

REPORT TO: DEVELOPMENT QUALITY COMMITTEE - 21 JUNE 2010

REPORT ON: PERFORMANCE INDICATORS FOR DEVELOPMENT MANAGEMENT 2009/2010

REPORT BY: DIRECTOR OF CITY DEVELOPMENT

REPORT NO: 330-2010

1 PURPOSE OF REPORT

- 1.1 The report outlines aspects of Development Management performance for the year 2009/2010 in relation to Scottish Government targets and Key Performance Indicators from the City Development Department's Service Plan (the Planning and Transportation Service Plan 2007-2011).

2 RECOMMENDATION

- 2.1 It is recommended that the Committee:
- a notes that although there has been a deterioration in performance relating to the determination of planning applications compared with 2008/09, that this relates directly to the reduction in the number of case officers dealing with these applications and to a lesser extent to the extensive changes introduced on 3 August 2009 with the Planning Etc (Scotland) Act 2006;
 - b notes that measures have been put in place to address this deterioration in performance to achieve the targets set in the current service plan and those proposed for the new service plan;
 - c notes the achievement of targets relating to the determination of applications for Road Construction Consent;
 - d notes the significant drop in the number of planning appeals and that an increasing proportion of appeals are being dismissed;
 - e notes a drop in activity relating to planning enforcement and tree protection work;
 - f reaffirms the approach to quality of planning decision making as its predominant requirement while at the same time seeking the adoption of any measures which will increase the speed of decisions whilst otherwise further improving the standard of service to customers and the service; and
 - g acknowledges the major challenge which the Development Management service faces in achieving satisfactory levels of performance in the face of the issues raised in this report and in particular the complexity of the development management process as introduced by the Planning Etc (Scotland) Act 2006.

3 FINANCIAL IMPLICATIONS

- 3.1 There are no financial implications associated with this report.

4 BACKGROUND

- 4.1 Reference is made to the Minutes of the Development Quality Committee of 29 June 2009 (Reports 344, 349 and 350-2009 refer). Those reports contained aspects of Development Management Service performance for the years 2004/2005 to 2008/2009.
- 4.2 This report outlines performance trends in relation to key performance targets drawing on returns made to the Scottish Government. A major overhaul of the Scottish Planning system was introduced in August 2009 and as a result of this some of the previously operated performance indicators are no longer relevant given that: (a) there is now a four month determination period for major applications which can be extended if a Processing Agreement is concluded with the applicants and (b) there is no longer an appeal to the Scottish Government Directorate for Planning and Environmental Appeals for most applications decided under delegated powers (there is instead a right to a review by the Local Review Body). The modernising agenda is likely to mean that a crude statistical method of assessing development management performance as at present is not sustainable in the future.
- 4.3 Dundee City Council's Plan for 2010-2012 was approved at a meeting of the Policy and Resources Committee on Monday 24 May 2010. A new Planning Division Development Plan 2010-2012 is currently being prepared to set out how the Planning Division will meet the aims of the Council Plan and this will replace the Planning and Transportation Service Plan 2007-2011.
- 4.4 The Planning Division Development Plan 2010-2012 will contain new performance indicators for the Development Management function of the Department reflecting the aspirations of the Council Plan and the changes to the Planning system introduced in August 2009.

5 COMMENTARY ON PERFORMANCE AND TRENDS

- 5.1 Appendices 1-4 tabulate performance trends against the various relevant key indicators during 2009/2010 in comparison with previous years.
- 5.2 The main issues which may be drawn from the performance trends are as follows:
- a Caseloads of Applications Received and Case Load per Officer

There has been a further drop in the numbers of applications received (the high point for applications received was 2006/2007), although the level of decrease from 2008/2009 to 2009/2010 was 11%, which was just half the decrease experienced in 2008/2009.

However, the case load per officer increased by 16% in that time period (up from 119 to 138 applications). This is as a result of the secondment of a member of the Development Management Team to deal with matters relating to the Planning etc (Scotland) Act 2006 and the loss of a member of the team on maternity leave. Although performance levels have disimproved since 2008/2009 they are significantly better than those for 2007/2008.

To address the drop in performance a number of straightforward householder applications have been assigned to support staff directly supervised by Planning

Officers. The practice of using support staff to deal with this type of application is employed by other Councils and has resulted in a considerable improvement in performance.

b E-planning and Electronic Document Management

Since January 2004 a structured programme of work in pursuit of on line development quality functions has been implemented. Familiarisation, training and the adjustment of back office systems delivering electronic document management has been a continuing commitment this year, taking advantage of resources released by the drop in numbers of applications received. The ability for applicants to make on-line planning applications has been in place since April 2009.

c Road Construction Consents

Appendix 2 outlines recent performance together with influencing factors. The Service Plan target has been met.

d Planning Appeals

It will be noted from Appendix 3 that the number of appeals determined was less than half that of the previous year, with an increasing number of appeals being dismissed. From August 2009 the appeal route for most applications will now be the Local Review Body but only three review cases were lodged prior to 31 March 2010 and none had been determined in that period.

e Enforcement Activity

There has been a decrease in the number of enquiries received but an increase in the number of Planning Contravention Notices served. The drop in enquiries reflects the downturn in the economy and the fact that fewer developments are progressing on site.

f Implications of the Environmental Agenda

Increasingly, the Department is finding that a wide range of environmental issues are becoming significant material considerations in the planning process (eg contaminated land, air quality, noise, waste management) and in the future certain categories of application may have to be assessed in respect of their carbon emissions. These requirements have placed an additional strain on the Development Management service and the expert support given to it by the Environmental Health and Trading Standards Department in particular. These pressures on applicants, agents and the Council are likely to intensify.

