

**Quarterly Performance Report – Planning**

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**Report Period** Quarter 4 / Year End 2012/13

**Introduction**

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The report is produced on a quarterly basis and provided to Cabinet members for review and assurance and will be available for Overview and Scrutiny Committees as part of their Forward Work Programmes.

The report consists of an overview of the key messages to highlight across all work streams in Planning, which is followed by highlights from each service area. Parts 2 and 3 of the report include an assessment of performance in the quarter from the following sources:

- Improvement Plan Monitoring
- Strategic Assessment of Risks and Challenges
- Performance Indicators and Outcome Measures
- Improvement Target Action Plan Monitoring
- Key Actions from Service Plan Monitoring
- Internal and external regulatory reports
- Customer satisfaction and feedback
- Awards and accreditations
- Resource Management (HR, ICT, Finance, Assets)

# 1. Foreword

Report highlights for this year 2012/13 are the following items: -

<b>Highlights</b>	<p>The year has seen some recovery in the development sector within Flintshire which is timely given the recently adopted Unitary Development Plan which has provided an up to date context for decision making on planning applications.</p> <p>For the first time for a number of years the Service has captured data on customer satisfaction in relation to applicants for planning permission with surveys being undertaken in June and November. The results were very positive with 100% of respondents being satisfied, or very satisfied, with the service that they received. These surveys will continue twice per year with the results being reported to Planning Strategy Group.</p> <p>The Planning Service website was commended as one of the top five in the United Kingdom (474 Local Planning Authorities) with particular reference made to the planning application database and mapping capability. This is encouraging news, given that further development is planned for the website in 2013/14.</p> <p>There have been some structural changes in the governance of the Planning Service implemented in 2012/13 in particular, the change in the membership of the Planning and Development Control Committee; the loss of the Chairman's meeting and subsequent change to the scheme of delegation; the introduction of the Planning Strategy Group and the move of the Planning and Development Control Committee to the Council Chamber.</p> <p>The Local Government elections in May 2012 resulted in significant change to the membership of the Planning and Development Control Committee and required extensive Phase 1 and 2 training to be undertaken. This training was facilitated by a grant secured by the Council under the Welsh Government's Planning Improvement Fund (PIF) and was delivered in a series of workshops by external consultants. The initial training was followed up by further training on the appeal process in November 2012. PIF grant was also used to fund appeal training for officers from across the Council, also in November, the later day of which took the form of a "mock" Public Local Inquiry. The topics for the training programme for 2013/14 will be agreed at Planning Strategy Group in May 2013.</p> <p>The Chairman's meeting had been in place since Flintshire's inauguration and sat on a fortnightly basis to consider planning applications that, due to the scale and nature, would normally be dealt with at an officer level, but for which objections had been received. Cases were presented to the Chairman and Vice Chairman on the basis that those objections could be addressed by the imposition of planning conditions. The Chairman then had the option of agreeing with officers, adding further conditions or referring the matter to Planning and Development Control Committee for determination. This was time-consuming, inefficient and not felt to be a</p>
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	<p>transparent process. Following debate at the Group Leaders meeting and Constitution Committee it was finally agreed in February 2013 that the Chairman's meeting will no longer take place, with applications being determined either at Committee or under delegated powers. It is envisaged that this will assist in taking decisions in accordance with the targets set for determination.</p> <p>During 2012/13 the existing Development Plans Panel and Planning Protocol Working Group were amalgamated to form the Planning Strategy Group. This Group has met every two months will review the processes and performance of the Planning Service and lead progress on the Local Development Plan. Such an approach was recommended by the Independent Advisory Group into the Welsh planning system as best practice as the strategic, experienced group of Members drawn from the Planning Committee will provide perspective into policy formulation and implementation.</p> <p>Offset against the progress in the areas above, it has been a difficult year for the Service when measured against the quantitative performance indicators for the Development Management. Of the improvement targets, performance in determining major planning applications has exceeded the target. However, the determination of minor applications and closure of enforcement cases both recorded poorer performance than 2011/12, though both showed encouraging signs of recovery in Quarter 4, once workloads had been re-assigned and the emphasis moved away from addressing the backlog of cases respectively. More analysis of the performance for Development Management is found in Section 3.3 onwards.</p>
<p><b>Planning Strategy</b></p>	<p><b>The Development Plan</b></p> <p>2012/13 saw the successful transition from the UDP process, to the beginning of work on the Local Development Plan. Having adopted the UDP in late 2011, the final plan was printed and made available online by Q2 of 2012, and was disseminated to Members, officers, Town and Community Councils, key stakeholders, and was made available for public use and inspection at main Council offices and via the website. The ability to reference a single set of policies in Planning and Development Control Committee reports has also made a significant difference to the clarity and relevance of the recommendations made to the Committee over the last year or so. Finally, the team's performance in finally moving the UDP through to adoption has recently been recognised corporately through a Flintshire Excellence Award.</p> <p>Initial preparation work for the LDP has gone on throughout 2012/13 including the specification and procurement of various specialist studies and assessments that will form part of the plan's evidence base. These include an important opportunity sites assessment for Mold, and a joint piece of Work with Wrexham County Borough Council to examine Viability of Housing development, Affordable Housing, and CIL. Member awareness sessions have already taken place to inform and promote the new plan</p>

