

CABINET REVIEW OF DEVELOPMENT SERVICES (2009) - EVALUATION

Council – 16^h December 2010

Report of the: Kristen Paterson

Deputy Chief Executive and Director of Community and Planning.

Also considered by:

Cabinet – 28 October 2010

Status: For Decision.

Key Decision: No

Executive Summary: This report provides an evaluation of the Development Services Review (2009) (DSR). The evaluation was carried out in the period from June to September 2010.

The report analyses progress made against specific actions that were agreed in July 2009. It uses the agreed evaluation framework to assess the outcome of the DSR. A summary of various comments made by Stakeholders about the DSR and the proposed response to them is included.

Some recommendations for further actions are made. In particular, the notice to be given by District Councillors who wish to speak at the Development Control Committee is relaxed; the Chairman's discretion to accept speakers is extended and the definition of Local member is clarified (Appendix J). Overall, the conclusion of the evaluation is that the outcomes of the DSR have succeeded in achieving the Review's objectives and further substantial changes to Planning Procedures are not required at this time.

This report supports the Key Aim of a Green Environment, protecting the District's open space and built environment and also the Corporate priority to deliver the budget and sound resource management.

Portfolio Holder Cllr. Williamson

Head of Service Head of Development Services – Jim Kehoe.

Recommendations to Cabinet : It be RESOLVED that:

(a) the updated Action Plan at Appendix A be approved;

(b) that the Council be recommended to amend the Constitution as set out in

Appendix J to this report; and

- (c) that the Portfolio Holder with responsibility for Development Services, with officers support, review Appendix N, and report to Cabinet in July 2011.
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Reason for recommendation: The evaluation of the DSR demonstrated that overall the Review had been successful in achieving its outcomes.

Introduction

- 1 The DSR finished in mid 2009, with the approval of recommended changes to the operation of Development Services by Cabinet in June 2009 and by Council on 21st July 2009. It is around 12 months after these changes were introduced and this is a suitable time to evaluate their success.
- 2 The Evaluation exercise took place between June and September 2010. This included analysis of specific performance targets and actions.

Background

- 3 The DSR produced a wide-ranging set of improvements for the service. The wide scope of these improvements is indicated by Table One.
- 4 Each of the following topics were addressed during the DSR by a Cabinet Member with the assistance of a Senior Officer of the Council.

Table One – DSR		Cabinet Member and Officer Roles	
	Topic	Cabinet Member(s)	Officer(s)
1.	Member/Officer Relationships	Cllr Fleming	Jim Kehoe
2.	Delegations	Cllr Mrs Davison	Aaron Hill
3.	Development Control Committee	Cllr Mrs Hunter and Cllr Williamson	Richard Morris
4.	Planning Appeals	Cllr Mrs Clark, Cllr Loney and Cllr Mrs Bosley	Lesley Westphal
5.	Recruitment	Cllr Ramsay	Evelyn Gilder and Carrie Lloyd
6.	Use of Consultants	Cllr Mrs Bracken	Alison Salter

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- 5 Specific recommendations for action were approved under each of the above six topics. These lend themselves to monitoring of progress and the current situation is set out at Appendix A. This was updated during the evaluation.

Evaluation Criteria

- 6 Specific performance targets were identified for 2010/2011 onwards. These are set out below, together with recent performance figures.

Table Two – DSR							
Planning Application Performance – Time Taken							
National Indicator		06/07	07/08	08/09	09/10	10/11 (to 13/10/10)	Target: National Top Quartile (2009)
NI 157 (13 weekly)	A	55	65	67	86	95	81
NI 157 (8 weeks)	B	66	73	70	82	84	83
NI 157 (8 weeks)	C	82	83	82	91	93	92

- 7 (Notes:- NI157 (A) comprises Major Planning Applications. These are defined nationally as those where 10 or more residential units are to be constructed, (or if the number is not given, the site area is more than 0.5 hectares), and for all other uses where the floor space proposed is 1000 square metres or more, (or the site area is 1 hectare or more). NI157 (B) comprises Minor Planning Applications; 'Minor' applications are those developments which do not meet the criteria for 'Major' developments nor the definitions of Change of Use or Householder Development, for example 1-9 residential units. NI157(C) comprises Other Planning Applications. These relate to those for Change of Use, Householder Developments, Advertisements, Listed Building Consents, Conservation Area Consents and various applications for Certificates of Lawfulness.)
- 8 At the time the DSR was initiated NI performance was in the bottom quartile. As a result of the DSR, performance has met or exceeded its target on all indicators. The performance for 2009/2010 and 2010/11 is at a much higher level than 2008/09. The most marked improvement is with NI157 (A), the Major applications. 86% to 95% of these are determined within the target time period, this is particularly important due to the large scale of investment associated with these applications. Overall, this means that while there are still some areas to be addressed, as shown in the Action Plan for 2009/11 (Appendix A), performance has improved significantly with far more customers receiving a timely service and far fewer applications 'pending' determination.

