillors the practical and legalistic aspects of the enforcement system and how protracted timescales can be to reach a positive outcome for the community.

5.8 As regards Action 5, the Planning Advisory Service’s work on cost benchmarking for the Welsh planning authority services has been delayed and the outcome of Phase 1 of the work has not yet been published. This is intended to be followed up by a phase 2 work area that the Council’s Development Services Manager is to be involved in.

## 6.0 CONCLUSIONS AND RECOMMENDATIONS OF 2017/18 APR

- The proportion of all applications determined within 8 weeks or within an agreed timescale increased and stands at an impressive 91%;
- The proportion of major applications determined within 8 weeks or agreed timescales declined slightly but at 83% remains substantially higher than the Wales average;
- The percentage of minor applications determined within the required timescales increased from 92% to 95%;
- The percentage of householder applications determined within the required timescales increased from 95% to 97%; and
- The percentage of other applications determined within required timescales decreased marginally from 86% to 85%.
- The level of approvals remained high at 95% (over 2016/17 it was 96%)
- Of those applications that had gone through our pre-application advice service, 97% were approved. The remaining 3% comprised one application that was withdrawn and five where our pre-application advice was ignored. Consequently, we have a 100% success rate of applications that went to decision stage and followed our pre-application advice; and
- The proportion of respondents to our customer survey who were satisfied overall was stable at 74% and was well above the Welsh average of 63%.

This shows that, despite a challenging workload, our performance and levels of customer satisfaction have largely improved and our pre-application advice service is effective.

6.1 A summary table of our performance can be found in Appendix A of the APR. One of the 17 indicators (progress against LDP delivery timetable) is not applicable to Monmouthshire because we have already adopted our LDP. It will be applicable in the next reporting period as the Council works on its replacement LDP.

6.2 Of the 16 applicable indicators, 13 have targets set by the Welsh Government. Monmouthshire’s performance is ranked ‘good’ against 9, ‘fair’ against 2 and ‘in need of improvement’ against 2. The ‘fair’ results relate to: i) the proportion of planning applications determined by Members that were contrary to the officer recommendation, where we achieved 7%, narrowly missing the ‘good’ target of 5% or less; and ii), the average time taken to determine applications (77 days) which missed the ‘good’ target of 67 days but was below the Welsh average of 81.7 days. The two measures that were in need of improvement were the five-year supply of housing land that has fallen to 4.0 years. In addition, our appeal performance declined significantly with just 36% of appeals being dismissed.

	Number of indicators
Welsh Government target has been set and our performance is ‘good’	9
Welsh Government target has been set and our performance is ‘fair’	2
Welsh Government target has been set and our performance ‘needs improvement’	2

- 6.3 We performed above or at the Wales average in 14 of the 15 comparable indicators. The indicator for which performance was below Wales average related to appeal performance as referred to immediately above. Further commentary on the performance against these measures is set out in Section 6 of the APR.

No target has been set but our performance is above the Wales average	3
No target has been set but our performance is slightly below the Wales average	0
No target has been set but our performance is significantly below the Wales average	0

- 6.3 Our performance declined against three indicators:

Indicator	2015/16	2016/17	2017/18	Wales average	WG target
<b>5 year housing land supply</b>	5.0 years	4.1 years	4.0 years	years	5.0 years
<b>Average time taken to determine all applications</b>	68 days	73 days	77 days	80.7 days	<67 days
<b>% of Appeals dismissed</b>	70	71	36	62.5	>66

- 6.4 However, it should be noted that in the measures for average time to determine all applications, our performance remains well above the Wales average. Where a target was set by the Welsh Government, we are still ranked 'good' or 'fair' except for the appeal performance and the five year housing land supply measure, which had fallen to 4.0 years' supply (and we know has dropped further to 3.9 years' at March 2018) below the required 5 year supply. This is discussed in detail in the LDP Annual Monitoring Report (AMR) 2018.