6 POLICY IMPLICATIONS

- 6.1 This Report has been screened for any policy implications in respect of Sustainability, Strategic Environmental Assessment, Anti-Poverty, Equality Impact Assessment and Risk Management. There are no major issues.

7 CONCLUSION

- 7.1 Although there has been a deterioration in performance relating to the determination of planning applications compared with 2008/09, this relates directly to the reduction in the number of case officers dealing with these applications and to a lesser extent to the extensive changes introduced on 3 August 2009 with the Planning Etc (Scotland) Act 2006.

8 CONSULTATIONS

- 8.1 The Chief Executive, Depute Chief Executive (Support Services), Director of Finance and Assistant Chief Executive have been consulted and are in agreement with the contents of this report.

9 BACKGROUND PAPERS

- 9.1 Performance Indicator Returns to the Scottish Government.
- 9.2 Planning and Transportation Department Service Plan 2007-2011.
- 9.3 Scottish Planning Policy 2010.
- 9.4 Report of the Targets Working Group - Scottish Executive Development Department October 1999.
- 9.5 Resources for Planning - Ove Arup and Partners 2005 (paragraph 7.29).
- 9.6 The Planning Etc (Scotland) Act 2006.
- 9.7 Recent Scottish Government Consultation Papers and Secondary Legislation relating to development management processes and procedures.

Mike Galloway
Director of City Development

Ian Mudie
Head of Planning

IGSM/CW/MM

7 June 2010

Dundee City Council
Tayside House
Dundee

APPENDIX 1**COMPARATIVE DEVELOPMENT QUALITY PERFORMANCE 2005/2006 - 2009/2010**

Performance Indicator	2005/2006	2006/2007	2007/2008	2008/2009	2009/2010
% Householder applications determined <2 months SE Target: 90% Service Plan Target: 80%	85.75%	80.0%	75.0%	83.6%	77.0%
% all applications determined <2 months SE Target: 80% Service Plan Target: 60%	62.0%	59.0%	56.0%	62.3%	59.2%
% Householder applications determined <3 months SE Target: 95% Service Plan Target: 95%	95.8%	93.7%	89.6%	96.1%	95.9%
% All applications determined <3 months SE Target: 85% Service Plan Target: 80%	79.4%	79.2%	74.1%	79.7%	82.8%
Applications Received	975 (+0.6%)	1,132 (+16.1%)	986 (-12.9%)	775 (-21%)	688 (-11%)
Applications Determined	902 (-1.8%)	948 (+5.0%)	968 (+2.1%)	735 (-24%)	644 (-12%)
Applications Received per Case Officer per annum (5 case officers down from 6.5 in 2008/2009)*	163	184 (+12.9%)	140 (-24%)	119 (-15%)	138 (+16%)
Service Plan Performance Measure % of road construction consent applications determined in 8 weeks Target: 70%	76.0%	66.7%	62.5%	87%	91%

Source: Scottish Government Statistical Returns

*A report by Ove Arup & Partners for the Scottish Executive indicated that the estimated Scottish average of 143 applications received per case officer.

APPENDIX 2**ROAD CONSTRUCTION CONSENT PERFORMANCE INDICATORS**

Year	Total No of RCC Applications	Average Processing Time (weeks)	% of applications processed in 8 weeks	% of applications processed in 12 weeks
2005/2006	13	7	76.0%	93.0%
2006/2007	27	7	66.7%	92.5%
2007/2008	16	7	62.5%	93.8%
2008/2009	15	5	87.0%	100.0%
2009/2010	11	7	91.0%	91.0%

The Service Plan Performance target for the processing of Road Construction Consent (RCC) applications is to have 70% processed within eight weeks.

The above figures indicate that the target figure of 70% of applications considered within eight weeks has been met. This process has been helped by the fact that it is no longer necessary for RCC applications to be referred to the City Development Committee prior to determination.

One of the RCC applications was very complex and involved a new bridge and took a considerable period of time to determine. If this application had been excluded from the table above the average time to process the other 10 applications was only four weeks.

APPENDIX 3**APPEAL STATISTICS**

Key Performance Results	Baseline	Target or Direction	2005/2006	2006/2007	2007/2008	2008/2009	2009/2010
Number of appeals determined	25	25	26	23	40	45	22
% appeals dismissed as % of all applications decided	1.8%	1.8%	0.7%	0.9	2.1%	4.2%	2.5%
% dismissed as % of all appeals determined	40%	70%	26.9%	40.9%	52.5%	68.9%	72.7%

APPENDIX 4**ENFORCEMENT ACTIVITY**

Appeals	2005/2006	2006/2007	2007/2008	2008/2009	2009/2010
Enforcement Enquiries Received	380*	400* (est)	460* (est)	420* (est)	300* (est)
Planning Contravention Notices Served	30	32	20	24	33
Breach of Condition Notices Served	0	0	0	0	0
Enforcement Notices Served	24	66**	20	7	0
Stop Notices Served	4	0	0	0	0
Amenity (Wasteland) Notices Served	0	0	0	7	3
Direct Action Undertaken	0	0	0	0	0
Advertisement Enforcement Notices	0	4	2	3	0
Listed Building Enforcement Notices	0	66**	1	10	0
Enforcement and Amenity Notice Appeals	3 (3)	2 (1)	5	3 (3)	0
Enforcement and Amenity Notice Appeals Outstanding	4	0	1	2	0
Removal/Obliteration of Placards/Posters	N/A	N/A	N/A	12	9
Tree Replacement Notice Served	1	0	0	0	0

* Total number of enforcement enquiries received, considered and investigated. Includes telephone enquiries, correspondence, and more formal complaints which are recorded on departmental databases.

** 56 in respect of Whitehall Crescent