process to Members and these will be followed up with further sessions looking at the Plan's vision and objectives, as well as the approach to the spatial strategy for the Plan. Officers have also visited a number of Town and Community Councils to discuss, in broad terms, the LDP process and the opportunities that it offers for T&CCs to become involved in the early stages of options assessment.

Housing Land Availability has also been a major issue during 2012/13 as changes to the process made by the Welsh Government have made it increasingly adversarial, with the Council facing strong opposition from the Home Builders Federation to the identification of adequate land supply in the County. Concerns have been raised in writing with the WG about the Inspector's recommendation for the 2012 study, where, despite UDP sites contributing to supply, and with 4,125 units available in total for development, the calculation method chosen by the Inspector has resulted in a 4.5 year supply. This cannot be correct given the recent adoption of the UDP, and creates the impression that the Council is somehow being penalised for having adopted its plan. Urgent dialogue with WG has been sought on this issue and the conclusions and implications will be discussed at a future meeting of the Planning Strategy Group.

The Planning Strategy Team continues to input into a wide variety of major development, regeneration and corporate projects, some of which have included the following during the 2012/13 year:

- Buckley Masterplan;
- Flint Masterplan;
- Mold Opportunity Sites assessment;
- Joint Working with Public Health colleagues to develop a Health Impact Assessment tool for the LDP;
- Northern Gateway
- Gypsies and travellers
- Broughton Cinema Applications
- Food retail development discussions – Co-Operative, Aldi, Sainsburys
- County Play Sufficiency Assessment – staff member seconded to Leisure Services to assist

### **Townscape Heritage Initiative**

The Council has secured a final extension of time to complete all Townscape Heritage Initiative (THI) schemes in Holywell. This will mean that the end date for the scheme is 31<sup>st</sup> May 2013, with sufficient grant funding to cover all remaining schemes that are underway. This represents the culmination of an 7 year project in all, that has seen the historic repair and reuse of 33 buildings in the town, amounting to £2.9million of investment.

Following on from this success, there is significant progress with the Flint THI, where ongoing work along with the completion of some of the initial projects is beginning to have a positive impact on the town. This is also contributing to the delivery of the wider Flint Masterplan objectives,

allowing the community to experience the wider benefits that heritage regeneration can bring. The Council has drawn up a new 3 year THI programme with the Heritage Lottery Fund. Projects completed so far include 52-56 Church Street, and 3-6 Trelawny Square. More applications for funding have been received relating to schemes at 3 and 4 Market Square, and an application is expected very soon for the important repair and reuse of the former court sessions house, one of the oldest buildings in Flint.

**Design**

The Conservation and Design officer has worked on a number of major development schemes throughout the year to improve and enhance the design, layout and appearance of schemes considered by the Planning and Development Control Committee. These include major housing schemes in Mold, Penyffordd, and Penymynydd; Housing renewal projects as part of the Flint Masterplan; major commercial development proposals for cinema schemes at Broughton Shopping Park, retail schemes in Mold involving Farm Foods and Sainsburys, and the design of National Grid’s proposed converter station at Deeside Industrial Park.

