

**Performance  
Improvement Scrutiny  
Committee**



Date	27 <sup>th</sup> February 2008
Venue	Kirkham Council Chamber, Kirkham
Committee members	Christine Akeroyd (Acting Chairman) Linda Nulty, Kathleen Harper, Ken Hopwood, Craig Halewood, Cheryl Little,
Other Councillors	Fabian Craig-Wilson, Peter Hardy, Roger Small
Officers	Paul Walker, Mark Evans, Carolyn Whewell

Prior to the start of the meeting, Councillor Linda Nulty was nominated to act as Vice-Chair for the duration of this meeting.

1. Declarations of interest

Members were reminded that any personal/prejudicial interests should be declared as required by the Council's Code of Conduct adopted in accordance with the Local Government Act 2000.

2. Confirmation of minutes

RESOLVED: To approve the minutes of the Performance Improvement Scrutiny Committee meeting held on 24<sup>th</sup> January 2008 as a correct record for signature by the chairman.

3. Substitute members

The following substitutions were reported under council procedure rule 22.3:

Councillor Fabian Craig-Wilson for Councillor Keith Hyde  
Councillor Peter Hardy for Councillor David Chedd

4. Development Control Performance Improvement

Paul Walker (Executive Manager, Strategic Planning and Development) and Mark Evans (Head of Development Control) presented a report detailing a report from the Planning Advisory Service setting out the current performance of the Development Control Service and recommendations for improvement. The report also detailed a breakdown of BVPI 205, 'The quality of planning service checklist' in response to a recommendation from the committee in November 2007.

Mr Evans reported that the Quality of planning service checklist (BVPI 205) performance currently stood at 77.7% (the higher the figure the better). The full checklist was appended to the report and it was noted that the Council would receive extra points for having a dedicated full time Conservation Officer, and this would result in a revised score of 94.4%. Members were advised that this particular PI will no longer be required to be recorded from April 2008.

Mr Walker advised members that the Planning Advisory Service (PAS) were invited to make recommendations to improve the development control service following the low performance in the speed of planning application determinations during 2006/07, which occurred as a result of the difficulties in recruiting replacement DC staff. Since these vacancies were filled, performance has significantly improved although it is still below targets set. This has been largely attributed to the increasing numbers and complexity of planning applications received by Fylde Borough Council.

Members sought clarification on whether it was likely performance would improve by the end of year report. Mr Evans advised members that the end of year figures were unlikely to improve as Fylde had received an unusually large number of planning applications in recent weeks. Mr Evans also advised that the overall number of planning applications was likely to increase in the next financial year as Housing policies became more permissive and with a lower requirement for affordable housing.

A number of issues were noted which had also affected the performance of the service in the last year. In 2007 (calendar year) the service received 1,314 planning applications, this was the highest number of applications received in one year at Fylde. During 2007 there was an average of 6 full time equivalent officers (FTE's) to deal with this workload, which worked out at 219 applications per officer. Based on an industry benchmark of 150 applications per officer/year the service should have 8.76 case officers to deal with this workload which amounted to Fylde needing an additional 2.76 FTE officers. In addition to this, members were also advised that there were two vacant posts for Conservation Officer and Enforcement Officer which did not include the recent Scrutiny recommendation for an additional Enforcement Officer. Mr Walker advised that he had just received approval to fill the vacant Enforcement Officer post.

Mr Walker further reported that the cost of the DC service per head of population in Fylde was extremely low in comparison with other authorities. In 2006, Fylde spent £7.42 per head whilst the highest cost authority South Cambridgeshire DC spent £34.63 per head placing Fylde 18<sup>th</sup> from bottom nationally. In Lancashire, Chorley was the highest at £17.53 per head and only Lancaster at £6.24 was lower than Fylde. Members questioned why there was such a big gap in spending between authorities. They were advised that this is largely a decision made by individual Councils to invest more funds to provide a quality service. Fylde currently achieves good value for money however; it is unlikely the service could improve significantly without additional resources.

Mr Evans reported that the percentage of appeals allowed against the Council's decision to refuse planning applications is considered to be a measure of the quality of decisions made by the DC committee. The all England top quartile currently stood at 24% (the lower the figure the better); average at 30.1% and bottom quartile at 37%. Fylde's performance as reported in the Corporate Plan in 2005/06 was 56% and in 2006/07 38.9%. Mr Evans further reported that where appeals had been made against officer recommendations, Fylde was in line with the national average. The figure is made higher where DC committee have overturned officer recommendations. Members sought clarification on what could be done to improve this figure. It was noted that reporting back

to the DC committee with a detailed analysis of the trends of appeals on a six monthly basis would help Dc members to review why a decision was overturned.

