

PLANNING AND HIGHWAYS COMMITTEE

24th October 2006

DEVELOPMENT CONTROL PERFORMANCE 2006/2007
DEVELOPMENT CONTROL IMPROVEMENT STRATEGY 2006/7 – 2008/9

REPORT OF THE DIRECTOR OF DEVELOPMENT AND REGENERATION

1.0 PURPOSE OF THE REPORT

1.1 The purpose of the report is to advise Committee of the performance of Development Control over the first half of the financial year 2006/2007 and to seek approval of the actions contained within the improvement strategy appended to this report.

2.0 BACKGROUND

2.1 Sunderland City Council is a Standards Authority for 2006/2007 due to its underperformance in determining major applications. In May 2006 the DCLG expressed concern that Sunderland was unlikely to meet the required target of 60% for determining major applications within the required 2006/2007 period.

2.2 As a result of its designation as a Standards Authority the Council is required to set a trajectory for performance on major applications, to prepare and submit an improvement strategy and report progress quarterly to the regional government office GONE.

2.3 Performance against BVPI 109 is a key performance measure in the Comprehensive Performance Assessment (CPA) framework and designation as a PSA restricts the Council's environment score in the CPA.

2.4 The appended improvement strategy is part of the process of service improvement setting out the key contexts and challenges facing the service and articulates the actions necessary to drive forward the improvements.

3.0 SUMMARY

3.1 The improvement plan captures ongoing activity and process improvement with improved performance to meet national targets secured in respect of determining minor and other applications. Performance in both of these areas far surpasses the levels set by BVPI 109 with 78.57% and 87.21% recorded for quarters 1 and 2 for minor applications (target 65%) and 91.67% and 93.13% for the same quarters for other applications (target 80%)

3.2 Performance around the more difficult area of major applications continues to improve and for quarters 1 and 2 levels of 68.75% and 76.19% have been achieved against a BVPI target of 60%. These figures build upon the improved performance figures achieved in quarters 3 and 4 of 2005/2006 and together combine to produce an annualised figure of 67.2%

3.3 The service is now delivering above the required targets set by BVPI 109 in all three areas and to a level of performance which is above the Standards Authority threshold. The challenge is to sustain and build upon this level of performance. This will be achieved through delivery of the actions detailed within the Improvement Strategy.

3.4 The trajectories and a summary of performance in respect of major, minor and other applications are appended to this report.