**Built Conservation**

The team has maintained its high standards of service and performance throughout the year dealing with a constant stream of issues relating to Listed Buildings and Buildings of Local Interest, which include:

- Advising Development Management on numerous planning applications relating to listed buildings, as well as dealing directly with applications for listed building consent;
- Extensive pre-application discussion provided to potential purchasers of vacant/derelict Listed Buildings e.g. Siamber Wen Trelawnyd, Lluesty Hospital Holywell, Gelli Farm, Bryn Awel Pentre Halkyn;
- Approval at Council in February 2013 of a procedure for designating Buildings of Local Interest (BLI), as well as the constitution of an independent panel of experts ready to deal with the candidate BLI list;
- Development of a draft Buildings at Risk Strategy to tackle problems facing the top 12% of listed buildings ‘at risk’ in the County;
- Working with energy efficiency colleagues to identify if and how the latest Welsh Government schemes to increase energy efficiency in existing buildings can be related to historic buildings without causing harm;
- Development of an improved working relationship with CADW, including the development of a Local Heritage Strategy.

**Development Management**

The number of applications received during the year (**925**) is down slightly on the numbers for 2011/12 (**976**) and 2010/11 (**992**). Of the number of applications determined during the year (**874**) 89.59% were permitted, which is consistent with the 90.15% permitted in 2011/12.

The number of applications in both the major and minor categories

increased in comparison to the previous year whilst the number of householder applications showed a significant reduction (383 in 2012/13 compared to 431 in 2011/12). It is difficult to read much into these trends although numbers of householder applications are traditionally higher in times of austerity as people tend to adapt and extend their existing properties rather than move to a new dwelling. Conversely, the increased number of major applications (62 compared to 58) includes 20 residential developments (of ten or more dwellings) which coincides with significant house building activity within the year. This may reflect the increased confidence of the construction sector following the adoption of the UDP, as many of these larger planning applications are on allocated sites.

Some of these residential applications are resubmissions, amending approved layouts, but some are significant new developments, all of which involve considerable resources and time on the part of the officers within the Development Management section. This workload during the year also includes the major mixed developments at Croes Atti and the second planning application on the Northern Gateway site, along with some significant non-residential applications, which involve a 'Development Team' approach. All of these seem to provide a positive indication that the building industry is showing signs of recovery.

The greater proportion of larger scale applications has resulted in an increase in planning fees received when compared to 2011/12, however, the level of fees received are still approximately 30% lower than prior to the "credit crunch" of 2007/08.

The legislative background to planning in Wales continues to develop and in the lead in to the Planning Bill, various studies have been commissioned by Welsh Government, including the comprehensive review of the Planning system in Wales by the Independent Advisory Group which reported during the year with a series of recommendations for changes to the planning system. This process has also involved a series of WG consultations, including those proposing changes to non domestic permitted development rights and non material amendments to planning permissions, both of which have significant implications for the Development Management function, reflected in the detailed consultation responses sent on behalf of Flintshire.

The move towards Mobile Working within the Development Management section (which has been addressed in previous reports) has not progressed as quickly as envisaged partly because of difficulties with the service's external software provider (CIVICA) and a lack of compatibility with the Council's own IT systems. However, the mobile working system is being trialled by the Enforcement section and a programme has been established for this to go live within 2013, both for Enforcement and Planning officers within the DM section. Apart from facilitating the move to Mobile Working, the CIVICA system continues to be developed through a working group to ensure that it best meets the needs of the DM service and those of its customers. This is particularly important in the context of performance management as from 1<sup>st</sup>. April, 2013 we are providing quarterly reports to Welsh Government on a new series of performance indicators, which

