

SUBJECT: MONMOUTHSHIRE PLANNING SERVICE ANNUAL PERFORMANCE REPORT (APR)
MEETING: ECONOMY & DEVELOPMENT SELECT COMMITTEE
DATE: 19 OCTOBER 2020
DIVISION/WARDS AFFECTED: ALL

1.0 PURPOSE

- 1.1 To provide the committee with a report on the performance of the Council's Planning Service for the financial year period 2019-20.

2.0 RECOMMENDATION:

- 2.1 To note the contents of the Annual Performance Report for submission to the Welsh Government by 31 October 2020 and to comment accordingly.

3.0 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 31st October 2020. 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 sixth Annual Performance Report (APR). The five 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 (WG) targets, the Wales average performance, and Monmouthshire's performance over the previous 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. This year, due to the Covid-19 pandemic there has been no requirement from WG to submit an APR and no comparative data has been provided as is normally done. In the light of this, Monmouthshire's Planning Service has decided to commit to submitting an APR but has had to base the assessment of our performance over 2019/20 against the Welsh average and our own performance over *the 2018/19 reporting period*.
- 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 (omitted this year as no performance data was provided by WG and the issues are more than adequately covered by the LDP Annual Monitoring Report, also submitted for scrutiny on this meeting's agenda);
- Efficiency;
- Quality;
- Engagement; and
- Enforcement.

This Framework was established by the Welsh Government in partnership with Local Planning Authority representatives. Performance is ranked as 'good', 'fair' or 'needs improvement'.

3.5 The Annual Performance Report is provided at Appendix 1.

4.0 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 21st 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:

- Carrying out a revision of the Monmouthshire LDP.
- Preparing and co-ordinating thematic supplementary planning guidance to help to foster the interpretation and implementation of LDP policy.
- Implementing the Council's LDP through engaging and working with communities, and partnership working with both internal and external partners.
- Depending on the outcome of legislative changes, adopting and implementing the Community Infrastructure Levy. Infrastructure needs will be reviewed and consideration will be given to the best options for funding them alongside LDP progress.
- Monitoring and evaluating development plan policies, including preparing the statutory LDP Annual Monitoring Report (AMR).
- Maintaining the LDP evidence base and ensuring fitness for purpose for future LDP revision.
- Developing linkages with the Council's emerging framework for community governance and development.
- 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;
- Safeguarding the County's 2400 Listed Buildings and 31 Conservation Areas, areas of archaeological sensitivity, the Wye Valley AONB and the Brecon Beacons National Park;

- Providing a heritage service for our neighbouring colleagues in Torfaen and Blaenau Gwent County Boroughs that works in a manner that is consistent and as well-resourced as the one provided for Monmouthshire.
- Taking robust enforcement action against unauthorised development that is unacceptable in the public interest, and
- Joint working with SE Wales Authorities with the ambition of preparing a Strategic Development Plan.

Delivery of service

- 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.
- 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 do not 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.

5.0 ACTIONS FROM OUR PREVIOUS APR

- 5.1 Our 2018/19 Annual Performance Report identified four actions:

Action 1 – Complete the review of the effectiveness of the Council's bespoke pre-application advice service and rolling out the use of Planning Performance Agreements, where appropriate.

Action 2 – Continue to improve the Planning Service's web pages to deliver relevant, accessible and legible information so that customers can self-serve. This includes investigating the value of a chatbot to signpost users to information held online that can help them self-serve and reduce queries to the team via phone and email.

Action 3 - Systems review of the Planning Service's enforcement function and its processes to speed up our decision-making, verify if we have the right resources and we are providing a good service for our customers

Action 4 – Continue to pursue an agenda of collaboration in relation to heritage services with neighbouring authorities and collaboration in other areas where possible, including the evidence base for the review of the Local Development Plan.