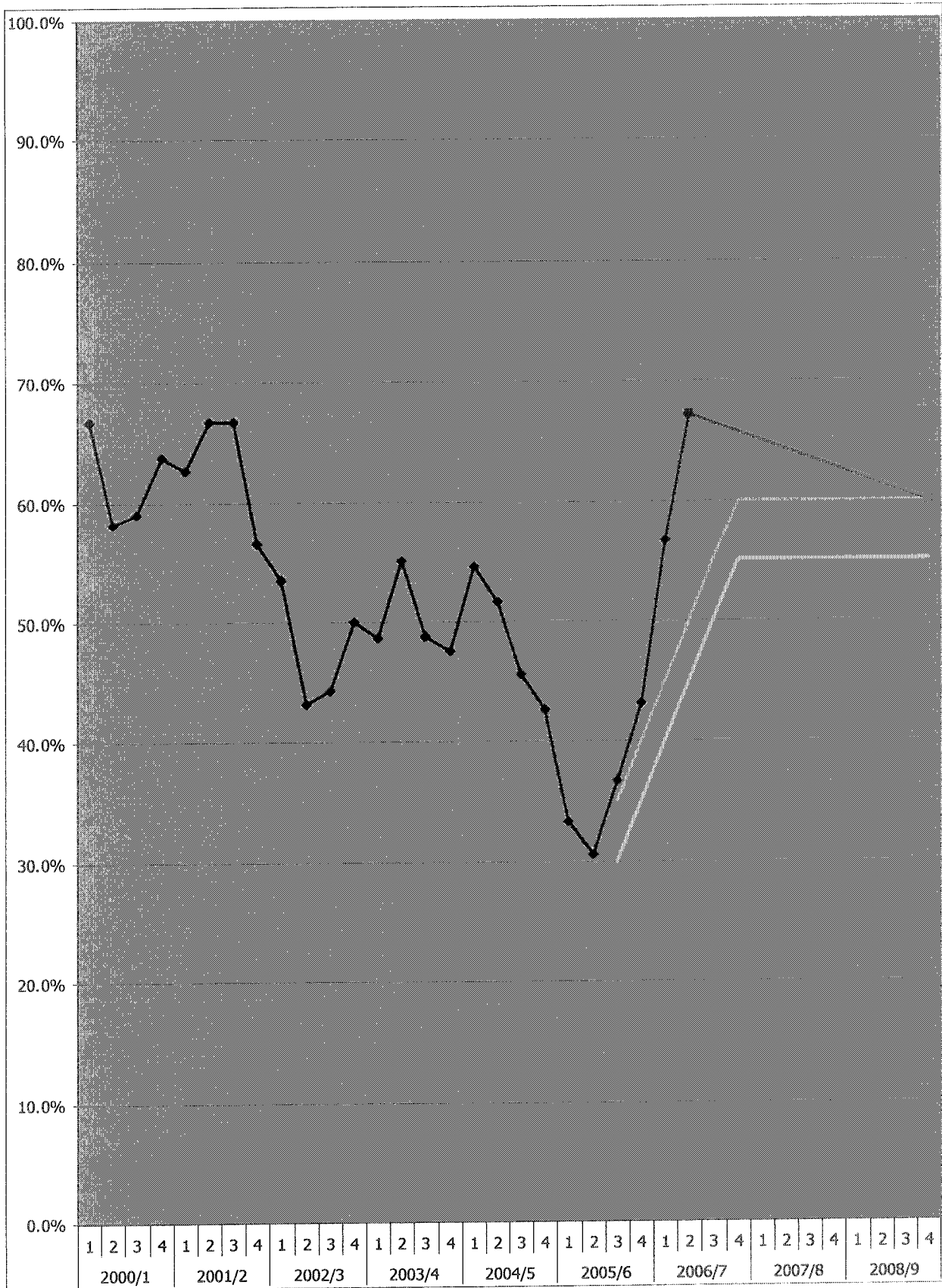
4.0 RECOMMENDATION

4.1 The Committee is recommended to note the contents of this report and the Improvement Strategy