	<p>include a raft of 'Sustainability' indicators where we have not previously recorded and specifically reported on.</p>
<p><b>Countryside and Natural Environment</b></p>	<p>The restructure of new Countryside and Natural Environment team is still underway though progress has been made to agree a generic ranger post and currently waiting a result from Job Evaluation.</p> <p>The Tree Inspector has moved to Planning, joining the Tree and Forestry Officer and Coed Cymru Officer as a first stage of a single integrated tree unit. BWW schemes are now implemented across Countryside sites. IT provision has improved but Ezytree is still causing some user difficulties. WG Tranquil places grant of £35K has been delivered with tree planting undertaken at Wepre Park and Flint Town centre. The Coed Cymru Officer has overseen the establishment of community orchards, coastal school and forest school teacher training programme.</p> <p>Green-space strategy – Cabinet approved the report 19<sup>th</sup> March 2013.</p> <p>The Great Crested Newt (GCN) mitigation strategy is progressing on a regional basis to establish standard costs for habitat re-creation and management. Draft guidance was presented to the UK GCN status meeting at Chester Zoo in March 2013.</p> <p>Works in accordance with Countryside Council for Wales core service grant of £42, 000 was completed during the year.</p> <p>The final 'Year 6' of All Wales Coastal Improvement Programme is complete. WG have confirmed that there is £1.15m for a continuation 2 year programme of works. Natural Resources Wales are working with coastal LA's to target this limited resource to most need. A work programme is expected in April 2013.</p> <p>The Wepre Park Heritage Lottery Fund 3 year programme is underway with significant improvements already underway with landscape works at the front of the park. Tidy Towns funding of £20K has been delivered as part of the landscaping works. Recruitment of the Programme Manager is under way.</p> <p>Halkyn Common - The limekiln consolidation project is ongoing with contractor on site until August 2013. This is funded by an Aggregates Levy Wales grant of £175K. Further funding for interpretation and heritage trails has been allocated through the Rural Development Plan and is planned for the Summer of 2013. The partnership post of Halkyn Ranger has been secured for a further year and will provide habitat and community works and estate monitoring and maintenance.</p> <p>Clwydian Range Area of Outstanding Natural Beauty – Work on the Moel Famau Jubilee Tower has begun with funding from FCC and Heritage Lottery Fund. Work will consolidate the monument and improve access in and around it. Denbighsire County Council has been aided by FCC Conservation Officer and the Countryside team.</p>

	<p>Key figures:  2012/13 income raised - £366,000  2003 volunteer hours and 145 group visits managed</p>
<p><b>Minerals and Waste Shared Service for North Wales</b></p>	<p>The Minerals and Waste Planning Service for North Wales commenced with Flintshire as the lead authority on 1st April 2011 and has now been operational for 2 years. The Service has been active in every partner authority area, including Powys and Snowdonia National Park. Operational activity within the minerals aggregates sector remains depressed, whereas operational activity in the waste sector remains relatively buoyant. However, reviews, changes in legislation, the introduction of legislation derived from the Mining Waste Directive, quarry closures and reactivation, and site restoration continues to generate planning work. Interest in specialist rock types remains strong and determinations have been made for planning applications for extensions and reworking of two slate quarries in Gwynedd, and a Scoping Opinion has been issued for a gritstone quarry in Powys and a dimension stone quarry in Denbighshire. Enquiries have been made relating to a new gold mine in Snowdonia</p> <p>Periodic and stalled mineral reviews continue to be progressed, and Environmental Impact Assessments for those quarries which are likely to continue working are being prepared or are under consideration. A Prohibition Order has been prepared for a slate quarry in Gwynedd to eliminate the planning permission where the resumption of working is considered unlikely. Five sites in Flintshire are identified for Prohibition Orders to be served in 2013. Alternative uses are being explored at a number of non-operational sites, such as housing, recreation or landfill.</p> <p>There has been an increase in planning activity as a result of national legislative changes in the Environmental Permitting regime administered by the Environment Agency Wales. Many former exemption sites from permitting now require formal permits, but often lack a valid planning permission. In some cases, applications are being retrospectively submitted for planning permission, or are seeking Certificates of Lawful Use to “regularise” the activity. In other instances Environment Agency Wales prosecutions and planning enforcement proceedings are being commenced. This is likely to continue during the transitional period as unauthorised activity comes to light. Of particular note, an unauthorised waste recycling operation in Snowdonia National Park has been refused planning permission, leading the way for enforcement proceedings.</p> <p>The removal of “exemptions” described above has resulted in renewed interest in backfilling old quarries due to the unavailability tipping options, with formal planning submission made at three sites in Flintshire, Wrexham and Denbighshire. Planning permission has however been refused for two these sites, and a planning application has been prepared for submission in 2013/14 for a site in Flintshire.</p> <p>Interest in skip hire and materials recycling remains strong, though an expected major waste processing and treatment application was not</p>



