

<b>BLAENAU GWENT COUNTY BOROUGH COUNCIL</b>	
<b>Report to:</b>	Chair & Members of Planning Committee
<b>Report Subject:</b>	Development Management Quarterly Performance Information
<b>Report Author:</b>	Service Manager Development & Estates
<b>Directorate:</b>	Regeneration and Community Services
<b>Date of Meeting:</b>	June 2023
<b>Key Words:</b>	Performance Management Speed and quality of decision making Welsh Government Performance Monitoring

## **1.0 Background**

- 1.1 Every local planning authority in Wales collates performance information regarding the speed and quality of decision making on all types of planning and related applications. This is submitted to Welsh Government on a quarterly basis.
- 1.2 Welsh Government publishes this data on its website. It is a useful source of comparative information where the Council can not only scrutinise its own performance, but benchmark the data against the 25 other Local Planning authorities (22 unitary authorities and 3 National Parks)
- 1.3 It is usual practise to present a quarterly performance report to Planning Committee to update Members on the most recent performance. This usually contains the performance league tables. However, Welsh Government has not published any data for over a year. The latest data WG has published was on 24<sup>th</sup> March 2022 and related to Q3 October to December 2021. [LINK to Data](#)
- 1.4 This Q3 data for October to December 2021 was reported to Planning Committee on 28<sup>th</sup> July 2022. [Link to report](#) (item 10 page 99). I will not repeat that data here but for Members convenience the headline findings were as follows:

- 1.5
- i. We decided **84%** of applications “in time”. This compared to an all-Wales average of 79% and placed us in 10<sup>th</sup> position of the 25 authorities ranked in order.
  - ii. On average, it took **88** days to decide each application against an all-Wales average of 108 days. This placed us in 11<sup>th</sup> position.
  - iii. **80%** of applications in this quarter decided by Planning Committee were contrary to officer recommendation. The Wales average was 8%. We were 24<sup>th</sup> in the table with just one other Welsh Council performing worse.
- 1.6 This report now picks up the data where this previous report ended i.e. Q4 21-22, Q1 22-23, Q2 22-23 and Q3 22-23. The following data therefore covers the dates January 2022 to December 2022.
- 1.7 It is only possible to examine our performance return in isolation. Where possible, I will refer to historical trends to put the data into context given the absence of all Wales data.

## 2.0 Content of the Report

- 2.1 This report will examine the usual three indicators:
- 2.2 Applications determined in time - the speed of determining all applications “on time”. This is defined as within the 8-week target period or longer time that may be agreed with the applicant/agent.
- 2.3 Average Time – the average time (in days) taken to determine all applications.
- 2.4 Quality of decision making – decisions taken by Planning Committee that are contrary to the recommendation of its officers.

## 3.0 Performance Information

### 3.1 Applications Decided in Time

3.2

Period	BGCBC % decided in Time	Wales Average
Q3 – Oct to Dec 2021	84%	79%
Q4 – Jan to March 2022	93%	--
Q1 – Apr to June 2022	99%	--
Q2 – July to Sept 2022	93%	--
Q3 – Oct to Dec 2022	95%	--

- 3.3 Commentary: The post covid period has seen a steady and consistent improvement in performance. Whilst it is not possible to benchmark this data across other Authorities, the returns are all 90%+ which is where we would expect to be given historical data.

3.4 This indicator is directly linked to the next one which is average number of days taken to decide each application. If we can reduce the average time, it will reflect positively on this indicator also.

### 3.5 **Average Time to Decide Each Application**

Period	BGCBC Average No of Days	Wales Average
Q3 – Oct to Dec 2021	88 days	108
Q4 – Jan to March 2022	69 days	--
Q1 – Apr to June 2022	82 days	--
Q2 – July to Sept 2022	70 days	--
Q3 – Oct to Dec 2022	73 days	--

3.6 **Commentary:** The data for the period October to December 2021 was skewed due to staff being seconded to other duties. As we emerged from Covid, the backlog of work was beginning to be addressed. Since that time, performance has improved.

3.7 An examination of pre-Covid performance shows that in terms of average number of days, we regularly returned between 60-70 days and the Team are striving to return to this range of performance.

3.8 One note of caution; the service is currently in the process of procuring new back-office software. This will improve the service in terms of web presence (online publication of planning applications for example) and reducing the bureaucratic processes at the front end i.e. registration/validation and consultation processes.

3.9 However, this requires significant impact of resources to “cleanse” all of our data. This is to allow for all our historical records back to 1974 to be migrated to the new system. One planning officer is now seconded full time to these duties. We are again procuring external support via a planning consultancy to compensate for this loss of capacity, but this will inevitably impact performance until the exercise is complete.

### 3.10 **Decisions by Planning Committee Contrary to Recommendation**

Period	% of decisions by Plan Comm contrary to Officer Rec.	Wales Average
Q3 – Oct to Dec 2021	80%	13%
Q4 – Jan to March 2022	43%	--
Q1 – Apr to June 2022	17%	--
Q2 – July to Sept 2022	17%	--
Q3 – Oct to Dec 2022	0%	--

3.11 **Commentary:** Members may be aware that this is an indicator that has long been a cause for concern. The fact that Planning Committee takes a different view to officers is not in itself an issue. Provided that any decision is based upon material planning considerations and these are fully recorded, then this demonstrates due process has been followed.

- 3.12 However, the sheer volume of “overturns”, coupled with a relatively poor appeal record in recent years which has resulted in a number of costs awards for what the Inspector has recorded as “unreasonable behaviour” amounted to concern both within the Council and externally with Wales Audit Office. Not only were we consistently below the Welsh average, but we were also in the bottom two performing authorities in many quarters.
- 3.13 The trend leading up the period up to March 2021 resulted in a trend of 25%, 33%, 40% and then 80%. However, since that time, the indicator has steadily improved.
- 3.14 The two returns of 17% in the table above were as a result of 1 decision from a total of 6 decisions by Planning Committee in each quarter respectively.

#### **4.0 Evaluation of Performance and Conclusions**

- 4.1 Given the issues faced by the service over the period in question, the performance returns are acceptable. I am confident that as the service returns to a semblance of normality, the percentage of applications determined in time and average number of days will stabilise and once the work on the software migration is complete, we should start showing improvement.
- 4.2 In conjunction with the software migration, we are also reviewing key internal policies and all correspondence. This will require an investment of time, but it is timely and necessary.
- 4.3 A key task is to review the scheme of delegation. There are two reasons to do this now. Firstly, it is some time since the last review and legislative changes in the meantime require the existing scheme to be updated. Secondly, it is necessary in the interest of efficient decision making as recently highlighted by Wales Audit Office. Their final report will be reported to Planning Committee when it is published.
- 4.4 In reviewing documents, the Enforcement Policy will also be reviewed. Performance indicators for this service area are more prone to fluctuation than planning applications. With only two enforcement officers and each case unique, it is common for even some relatively simple cases to take months (or longer).
- 4.5 We are still carrying a backlog of cases from Covid. Whilst the planning application process continued as best we could during lockdown, both enforcement officers were seconded to other emergency duties associated with the pandemic. Until we clear these cases, performance will continue to suffer. However, we will take the opportunity during the review the policy, examine the service and set new meaningful targets.
- 4.6 Finally, it is pleasing to note the decisions taken by Planning Committee contrary to officer recommendation has shown improvement over the 12-month period.

#### **5.0 Recommendation**

- 5.1 No decision is required. Planning Committee is invited to scrutinise the performance returns and officers will address any issues or questions at the meeting.