document appended and to endorse the actions contained within the Strategy.

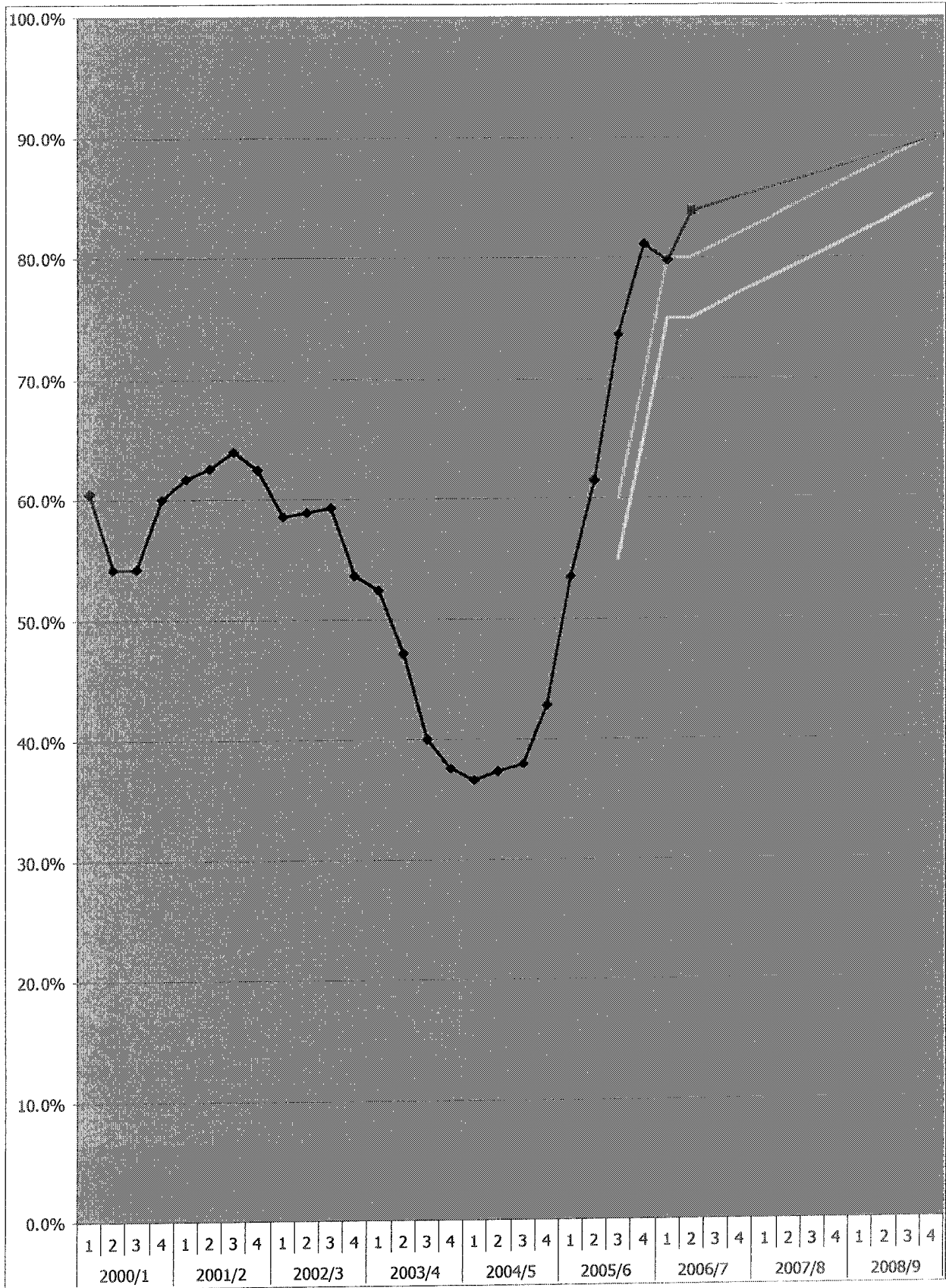
Development Control - Annualised Performance.