Evaluation – Those Consulted or Involved

9 These groups or individuals were consulted or involved through meetings and presentations:-

- Customers – by Customer Survey;
- Local Councils – by presentation;
- Planning Consultants and Architects – by presentation;
- Councillors on Development Control Committee – by meeting;
- Environment Select Committee – as part of the Council’s normal processes;
- Staff – by meeting.

This is in addition to informal contacts with Councillors and Officers.

Analysis of Responses

10 The responses made are summarised in the Appendices to this report.

Development Control Committee (DCC) (Appendix B) and Other Member Comments Appendix H

11 Members of the Committee are the most directly involved in those changes made to the procedures of DCC. Their views and the proposed response to the DCC Members are shown at Appendix B. Other Member comments are set out at Appendix H. It is proposed to introduce greater flexibility for Local Members who wish to address the Committee.

Environment Select Committee (ESC) (Appendix C)

12 The views of the ESC and the proposed response is set out at Appendix C.

Local Councils (Appendix D)

13 Local Councils gave their views at a meeting on 25th August 2010.

14 The main proposed response to the Local Councils is targeted at the pre-application stage of major applications, and in particular S106 planning obligations. It is intended that new guidance on this matter be prepared, giving greater emphasis to the involvement of Local Councils at the pre-application stage.

15 Other actions are proposed that fall outside the main scope of the DSR, so as to address concerns raised.

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Customer Survey (Appendix E)

- 16 The overall response from the Customer Survey is positive. It reinforces the need to maintain a speedy turnaround of applications.

Planning Agents (Appendix F)

- 17 The Planning Agents generally welcome the changes made by the DSR, in particular:- improved access to the Planning Officers; the running of the D.C. Committee and the website. They seek further improvements that can be addressed outside the DSR.

Officers (Appendix G)

- 18 Officers views are also favourable. Specific reference is made to Member – Officer relations, the working of the D.C. Committee and performance and customer service improvements.

Evaluation Criteria (Appendix I)

- 19 The overall review against Evaluation Criteria suggests that the trend of improvements will be sustained.

Constitution (Appendix J)

- 20 Proposed changes are shown at Appendix J. These need to be agreed by Full Council.

Key Implications

Financial

- 21 Under the DSR arrangements, Development Services have operated within the approved budget in 2009/2010 and that trend continues into 2010/2011. Considerable reductions in expenditure have been made in areas such as consulting costs by training staff and carrying out work “in-house”. In addition, full staffing and the stability of the workforce has decreased recruitment and agency costs.

Community Impact and Outcomes

- 22 No implications at this stage.

Legal, Human Rights etc.

- 23 No implications at this stage. The June/July 2009 Legal advice on Site Inspections has not changed.

Resource (non-financial)

24 No implications at this stage.

Value For Money and Asset Management

25 No implications at this stage.

Equality Impacts

26 None at this stage.

Sustainability Checklist

27 No implications at this stage.

Conclusions

28 The report analyses progress made against specific actions that were agreed in July 2009. It uses the agreed evaluation framework to assess change. A summary of various comments made and the proposed response to them is included.

29 Some recommendations for further actions are made. In particular, the notice to be given by District Councillors who wish to speak at Committee is relaxed. Overall the conclusion is that the outcome of the Review is a success and we should not seek substantial further changes to Planning Procedures at this time.

Risk Assessment Statement

30 By carrying out an evaluation of changes in the processes, we have reduced risk arising from any unexpected impact of the changes.

Background Papers: Council Report

Contact Officer(s): Jim Kehoe Ext. No. 7196.

Kristen Paterson

Deputy Chief Executive and Director of Community and Planning Services

DSR Evaluation – October 2010

List of Appendices

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| Appendix A | Action Plans as approved in July 2009, updated to September 2010 to show progress. |
| Appendix B | Feedback details from Development Control Committee. (August 2010). |
| Appendix C | Matters Raised by Environment Select Committee together with a proposed response. |
| Appendix D | Summary of matters raised by Local Councils, (August 2010), with a proposed response. |
| Appendix E | Summary of matters raised by Customer Survey. (April – September 2010). |
| Appendix F | Feedback details from Planning Consultants, Architects and Designers (September 2010). |

Appendix G Feedback details from Staff (September 2010).

Appendix H Comments from Members to Cllr J Davison

Appendix I Completed Evaluation Framework.

Appendix J Proposed changes to Constitution