Members were advised that BVPI 111, the user satisfaction survey was measured via a perception survey carried out every three years to measure satisfaction with the handling of planning applications. When the survey was last carried in 2006, satisfaction with the planning service had decreased to 52% from 79% in 2003. This is a fall from almost top quartile to bottom quartile. The Performance Improvement Scrutiny Committee approved an interim survey to be carried out in accordance with the guidance from the Audit Commission to show whether satisfaction had increased. Mr Walker advised that the Best Value User Satisfaction Survey was being replaced by the new 'Place Survey' and would require staff resources to carry out and analyse the survey. Members agreed with the officer recommendation that an interim survey would be an ineffective use of resources at this time.

Members questioned whether Fylde had discretion to increase charges for planning applications to raise additional funds and whether the current charges covered the cost of the service. Mr Evans advised that fees were set nationally with no discretion for local authorities to amend these fees. The funds raised from planning application fees did not cover the cost of the development control service. Mr Evans also advised that the maximum threshold for planning application fees would be increased significantly from 1<sup>st</sup> April 2008 from £25k up to £125k for outline applications and from £50k upto £250k for a full application. This would raise additional funds for Fylde however, the estimated increase had already been included as extra income in the Council budget for the next financial year. Members advised that any additional funds above the budgeted amount should be invested back into Development Control for service improvement and this should happen from 1<sup>st</sup> March 2008.

Members questioned whether there was any scope for charging for pre planning application consultancy advice. Mr Evans advised that local authorities did have discretion to charge for advice and that no such arrangement was currently in place at Fylde. This was common practice in many local authorities in Southern England and would be rolled out at Wyre Borough Council from April 1<sup>st</sup> 2008. Members advised that this was a good way for raising additional funds for the service and requested that Mr Evans report back to a future meeting of the Performance Improvement Scrutiny Committee with details of example charges from other authorities. It was also agreed that Fylde would monitor the implementation of Wyre Borough Council's policy and be prepared to roll this out in Fylde after a 6 month period.

Following the presentation, members discussed the individual recommendations as made by the Planning Advisory Service in their report. Officers advised that they had put together an action plan with comments from officers and this was appended to the report. Members made recommendations and these are appended to the minutes.

Following the discussion, it was RESOLVED to

1. Approve the recommendations as contained within the attached Action Plan.
2. To note that an interim planning user satisfaction survey is not an appropriate use of resources at this time and agree that it not be carried out.
3. To note the breakdown of the calculation of BVPI 205 "The quality of the planning service checklist"

<b>APPENDIX 3 - PAS Recommendations</b>	<b>Officer observations/comments</b>	<b>Scrutiny Committee Member's comments</b>
<p>1. Assist with the preparation of an improvement strategy.</p>	<p>This action pulls together the whole plan and a Consultant funded by PAS will be assisting with this.</p>	<p><b>To approve this action</b></p>
<p>2. Review existing processes and systems in order to provide advice on appropriate re-engineering and establish a process/procedure/workflow for planning applications:</p> <ul style="list-style-type: none"> <li>• from initial contact to submission of an application</li> <li>• from submission of an application, validation and registration, through to decision-making and issuing the decision for major, minor and other applications</li> <li>• post decision activity including s106, appeals, compliance monitoring and enforcement.</li> </ul>	<p>This work has started using the initial assistance of a Consultant funded by PAS.</p>	<p><b>To approve this action</b></p>
<p>3. Arrange joint training for officers and Members (including the Portfolio holder, cabinet members and Development Control Committee members) on:</p> <ul style="list-style-type: none"> <li>• the modernised planning system</li> <li>• the cultural changes necessary to provide a quality planning service</li> <li>• the performance agenda and performance management</li> <li>• dealing with major applications</li> </ul>	<p>A training proposal funded by PAS has been accepted by the Member Development Group and is being delivered before the end of March 2008.</p>	<p><b>To approve this action</b></p>