Major			Minor			Other		
	Total	< 13 weeks	Total	< 8 weeks	Total	< 8 weeks		
Q3. 2005 TOTAL	11	6	101	85	468	427	91.24%	
Q4. 2006 TOTAL	13	8	81	69	418	378	90.43%	
Q1. 2006 TOTAL	16	11	84	66	540	495	91.67%	
Q2. 2006 TOTAL	21	16	86	75	480	447	93.13%	
Total	61	41	352	295	1906	1747	91.66%	
							84.16%	
							85.19%	
							78.57%	
							87.21%	
							83.81%	
							54.55%	
							61.54%	
							68.75%	
							76.19%	
							67.21%	

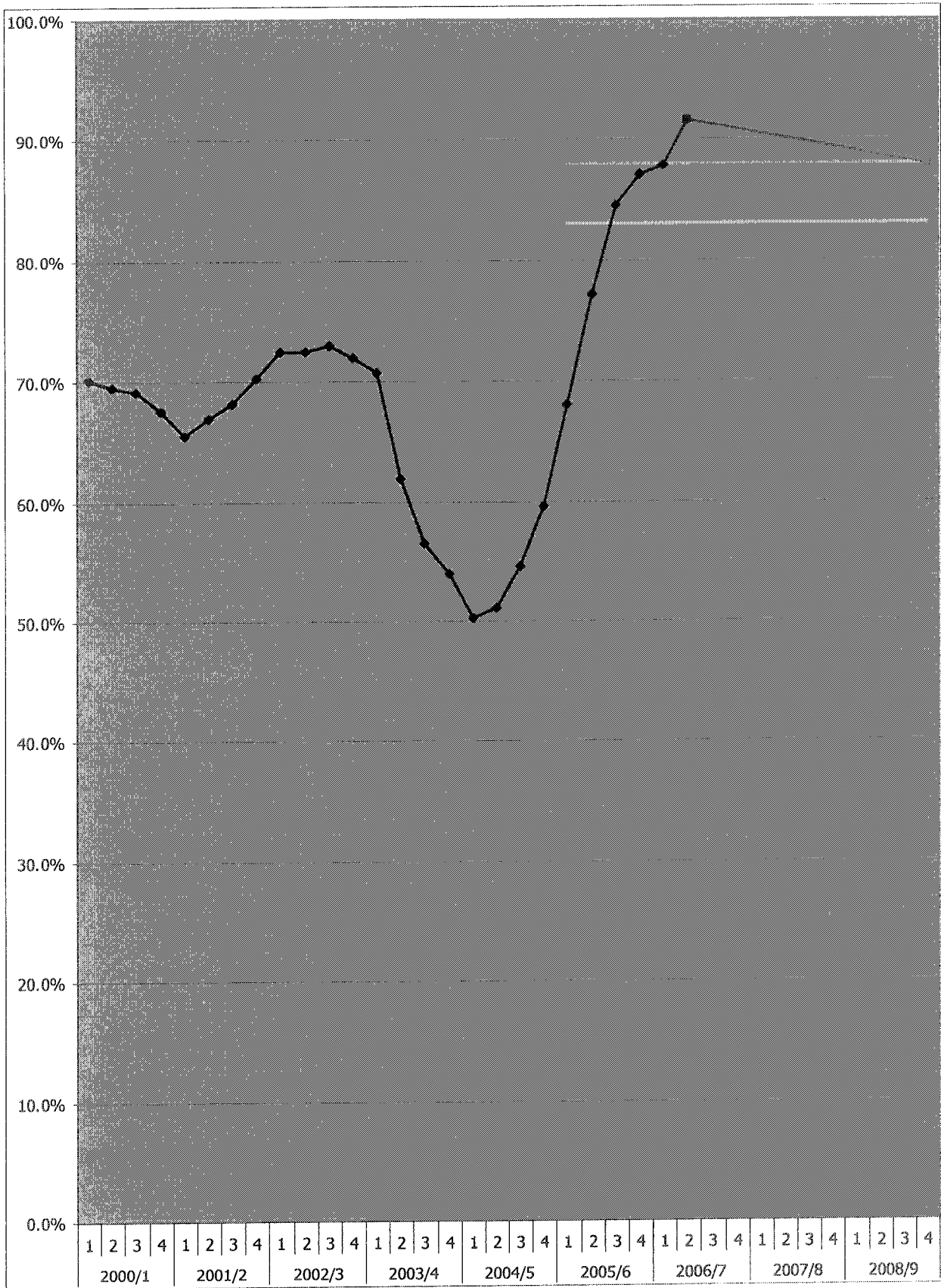
BV 109 TRAJECTORY - MAJOR APPLICATIONS



BV 109 TRAJECTORY - MINOR APPLICATIONS



BV 109 TRAJECTORY - OTHER APPLICATIONS



Development and Regeneration

Planning and Environment
Development Control Service

Sunderland City Council Development & Regeneration

Planning and Environment
Development Control Service
Improvement Strategy 2006/7 – 2008/9



Sunderland
City Council

Introduction

Planning is a key Council service, contributing to the achievement of strategic priorities around economic development, making the city more attractive and accessible, conservation of built and natural heritage and community engagement. In order to keep contributing successfully to these objectives the planning service needs to be delivered in an efficient and effective manner. A key measure of success is to continuously improve performance against key performance indicators.

The national public service agreement requires all local planning authorities to perform at or above Best Value Performance targets for development control for BVPI 109 by March 2007 and maintain the target levels until March 2008

The best value targets for planning authorities requires all local authorities to process:

60% of Major applications within 13 weeks
65% of minor applications within 8 weeks and
80% of other applications within 8 weeks.

Based on performance in planning Sunderland Council was identified as a Standards Authority for 2005/06 in respect of minor and other applications and in 2006/07 for major applications. Following designation as a planning standards authority external consultants (appointed by DCLG) have been working with the authority to collect information on what steps the authority is taking to

improve planning performance and to help identify any support that may best facilitate a sustained improvement in development control performance.

As a result of its designation as a PSA the Council is required to set a trajectory for performance on Major applications, report progress quarterly to the regional government office and submit an improvement strategy to GONE.

Performance against BVPI 109 is a key performance measure in the Comprehensive Performance Assessment (CPA) framework and designation as a PSA restricts the council's environment score in the CPA.

For 2005/6 performance the Council was able to report positive progress against the national targets for minor and other applications with the national targets exceeded. However the Council recognises that performance in major applications at the end of 2005/06 was still below acceptable levels

The consultants have indicated in their report on standards authorities for 2005/2006 that, despite improvements, they are not yet convinced that the Council can sustain and build upon these improvements within the timescale given.

This improvement strategy is part of the process of service improvement, it sets out the key contexts, and challenges facing the service and articulates the actions

necessary to drive forward improvement.