- 6.5 Customer feedback identified the most valued characteristics of a good planning service as access to the case officer to check on progress of your application followed by the availability to talk to a duty planner before an application is submitted. This provides further evidence that our outcome focus is what our customers want.

- 6.6 Five actions are identified going forwards.

#### **Speed of determining applications**

- 6.7 91% of applications were determined within agreed timescales, against a Welsh Government target threshold for good performance standing at 80%. The average time taken to determine all applications was 73 days, narrowly missing the 'good' target of 67 days (but below the Welsh average of 80.7 days). While it is accepted that timely decisions can have economic benefits, of greater importance to investors is clarity and certainty, and our evidence is that, within reason, customers are happy to have a slightly slower decision if it is a favourable one. We therefore place greater importance on securing a positive outcome.

- 6.8 However, this is an area for potential improvement and we have been undertaking a 'Systems Revisit' to assess how much waste is in our processes and to understand if there are common themes as to why applications are not being determined within a

timely fashion. There should also be reductions in waste in our systems and time-savings to be made by the implementation of our new Idox Uniform database for the DM service. Opportunities are there to ensure our pre-application advice service is contributing effectively to reducing planning application determination periods by providing clear, professional and respected advice. In addition, our web site offer to customers was already identified by the Systems Revisit actioned in last year's APR, as needing to be improved, enabling customers to self-serve and to reduce the proportion of invalid applications. Project management for major planning applications can be improved by resourcing their processing properly via planning performance agreements with the applicant to deliver a timelier decision by best endeavours. The fee from such an agreement can be used to back-fill and allow the case officer to be freed up to be a more dedicated resource. Thus, Actions 1 - 4 below are identified.

**Action 1 - Systems review to be reinvigorated to identify what matters today and how we meet that demand as well as identifying causes of variation in our system that lead to delays in reaching a positive outcome. This includes a review of the enforcement team and their processes to verify if we have the right resources and we are providing a good service for our customers.**

**Action 2 - Consolidate the department's use of the new Idox Uniform planning application database software system**

**Action 3 - Monitor the effectiveness of the Council's bespoke pre-application advice service and our fast track application services, while rolling out the use of Planning Performance Agreements, where appropriate.**

**Action 4 – Improve the Planning Service's web pages to deliver relevant, accessible and legible information so that customers can self-serve.**

#### **Speed of resolving enforcement cases**

6.9 While the performance of the Council's Planning Enforcement team is very good in relation to the two enforcement measures in the Performance Framework, customer feedback and complaints often relate to perceived delays in enforcement cases. These issues are certainly not unique to Monmouthshire, and the problem is at least in part due to a misunderstanding of the powers available to us and/or unrealistic expectations which has been addressed in some way by the training on enforcement that took place in May 2018 for community and town councillors. There remains, however, scope for further improvement. The systems review of the Planning Enforcement team will help to improve this team's practices and drive out waste. The triage system identified in last year's APR has been partially implemented to systematically prioritise cases, but this can be reviewed as part of the wider systems approach (Action 1).

#### **Collaborative Working**

- 6.10 Monmouthshire has a wealth of heritage assets and has long invested in its heritage team to manage these assets in the public interest. It is becoming apparent that opportunities exist to work collaboratively with neighbouring Councils to provide a shared heritage resource. The opportunity arises to address issues of coverage, availability of officer's advice and consistency of advice between Authorities. In addition, it is proposed that collaboration will provide an opportunity to increase resilience, knowledge and the skills base of aspects of Historic Environment Management through building and sharing of expertise and experience. This is expected to provide an enhanced level of service delivery within current budget requirements. It also acknowledges the agenda for collaboration in the delivery of local government services being promoted by Welsh Government.
- 6.11 Officers are already involved in a breadth of other collaborative working, including the all Wales Planning Officers' Society used to share best practice and seek to shape national policy and practice; the newly formed SE Wales Heads of Planning Group; the SE Wales Strategic Development Plan Project Group chaired by Monmouthshire's Head of Service; the South Wales Development Managers group; the SE Wales Strategic Planning Group chaired by Monmouthshire; and the South Wales Heritage Forum.