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<ul style="list-style-type: none"> <li>the role of committees and their relationship with parish councils</li> </ul>		
<p>4. Facilitate one-to-one mentoring/capacity building for the Head of Development Control.</p>	<p>PAS are to provide some relevant local authority contacts.</p>	<p><b>To approve this action and note that Fylde Borough Council will arrange mentoring scheme.</b></p>
<p>5. Map and set up performance and project management systems to assist with the overall control and management of workloads and to project manage individual applications.</p>	<p>This may be provided by PAS later in the year.</p>	<p><b>To approve this action.</b></p>
<p>6. Provide published pre-application guidance, including validation guidance, and/or SPD on planning obligations.</p>	<p>This has been required for sometime and it is essential that capacity in the team be released to undertake this work.</p>	<p><b>To monitor Wyre Borough Councils implementation of their policy for charging for pre planning application consultancy advice for the period April to June 2008.</b></p> <p><b>If the implementation of Wyre's policy is successful, Fylde officers to explore options for adopting a similar policy for Fylde and be ready to roll this out by 1<sup>st</sup> October 2008.</b></p> <p><b>Officers to provide summary of charges for pre planning application advice made by other authorities to a future meeting of Performance improvement Scrutiny Committee.</b></p>

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		<p>To recommend that all additional funding raised from planning application fees and not already accounted for in the Council's budget should be ring fenced for reinvestment in the Development Control Service with immediate effect.</p>
<p>7. Review arrangements for the Development Control Committee, including time of day (e.g. late afternoon or evening), frequency of meetings and size of agendas (as a result of increased delegation), in order to make it more attractive to a wider range of members.</p>	<p>Meetings start at 9.30am and often last into the early afternoon and have an average of 12 items per agenda. The current frequency of meetings every three weeks is demanding on resources to service and administer.</p>	<p><b>The committee strongly recommends that DC meetings are based on a 4 weekly cycle with the approval of the Development Control Committee Chairman.</b></p>
<p>8. Consider the provision of additional development control staff or consultant support to:</p> <ul style="list-style-type: none"> <li>a) deal with the anticipated increase in major applications</li> <li>b) allow existing staff time to address performance improvement issues</li> <li>c) allow senior staff more time for mentoring and appraisal.</li> </ul>	<p>Budget growth bids were submitted for additional DC staff as part of consideration of the budget for 2008/09 funded from substantial increases in planning application fees.</p> <p>There are currently vacancies for the posts of Conservation Officer and Enforcement Officer.</p>	<p><b>See recommendation for Number 6.</b></p> <p><b>The committee recognises that in the absence of additional resources for development control, the Council risks the planning service not meeting performance indicator targets.</b></p>

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<p>9. Work with members to develop an improved scheme of delegation to officers and how to develop member trust in officers.</p>	<p>Delegation currently stands at about 86%, which is slightly below the target of 90%.</p>	<p><b>The committee recommends a Joint Task Group led by Performance Improvement SC and with input from Planning Policy SC and the Development Control Committee to develop an improved scheme of delegation to officers as soon as possible.</b></p> <p><b>To nominate Councillor Christine Akeroyd and Councillor Linda Nulty to lead the task and Finish Group.</b></p> <p><b>To recommend that the Scrutiny and Improvement Officer contact members of Planning Policy SC and Development Control Committee to request for representatives to sit on the Task and Finish group.</b></p>
<p>10. Investigate further opportunities for combining development control teams and/or sharing specialist services with adjoining authorities.</p>	<p>Officers have discussed with neighbouring authorities the scope for assistance at times of peak workload.</p>	<p><b>The committee recommends that officers should explore opportunities for joint working relationships with neighbouring authorities providing reciprocal benefits in regard to specialist areas of working.</b></p>
<p>11. Set up a training programme for parish councils to increase their understanding of their contribution to the planning process.</p>	<p>This should be dealt with at the same time if any changes are proposed to the delegations.</p>	<p><b>To approve this action and note that it is already in progress.</b></p>
<p>12. Analyse the reasons why the success at appeal is low.</p>	<p>Previous work by a member Task and Finish group looked at this.</p>	<p><b>To recommend that an analytical report on appeal rate success be made to Development Control Committee and</b></p>

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		Performance Improvement Scrutiny Committee on a six monthly basis with individual updates to be reported to Development Control Committee on an ongoing basis.
13. Prepare a procedures manual.	Covered under recommendation No. 2 on the earlier page.	To approve this action.



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