Together with the detailed action plan it sets out the key actions, responsibilities and timescales that will result in the necessary improvements to the service to achieve the government targets by March 2007 and beyond.

The improvement strategy has been informed by the council working closely with the IDeA Planning Advisory Service and the following documents:

- PAS Development Control Improvement Planning Workshops 2005 - 2007
- IDeA Improvement Planning resource CD – April 2005 / March 2006
- PAS North East Development Control Seminar – May 2006

- DCGL Report July 2006 – Best value standards authorities 2005/006 Evaluation of Sunderland City Council
- PAS area based decision making (ABDM) for development control: a review - April 2006
- Elected members' planning skills framework – April 2006

Improvement in planning performance is a corporate issue and the improvement strategy recognises that sustained improvement in performance can only be achieved if all key stakeholders are actively engaged in the improvement plan.

Appendix a performance trajectory
Appendix b improvement plan

Key Actions to Date

Progress has already started on making changes to the way in which Major applications are dealt with. These include:

- Clearance of old cases (December 2005 - May 2006)
- Empowerment of Senior Staff – (May 2006)
- Desktop monitoring of officer caseloads (May 2006)
- Introduction of pre-application process (March 2006)
- Introduction of process mapping (January 2006)
- Increase in staffing levels (December 2005)
- Changes to the Directorate delegation scheme (December 2005)

The above changes have enabled performance to improve considerably and during the last three quarters the Council has surpassed the Government target, determining above 60% of Major applications within 13 weeks of receipt. However sustaining and building upon these improvements remains a challenge.

The decline in performance in relation to major applications was a product of the increase in the number received (from an average of 52 per annum in 2002/ 2003 to 92 per annum in 2004/5), the complexity of the applications (e.g. Vaux and Groves) and a shortage

of experienced staff to process them.

Following the appointment of a new Head of Service for Planning and Environment in 2005 and the appointment of an interim manager for Development Control, effective from 1st December 2005, the authority has now secured the senior management structure, leadership and experience necessary to take the service forward.

Devolved decision-making, empowerment of staff and emphasis on pre-application discussions has had a significant impact on performance. These measures have also helped cultivate a good team atmosphere and high staff morale.

Performance monitoring has also been strengthened and regular monitoring on a weekly and monthly basis has enabled dips in performance to be identified and problems addressed.

However, there remains concern that this level of improvement cannot be sustained at the levels already achieved. To sustain and improve upon the direction of travel continual action needs to be taken. The service has worked hard to achieve its current level of success and is determined to ensure the sustainability of performance.

Key Issues for Action

The main priority for the service is to meet and exceed the Government target BVPI 109a and determine 60% of Major applications within 13 weeks, without exposing the quality of decisions to risk.

As one of the top performing authorities on the number of decisions upheld at appeal the quality of decisions made will not be compromised to meet the target.

The service will continue to deliver high quality decisions and use the

pre-application process, scheduling of additional committees, completion of section 106 agreements to the planning timetable, closer monitoring of performance at all stages and higher levels of delegation to meet BVPI 109a.

Through the adoption and implementation of these measures improvement in both the quality and speed of Major applications determined will be maintained.

Revised Improvement Strategy targeted on Major Applications

Following receipt of the consultants report the Performance Improvement Team was asked to explore the issues identified by the consultants.

The service had been subject to a substantial best value review in 2003/04 following which an improvement plan was produced. However, in relation to the improvement plan the consultants advised that although the document contained the necessary actions, details relating to resources and responsibilities were weak. In addition although timetables were specified some actions had not been progressed because of a shortage of resources.

Upon revisiting the Improvement Strategy it was evident that the document did not effectively outline how the service intended to address the specific barriers that were preventing the timely determination of major applications.

In addition, resources and responsibilities were not allocated to meet the challenge. It was therefore difficult to ensure ownership and accountability of the actions by front line staff.

During the past three months the Performance Improvement Team has worked in partnership with the Development Control Service to identify the real barriers to

performance and the most effective ways to address them.

Guidance from the Department of Communities and Local Government (DCLG) and best practice guidance from the Planning Advisory Service (PAS) have been taken on board and the most important steps needed to take the service forward identified.

These steps are now clearly identified within the three-year Improvement Strategy and resources, responsibilities and timescales have been allocated.