- 5.2 Action 1 resulted from the desire to ensure we provide a coherent and timely set of processes for our customers in delivering planning outcomes to reduce end-to-end times for processing applications. Action 2 also overlapped into making our application processing more efficient in that signposting customers effectively so they can self-serve enables demand on our officers to reduce, freeing up their time to carry out work that is essential and valuable to the service.
- 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 that provide them detailed guidance on their proposals.
- 5.4 Action 1 was completed. The conclusion is that the bespoke service represents good value for money for applicants (particularly when compared to the more limited statutory service) and is valued by customers. Take up of the bespoke service was healthy over 2019/20 generating over £53k of income for the Council. End-to-end times for determination of such applications were shorter than those where no pre-application advice was involved and 98% of ensuing planning applications that reached a decision were approved indicating the service is generally working well. As part of Action 1, the use of planning performance agreements was also successfully continued into 2019/20 to improve project management of a further more complex proposal for a major housing scheme in Caldicot; however, because of the shortfall in major applications anticipated over 2020-22, this process will be difficult to consolidate, and will need to be rolled forward once the replacement LDP nears adoption.
- 5.5 As regards Action 2, this was partially implemented and improvements and updates were made to the Planning web pages to improve the online payments process and to provide more legible and up to date information on the planning applications process, planning policy (including supplementary planning guidance) and GDPR. The concept of the chatbot was pursued and while the conclusion was that it could be useful in reducing demand particularly on the daily duty officer role, there was a significant cost attached to it which at present needs to be balanced against other ways we can reduce demand that are more of a priority. The chatbot option is therefore set aside for a different, higher priority for 2020/21 that is discussed below (2020/21 Action 1). The chatbot will remain on the agenda for the longer term but will be subject to allowances in the service's budget.
- 5.6 In respect of action 3, this was instigated following a downturn in the performance of the planning enforcement function in 2018/19. Following the appointment of a new enforcement manager midway through 2018/19 it was decided to undertake a more holistic systems review of the Council's planning enforcement team that is a comprehensive piece of work that requires regular assessment and intervention. Measures were put in place to review all enforcement cases at the 10 week stage of the investigation. All officers provided data on cases approaching the 12 week deadline. In addition, quarterly 1-2-1s are now held with all Members of the Enforcement Team to review these figures and identify areas of improvement. In 2018/19 65% of all cases were investigated within the 12 week period as set out in WG Guidance. The investigation period took on average 107 days.

In 2019/20 this improved to 73% of all cases being investigated within guidance and an average investigation time of just 64 days.

- 5.7 As regards Action 4, during this reporting period it has been possible to consolidate and manage a shared service between Monmouthshire CC and Torfaen CBC, and this has also been extended to provide a service to Blaenau Gwent CBC (on a lesser scale). The Heritage Manager drew up a Memorandum of Understanding and secured approval for the collaboration. This resulted in the appointment of a new Senior Heritage Officer to resource the collaboration, managed by Monmouthshire's Heritage Manager but funded by Torfaen. The service has been in place since January 2019 and has had the second review early in 2020/21. The feedback is positive and both authorities are pleased with the progress being made. It is anticipated that this will continue to be built on in the forthcoming period and it is hoped after the two year trial period the collaboration will continue on a more formal basis. The collaboration has many benefits, including improved resilience and skill sharing, together with more opportunities to learn and build on the teams skill set. For the above reasons Cadw have been supportive of the new way of delivering heritage services and have endorsed the collaboration. The team has also been able to secure umbrella delegation for MCC named officers to 'sign off' listed building consent applications in Torfaen, meaning that applications in TCBC no longer need to go to Cadw for approval. This has been welcomed and supported by Cadw.