**Action 5 – Pursue an agenda of collaboration in relation to heritage services with neighbouring local authorities.**

**7.0 OPPORTUNITIES GOING FORWARD**

7.1 The following opportunities for the coming year have been identified as a result of this Annual Performance Report, our LDP, AMR and our Service Improvement Plans:

- To improve the speed of our responses to pre-application advice requests and determining planning applications via a Systems revisit in order to remove waste from our system and to focus our work on areas valued by our customers (Actions 1 and 3);
- In tandem with the Systems approach, to use Team meetings, 1:1s and performance reports to drill down into specific areas of workflow and identify where problems exist and why, with a targeted approach to identifying solutions (Action 1);
- Consider the project management of major planning applications, where appropriate, via planning performance agreements to seek by best endeavours to ensure timely and well-managed processing of such applications, providing a good customer experience (Action 3);
- To improve the speed and effectiveness with which we deal with enforcement cases via a systems review of the Enforcement function (Action 1);
- To consolidate the use of the more efficient replacement database for planning applications to reduce waste for staff, including the production of standard letters and monitoring reports. Stage 2 of the Idox project will include the conditions monitoring module and enhancements to the public access module which will provide a better service to the public when they search applications online; these include providing an online measuring tool and the ability to track changes to an application (Action 2);
- To improve the web site experience for customers and increase the amount of information available via GIS, which would drive out waste and enable channel shift so that more customers can self-serve (Action 4);
- To pursue a the potential for collaborative working to deliver a Built Heritage Management Service with neighbouring local authorities, providing resilience, shared learning and consistency across those areas (Action 5);
- Continue with work on a replacement Monmouthshire LDP because of the need to address the shortfall in the housing land supply and facilitate the identification/ allocation of additional housing land;



- To identify, implement and/or disseminate best practice via the Planning Officers' Society for Wales or other working groups, including the Welsh Government, the WLGA and the RTPI.

7.2 Progress will be measured via our 2018/19 Annual Performance Report, 2018/19 LDP Annual Monitoring Report, and our 2018/20 Service Business Plan.

## **8. RESOURCE IMPLICATIONS:**

8.1 Officer time and costs associated with the preparation of APR are met from the Development Management budget and work is carried out by existing staff.

## **9. SUSTAINABLE DEVELOPMENT AND EQUALITY IMPLICATIONS:**

9.1 Sustainability, equality and well-being considerations are central to the planning service's activities. This report is a review of the previous year's performance against targets and benchmarking information, however the proposed five actions for future improvements seek to improve service delivery to the benefit of our customers and communities.

9.2 A Future Generations Evaluation is attached as an appendix.

## **10. OPTIONS CONSIDERED**

10.1 There is a requirement on Local Planning Authorities to undertake an Annual Performance Report and to submit it to the Welsh Government by 31 October 2018. While the Council could decide to not submit the APR, there is little to be gained from such an approach. Consequently, the following options were considered:

- 1) Recommend the APR for submission without any changes;
- 2) Recommend the APR for submission but with changes to the proposed actions for the coming year.

10.2 The APR provides a useful reflection on last year's performance against targets and benchmarking information. The proposed actions seek to continue that journey of improvement, given the resources available to us. Consequently, option 1 has been chosen.

## **11. HOW WILL SUCCESS BE MEASURED**

11.1 The Planning Service is measured against a number of clear and consistent (across Wales, and over time) performance indicators allowing aspects of a successful service to be measured. These indicators need to be viewed in the context of other factors, including what customers have identified as being important to them, customer and stakeholder feedback, outcomes (which are not always captured by performance indicators), and whole Council priorities.

11.2 We strive to be deliver the best service possible, and our mission is to advise on, give permission for, and ensure the best development possible.

**12. CONSULTEES**

- Planning Committee and Economy and Development Select Committee via this report
- Customer feedback as set out in the report

**13. BACKGROUND PAPERS:**

None

**14. AUTHOR & CONTACT DETAILS:**

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