It is intended that this revised strategy will enable the service to achieve, sustain and build upon its current level of high performance.

The priority areas for improvement and action are:

- Staff recruitment and retention
- Committee decision making
- Pre application
- Section 106 agreements
- Process improvements
- Performance Management
- Enforcement

Action:

Improvement Strategy will address the barriers in determining Major applications and direct service improvement.

Ownership of actions will ensure that those responsible are accountable for delivery.

DCMT will monitor performance on a monthly basis to ensure that actions are on target.

Staff recruitment and retention strategy

neutralise pay as an issue

The Council recognises that there is a national shortage of qualified planners and has proactively tackled recruitment and retention issues, particularly staff vacancy and turnover rates to ensure that these obstacles do not hamper the service in achieving performance objectives. Although pay is clearly a significant issue the broader context of providing a satisfying and rewarding place of work is equally important. Cultivating a good team atmosphere and high morale, as well offering attractive conditions has meant that there are fewer reasons for planning staff to seek opportunities elsewhere.

create opportunities for career progression

Learning from the Council's Building Control service actions include creating leaner management and operational structures by breaking down the barriers in hierarchical structures that create little motivation for individuals to progress unless someone above them moves on. A pay scale and grading based on competency rather than job hierarchies is being developed.

The service is investing in staff, training and development. Upskilling members of the workforce and providing management opportunities for more experienced staff to support retention. A Technical Assistant and Enforcement Officer have been enrolled on the Diploma in Town and Country Planning, as part of the 'grow your own' initiative.

External consultants specialising in planning law have been engaged to deliver a programme of training, which responds to identified needs and areas of change.

improve team work

The service has followed the lead of other areas in the council and begun holding team building days. The service has also developed a more 'outward looking' attitude to improve customer focus. This has included appointing a Client Manager who is the conduit for contact between major clients and planning teams, publishing a development control newsletter and holding customer forums to promote the work the service is doing.

Additional responsibilities have empowered staff and made the team feel more valued. Increased delegated decision making from principal / management level down to seniors has proved effective.

Senior planning officers have taken charge of the distribution of major applications. In recent years officer caseloads had been a serious cause for concern, some planning officers dealt with in excess of 300 applications per year, double the government's recommended figure. Following the recent increase in staffing levels and revised work procedures, officer caseloads are now in line with government guidance.

Improved communication lines between some of the more inexperienced planners and

experienced have been established. Each senior officer is responsible for a team of junior officers. This has facilitated more regular contact and allowed junior planners to relate better to and learn from seniors.

To help provide assistance and guidance to senior planning officers in respect of these amended work procedures the seniors attend the weekly management meeting to keep them abreast of current management issues.

be a good place to work

The council is proactive in adopting flexible working arrangements including mobile and home working to support service improvement and aid recruitment and retention. The planning service is being encouraged to think of creative ways of flexible working to employ planners who are currently restricted in their ability to work during core hours.

involve HR and corporate support

There is a clear understanding of the challenges at both service and corporate level and continued commitment to support service improvement. EMT have approved and been engaged in the improvement strategy and

improvement plan, which is a corporate improvement priority.

Personnel have facilitated the organisational restructure assisting the retention of staff and the Performance Improvement team continue to support the development of the improvement strategy and improvement plan.

An IDeA Planning Peer Review to be undertaken in late October will also signal corporate support.

ensure planners spend their time planning

The technical administrative staff play a key role in delivering the current level of high performance. To maximise efficiency re-engineering of the workload was undertaken. Planning tasks previously completed by planners are now undertaken by technical administrative staff. This has helped streamline the application process.

build good customer relations

Improved staff morale and team working has lead to improved customer relations. Customers have experienced benefits from the initiatives the service has put in place to improve retention including the customer forums and appointment of the Client Manager.

Planning Committee / Robust decision making

The Council's development control service currently operates an Area Based Decision Making (ABDM) system and has in place three area-based development control sub-committees.

ABDM for development control has recently received some criticism and independent reports have concluded that the government's vision of an efficient and user-friendly service, which comes to 'robust decisions within sensible timeframes', is more difficult to achieve in authorities with ABDM.

With regard to the Council's ABDM system The consultants identified that the inefficiencies in servicing three sub-committees and a main committee appeared to be one of the main factors in poor performance, with regard to major applications.