6.0 CONCLUSIONS AND RECOMMENDATIONS OF 2019/20 APR

- o The proportion of major applications determined within 8 weeks or agreed timescales increased and was well above 80%, and substantially above the Welsh average.
- o The average time taken to determine applications has reduced significantly from 86 days 2018/2019 to 70 days 2019/2020;
- o The number of applications we determined slightly increased (by 2.8%);
- o The proportion of applications we approved remained high at 97%;
- o Of those applications that had gone through our pre-application advice service, 98% were approved;
- o We again dealt with a large number of applications for listed building consent (54 applications) and 84% of these were approved within agreed timescales;
- o Our appeal and our enforcement performance improved markedly during 2019/20.

This shows that, despite a challenging workload, our performance has been very good and our pre-application advice service is effective. We are working with customers to negotiate positive outcomes and high standards of development.

6.1 ***A summary table of our performance can be found in Appendix A of the APR.***

- 6.2 A summary table of our performance can be found in Appendix A of the APR. Of the 12 ranked indicators, 9 are ranked Good, while 3 are Fair and 0 are in need of improvement. The 'fair' results relate to the average time taken to determine applications (70 days) which just missed the Good target of 67 days but was above the Welsh average of 77 days for 2018/19 as well as the two enforcement measures that improved significantly due to a review (which is on-going) of the enforcement function.

	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'	3
Welsh Government target has been set and our performance 'needs improvement'	0

6.3 We performed above or at the Wales average in 11 of the 12 comparable indicators. The indicator for which performance was below the Welsh average related to the average time taken to determine "major" applications in days. Further commentary on the performance against these measures is set out in Section 6 of the APR. Our performance declined against one indicator, which again, was the average time to determine major applications. That measure rose due to a small number of longstanding applications being refused following lengthy periods of being held in abeyance pending the submission of necessary technical information.

6.4 Four actions are identified going forwards.

Digitising paper information and improving the resilience of our back office systems and public access module

6.5 We still hold substantial information on tree preservation orders in the County as paper records in the Council's 'amber storage area'. Retrieving such information is time-consuming and inefficient and the lack of accessible information for the public leads to a high volume of calls and enquiries to the Council's Tree Officer (who is part time, 0.6 FTE), the daily duty officer and also the Support team. Digitising this information will reduce phone calls and emails to all those officer sand will free up time to carry out work of greater value to the service and customers, such as processing submissions for pre-application advice and the applications themselves. The quality of the data also needs review (for example, some of the older TPOs need reviewing as the information will be out of date), although this will be carried out once the data is in a digitised format that is easier to manage and change (Action 1).

Action 1 – Digitise information in relation to woodland / tree preservation order work to help customers self-serve and reduce the significant demand on the Planning Service's Tree Officer, the daily Duty officer and Support staff.

6.6 In addition, the Service's planning application processing software, Idox Uniform, must be upgraded over 2020/21 as the current system is now de-supported. This will achieve business continuity and more resilience for the service. Also, the public access module will need to be upgraded which will provide benefits to customers once they have registered with the software and will be more robust in terms of GDPR compliance (Action 2).

Action 2 – upgrade the Planning Service's Uniform (planning application processing) software and the public access module that will provide business continuity and provide enhancements to our customers and ensure better GDPR compliance.

Speed of resolving enforcement cases

- 6.7 The performance of the Council's Planning Enforcement team had declined in relation to the two enforcement measures in the Performance Framework over 2018/19, resulting in complaints about delays from the public and the perception the service was poorly performing. 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, a matter that had been addressed in some way by the training on enforcement that took place in May 2018 for community and town councillors. Over 2019/20 there were substantial reductions in the time taken to investigate enforcement complaints due to measures instigated by the new manager of this team. There remains, however, scope for continued improvement. The systems review of the Planning Enforcement function is ongoing and has already helped to improve this team's practices and drive out waste. The action below therefore is a spin-off from last year's (Action 3).