submitted due to global funding issues. A renewal of planning permission was granted for an energy from waste project within Tata Steel's landholding at Deeside. Issues are arising where the capacity of a site to store delivered waste is exceeded due to poor demand from the onward markets, and this is a particular problem for construction and demolition recycling sites. Emphasis is being placed on the restoration and aftercare of former quarry and landfill sites, and biodiversity, geodiversity and recreational objectives are promoted where possible. An appeal against refusal to grant planning permission for a major integrated waste management site in Flintshire has been made and a Public Local Inquiry is scheduled for June 2013.

The Service has a 4 year contract for the North Wales Regional Aggregates Working Party from the Welsh Government. The 2011 survey continues to show a depression in aggregate sales, which reflects general construction activity. A review of the Regional Technical Statement which provides guidance for the preparation of Local Development Plans has commenced and will be completed in 2014. This is a direct requirement of National planning policy via Technical Advice Note: Aggregates (MTAN 1).

The Service has worked closely with the Welsh Government in relation to issues arising from the recently published Capacity, Infrastructure and Markets Sector Plan, and consequential Planning Policy changes that may arise, particularly in relation to the Regional Waste Plan, which is part of the Welsh Government's Zero Waste Strategy, and continues to have direct dialogue to achieve the best policy outcome. The service sits on a Steering Group currently assessing proposed revisions to Technical Guidance Note 21: Waste, which is now out for consultation.

The Service is carrying out chargeable monitoring and reporting visits across North Wales and Flintshire, and is also carrying out other non-chargeable activities such as blast monitoring. These exercises will help raise compliance standards at operational quarry and landfill sites, and provide constructive dialogue to remedy any breaches of planning control that may be evident. A performance standard will be implemented in 2013/14 is to ensure that each site is monitored at least once in any given financial year.

The Service has also continued to provide support to Conwy, Denbighshire, Gwynedd and Anglesey Planning Policy in preparation for their respective Local Development Plans, including reviews as a result of the publication of a National Minerals Safeguarding Map for Wales.

The service also assists with queries and advice relating to the Aggregates Levy Fund for Wales (which is derived from a tax on aggregate production), and a number of community-led projects across North Wales, and in particular, Flintshire, have been successful in securing funding as a result of sound advice provided by the Shared Service Team. Projects have included a BMX track and Community Hall at Treuddyn, to funding for rangers and the future preservation of Limekilns on Halkyn and Brynford Commons.

## 2. Performance Summary

### 2.1 Improvement Plan Monitoring





#### KEYS

**Progress RAG** – Complete the RAG status using the following key: -

<b>R</b>	<b>Limited Progress</b> - delay in scheduled activity; not on track
<b>A</b>	<b>Satisfactory Progress</b> - some delay in scheduled activity, but broadly on track
<b>G</b>	<b>Good Progress</b> - activities completed on schedule, on track

**Outcome RAG** – Complete the RAG status using the following key: -

<b>R</b>	<b>Low</b> - lower level of confidence in the achievement of outcome(s)
<b>A</b>	<b>Medium</b> - uncertain level of confidence in the achievement of the outcome(s)
<b>G</b>	<b>High</b> - full confidence in the achievement of the outcome(s)

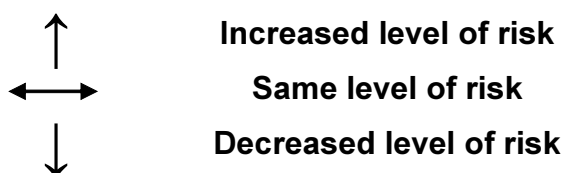
Council Priority	Target Date	Progress RAG	Outcome RAG	Commentary
<b>6. To protect and grow the local and regional economy, to be a prosperous County and to provide help and support for those vulnerable to poverty</b>				
6.1 Following adoption of the UDP, pursue development of the LDP	Sept 2017			Section 3.1
<b>8. To meet housing need in the County and to work with partners to ensure a sufficient supply of quality and affordable homes and housing services in the social , mixed tenure and private sector housing markets</b>				
8.6 Implement Section 106 funding policy	On-going			Section 3.1

### 2.2 Strategic Assessment of Risks and Challenges (SARC)

The table below summarises the position of SARCS at the end of the reporting period.