In order to address this issue several steps have been taken and further action is proposed. The Planning Advisory Service (PAS) recently identified six issues that need to be addressed for ABDM to be effective: frequency of meetings, democratic structure, public participation, councillor roles, training and resources.

Plans to address all six areas to ensure that our ABDM system is as effective as possible have been identified and included in the improvement plan.

In terms of the frequency of meetings sub-committees are scheduled on a four-weekly cycle. DCLG guidance suggests that the best authorities have no more than

a three-week cycle. To address this issue the service has secured agreement from members that special meetings will be held when a major application is at risk of going out of time. All three sub-committees are also now held on the same day, which has further streamlined the committee process.

The level of delegation within the constitution of the Council is another important factor and changes to the Directorate delegation scheme have been introduced. An increase in the delegation rate from two principal planners to two principal and five senior planners has resulted in more efficient authorisation and issue of planning decisions, correspondence and other documentation.

The number of applications determined at first hearing is a major factor in delivering high performance. The consultants identified the Council's failure rate in determining applications at first hearing was extremely high (no decision was reached on 60% of applications). This low level of performance was due to the fact that deferrals were taken to committee.

This process has recently been improved so only those applications ready for decision are taken to committee. As a result approximately 83% of applications are now determined at first hearing.

As a result of the changes made to the processes and procedures outlined above the Council's ABDM system is no longer acting as a

significant barrier in meeting the BVPI 109a performance target. However, the potential benefits of moving to a single committee to achieve further efficiency gain is an area PAS suggest needs to be reviewed.

PAS support has been engaged to advise members of the advantages and disadvantages of ABDM and centralised committee systems.

Training for members is another important element in delivering an

effective ABDM system and is a code of conduct requirement. All members sitting on the development control sub-committees to receive training on an annual basis.

In addition several members including the Chair of Planning and Highways Committee have attended regional workshops delivered by PAS to help improve planning performance.

Action

Changes will be introduced to ensure that our ABDM system operates as effectively as possible.

Special meetings will be held where a major application is at risk of going over time.

High levels of delegation will be maintained.

Deferrals will no longer be taken to committee.

The benefits of moving to a centralised committee system will be reviewed.

Members will continue to receive an annual training programme and attend regional workshops.

Pre-application

Pre-application engagement is a proven means by which the government's 13-week target for determining major applications can be delivered. The pre-application process provides planning authorities with an opportunity to identify and tackle potential problem areas in relation to an application, before the point of formal submission.

Despite the recognised benefits effective pre-application discussions had previously proved unachievable. This was due to the fact that some officers were dealing with in excess of 300 applications per year. Formal applications needed to be determined and were inevitably deemed high priority; little attention could be afforded to pre-applications.

Over the last two years the staffing situation has improved considerably. This improvement has resulted in a reduction in officer caseloads and therefore sufficient attention can now be given to the pre-application process.

A pre-application team has been established to deal with major applications, with a senior planner officer designated as Client Manager to head up the team. The pre-application team will address issues that are likely to be problematic and time consuming before formal submission of planning applications. This allows for more in-depth discussion on

matters relating to quality of design and traffic implications, prior to the starting of the statutory timescale.

The pre-application team is determined that applicants should get everything right in the pre-application stage and a pre-application charter is being developed to ensure consistent management of the process.

It is clear that applicants should have confidence that the advice given at pre-application stage covers all the main issues. The applicant should not expect to be asked to provide more or different supporting material at submission stage than informed of at pre-application except when required by external consultees. Equally the service should expect an application, which is identical or close to the scheme considered at the pre-application stage. Even minor changes could nullify the advice given.

A major benefit afforded by the pre-application process is the fast tracking of applications that have been through the process.

The pre-application charter will clearly outline the service levels to be delivered to customers, as well their obligations.

Action:

A pre-application team headed up by a designated Client Manager will deal with major pre-applications.

Problematic and time-consuming issues relating to quality of design and traffic implications will be addressed at pre-application stage.

A pre-application Customer Charter will be developed, which sets out the Council's and our customers' expectations.

Section 106 agreements

The lack of written procedures for handling section 106 agreements was identified by the consultants as one of the reasons for poor performance on major applications.

Section 106 agreements are planning agreements entered into between the Council and the developer, where proposed development cannot be controlled through planning conditions alone. They are time consuming to negotiate and prepare and can be a major contributor to lower performance in relation to major applications.