Action 3 – Continue to review and make positive change to the Planning Service's enforcement function and its processes to speed up our decision-making, ensuring we are providing a good service for our customers

Collaborative Working and Buildings at Risk Strategy

- 6.8 Monmouthshire has a wealth of heritage assets and has long invested in its heritage team to manage these assets in the public interest. It has become apparent in recent years that opportunities existed to work collaboratively with neighbouring Councils to provide a shared heritage resource. The previous reporting period saw the establishment of a shared heritage service with Torfaen Council that has been working well. This has given the opportunity to address issues of capacity and consistency of advice between Authorities. In addition, it provides an opportunity to increase resilience, knowledge and the skills base of aspects of Historic Environment Management through building and sharing of expertise and experience. It also acknowledges the agenda for collaboration in the delivery of local government services being promoted by Welsh Government. An action from last year saw the team seek to extend the offer to other neighbouring local authorities which resulted in a memorandum of understanding being agreed to provide heritage services for Blaenau Gwent CBC. This has so far worked well and has allowed the service to provide resilience to BGCBC whose range of work does not need a full time heritage officer while not impacting on the team's ability to cover the demanding heritage workload in Monmouthshire.
- 6.9 There are competing demands on the Heritage Team and many requests from the community are received to intervene to stop the decay of several prominent listed buildings throughout the County. Officer time and financial resources are listed in this regard, but an action plan agreed by Members would help to prioritise the cases that warrant priority working and action. To this end a Buildings at Risk Strategy and action plan is proposed to be developed to manage this process more effectively and to help the communities understand the choices we make when opting to take appropriate action to save and protect such assets. The strategy would put a methodology in place for drawing out the worst buildings and then set out appropriate actions as to how these are tackled; in all likelihood there would be actions identified to address the worst 5-10 buildings at risk so it is a more manageable and transparent process.

Action 4 – Continue to review the collaboration arrangements in relation to heritage services with neighbouring authorities (Torfaen and Blaenau Gwent Councils) and to develop a Buildings At Risk (BAR) strategy to manage and prioritise any

interventions to enable key heritage assets to realise a sustainable use for future generations.

Value of Planning

- 6.10 RTPI Cymru has developed a toolkit which measures the value generated by a local authority planning service. The tool is able to capture the economic, social and environmental value at a local planning authority level across Wales. The tool and its 'Value Dashboard' has been designed to provide RTPI Cymru and the Welsh Government with a platform to demonstrate to local authorities, national policy makers, the private sector, researchers and other broader policy and media audiences, the value planning contributes and how planning is positively contributing to Wales' seven well-being goals. The data has been updated to reflect planning permissions and completions in the current reporting period (2019/20). The toolkit has been a very useful means of promoting the good work undertaken by the department that is often taken for granted. Over this period, the toolkit concludes that the service has contributed £115.2M to the local economy by the allocation of sites in the LDP, the safeguarding of land, the granting and implementation of planning permissions, the operation of its enforcement function and the securing of planning obligations. We aim to update this for the ensuing reporting periods. The 'Dashboard' data summarises the Planning Service's contribution below:

Value of Planning in Monmouthshire 2019/20

Planning service key data



28 FTE jobs in planning service



1,106 applications handled



£0.6m collected in fees

LDP Land Safeguarded



LDP Land Allocated

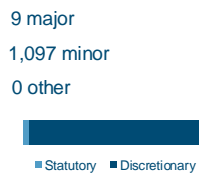


LDP Value

£2.1m uplift value
(based on land allocated for whole plan period)

Value adding policies ✓ 89%

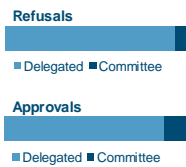
Applications



0 DCOs dealt with
0 DNS dealt with
54 LBC applications granted
14 refusals appealed
0 judicial reviews

Decisions

✓ 925 approvals (84%)
x 24 refusals (2%)
153 subject to pre app

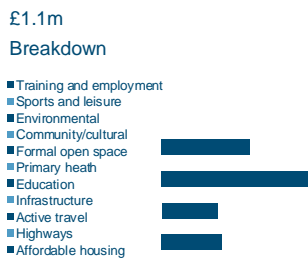


Permissions



Contributions

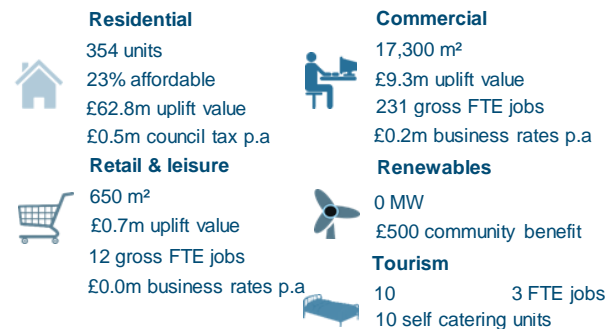
Section 106 income



CIL income



Completions



Enforcement

297 enforcement complaints
3 planning contraventions
2 enforcement notices
7 breach of condition notices
0 stop notices
2 section 125 notices



Wider indicators



In 2019/20 the total value of planning was **£115.2m**

SOURCES: Planning function outputs (LPA survey), Land and property value data (JLL estimates), business rates valuations (Valuation Office Agency), employment densities (English Homes & Communities Agency), Council tax rates (Stats Wales), Health benefits from Affordable Housing (Department for Communities and Local Government Appraisal Guide, based on various studies outlined in appraisal databook), Community benefit from renewables (Renewables UK Cymru). Some of the calculations require high level assumptions to convert between units/m²/ha. Where possible, benchmarks have been employed otherwise reasonable assumptions have been used. Business rate, council tax and gross FTE job estimates based on assumption of 100% occupancy and do not factor in any displacement. Numbers of applications and decisions are unlikely to match up as these can take place in different financial years for any given application. 'Value adding policies' refers to the proportion of policies the team has identified as adding 'intangible value' that are included in local plans. Approvals and refusals do not sum to 100% due to applications carry across years. The total value of planning only incorporates some of the metrics presented in the dashboard.



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:

- In tandem with our systems thinking approach, to use Team meetings 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;
- Continue to roll out 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 for the customer;
- To digitise the Tree information held by the Council in paper form to improve the web site experience for customers and improve customers' pathways to information (Action 1);
- To upgrade the use of the more efficient database for planning applications to reduce waste for staff, including the production of standard letters and monitoring reports and to upgrade public access module to improve the customer experience (Action 2);
- To improve the speed with which we deal with enforcement cases via the continued systems review of the Enforcement function (Action 3);
- To continue to review the collaboration arrangements in relation to a Built Heritage Management Service with neighbouring local authorities, providing resilience, shared learning and consistency across those areas (Action 4);
- To develop a Buildings at Risk Strategy to safeguard some of our most precious but vulnerable heritage assets (Action 4);
- Continue with the 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 as well as addressing the demographic and employment challenges of the County;
- 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
- Promote the value of the work carried out by the Council's Planning Service by updating the Value of Planning toolkit on an annual basis and publicising the findings in each APR.
- To respond to the threat provided by the emerging Covid-19 pandemic to ensure business continuity. This will be reported in detail in next year's APR but can be summarised here as involving staff working almost entirely at home, signposting electronic submissions only, risk assessed site visits and remote committee and delegation panel meetings.

7.2 Progress will be measured via our 2021/22 Annual Performance Report, 2021/22 LDP Annual Monitoring Report, and our 2020-2023 Service Business Plan.

8.0 RESOURCE IMPLICATIONS:

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

9.0 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.

10.0 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 2019. 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 is the preferred option.

11.0 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.

12.0 CONSULTEES

- Senior Leadership Team
- Enterprise DMT
- Managers within the Planning Service
- Members of Planning Committee and Economy and Development Select Committee via a report to the latter to be considered on 19 October 2020.

13.0 BACKGROUND PAPERS:

None

14.0 AUTHOR & CONTACT DETAILS:

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