Section 106 agreements involve negotiation, agreement and considerable legal work. Initially there has to be a decision to approve the application subject to the agreement, usually at a development control sub-committee, followed by finalising the agreement and subsequent issue of planning permission. It is this process, which has often caused major applications not to be determined in 13 weeks.

Working practices to help these problems have been identified. They include pre-application meetings with all parties involved,

active monitoring of applications at critical stages, the use of standard wording and levels of contributions being known in advance by both applicants and case officers.

In respect of these working practices steps have been taken to actively monitor major applications and speed up the process of drawing up section 106 agreements.

A service level agreement with the in-house legal team to process section 106 agreements to the planning timetable is in development and standard wording is used where appropriate.

A further difficulty with section 106 agreements has arisen where applicants and their legal advisors have been unable to coordinate timely completion of a section 106 agreement. To address this issue applicants are advised that applications will now be refused if the legal agreement is not completed on time without adequate explanation. It is anticipated that this will send a clear message to applicants that the national BV targets need to be owned by both the Council and its customers.

Action:

Written procedures for the handling of section 106 agreements will be developed and included in our new procedures manual.

Major applications will be monitored at critical stages to address any issue relating to section 106 agreements.

An SLA with Legal Services to process section 106 agreements to the planning timetable will be agreed.

Applications will be refused if the applicant is unable to coordinate completion of the section 106 agreement on time without explanation.

Procedures Manual

The procedures manual is required to ensure that all procedures (both manual and electronic) carried out within the section are clear and consistent. The manual will be drawn together from a combination of existing procedure notes, revisions to some of these and the development of new ones. As procedures are changed or amended to align with changes in circumstances / legislation / case law the manual will be updated.

The Manual will be used in the training/induction of new staff and as a reminder/refresher for existing staff of existing procedures to be used in all aspects of the

Development Control Section's work. This should avoid any unnecessary delays through staff trying to determine what approach has been taken to issues / procedures in the past and thereby contribute to a more efficient and effective means of working.

In addition, the Manual will facilitate the development of the proposed process maps and workflow element of the proposed Document Management System (DMS). The DMS will allow all staff to view the procedures manual electronically as they complete various tasks assigned to them in each element of the workflow system.

Process Mapping

The Development Control Section initiated a process mapping exercise with ICT in February 2006. This exercise identified delays and bottlenecks within existing processes. Amended electronic process maps are currently being developed taking into account other authorities' initiatives in relation to best practice and issues raised in the ICT report. The electronic process mapping will be incorporated into the Document Management Workflow system (DMS).

Investigation of best practice in other authorities with DMS in place has been undertaken. A shortlist of companies with submitted tenders

for the provision of DMS for Development Control have been interviewed. One criterion in the tender specification was for software to include the ability to process map from pre-application to discharge of planning conditions. A decision with regard to the successful tender is imminent and the implementation is programmed for March 2007.

The Document Management Workflow system will allow for better and more accurate tracking of workflow and for the automation of tasks allowing parallel workstreams to be carried out this will help to speed up the application process.

Action:

Continue to develop electronic process maps in line with the Council's policies and procedures.

Implement a process based Workflow through the chosen Document Management System.

Enforcement

A review of the whole enforcement process, to align with requirements of the enforcement module contained within PARSOL, is underway.

A review of the workload of enforcement officers is to be undertaken, in response to comments from the consultants that the caseloads per officer were unsustainable.

Monitoring and review

Key to the success in improving and then sustaining performance of the service is the systematic monitoring and reviewing of the performance improvement plan and performance against the key targets. This will happen at a number of levels, within the service, at directorate and corporate level and also external. These mechanisms will ensure the necessary attention to service improvement is maintained and revisions and directions can be given as appropriate to ensure service improvement is sustained.

Monitoring and review mechanisms will include:

Internal

- Development control service weekly meetings
- Development Control Management Team - monthly
- Development and Regeneration DMT – quarterly

Members

- Cabinet Corporate Performance Report - quarterly
- Planning and Highways Committee - quarterly
- Policy and Co-ordination Review Committee -quarterly
- Environmental and Planning Review Committee- six monthly/annually

Corporate

- Corporate Performance Report- Quarterly
- EMT Performance Clinic- Quarterly
- Annual performance Report- Annual

Appendix A – Trajectory