#### KEY







<b>R</b>	<b>High Risk</b>
<b>A</b>	<b>Medium Risk</b>
<b>G</b>	<b>Low Risk</b>



Commentary is included in section 3 for those SARCS: -

- that are showing a Red RAG status
- where the RAG status has changed since the last reporting period
- where the Green Predictive Date has changed since the last reporting period

- where there has been considerable change or additions of secondary risks and activity




SARC	Previous RAG Status	Current RAG Status	Green Predictive
CL08 Climate Change and Flood Risk Management		↔ 	TBC
CD03 Transition from UDP to LDP		↔ 	Sept 2017
CD04 Planning Protocol		↔ 	March 2012




### 2.3.1 Performance Indicators and Outcome Measures

The status of the indicators are summarised for this quarter below:

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Graphs and commentary are included section 3 for those indicators shown with a RAG status of either Amber or Red. An asterisk (\*) indicates that the indicator is an *improvement* target.

Indicator	Annual Target (12/13)	Previous Year End Outturn (11/12)	Current Quarter Outturn (Q4 12/13)	Current Year End Outturn (12/13)	RAG (Year End)	Change e.g. Improved / Downturned (since previous year end)
PLA003 – %age of Planning Appeals determined during the period	66%	67.65%	50%	50%		Downturn
* PLA004a – %age Major applications determined within 13 weeks during the period	39%	29.31%	38.1%	40.63%		Improved
* PLA004b – %age Minor applications determined within 8 weeks during the period	65%	53.15%	50.49%	47.4%		Downturn

Indicator	Annual Target (12/13)	Previous Year End Outturn (11/12)	Current Quarter Outturn (Q4 12/13)	Current Year End Outturn (12/13)	RAG (Year End)	Change e.g. Improved / Downturned (since previous year end)
PLA004c – %age Householder applications determined within 8 weeks during the period	90%	85.85%	83.75%	<b>73.82%</b>		Downturn
PLA004d – %age Other applications determined within 8 weeks during the period	80%	77.27%	42.86%	<b>51.11%</b>		Downturn
* PLA005 - %age Enforcement cases resolved within 12 weeks during the period	75%	73.12%	72.48%	<b>63.33%</b>		Downturn

\* *Improvement Target*

### 2.3.2 Improvement Target Action Plan Monitoring

Key - ✓ on track, ✘ behind schedule, C completed

Ref	Action	Progress
PLA/004a	Review of S106 procedures – partly completed	✓
	Outstanding S106 requests subject of review with Legal	✓
PLA/004b	Performance monitoring on a 'case by case' basis	✓
	Review delegated scheme/ S106 procedures – partly completed	✓
PLA/005	LEAN review of Enforcement procedures completed	<b>C</b>
	Implement recommendations of LEAN review – partly completed	✓

### 2.4 Key Actions from Service Plan Monitoring

The following table shows the progress made against key areas of improvement/actions in the Planning service plan. A ✘ indicates those areas which have incurred slippage or have been subject to a revised timetable and references the page number where commentary can be found to further explain the slippage/revised timescales: -

Key - ✓ on track, ✘ behind schedule, C completed

<b>Improvement Area</b>	<b>Progress</b>	<b>Commentary</b>
Implementation of Development Management Manual	✓	The DM Manual is a live document, subject to continual review and updating
Review of Enforcement Policies and Procedures	✓	Revised Enforcement Policy is to be reported to Planning Strategy Group in May, 2013, as a first stage towards its adoption
Review of Compliance with adopted procedures	✓	Ongoing monitoring
Make decisions in the public interest	✓	Appeal decisions regularly reviewed at Planning Strategy Group

The following internal or external audit/regulatory work have been completed during the quarter and the outcome of the work can be summarised as follows. Negative outcomes are discussed in more detail in section 3 and page numbers are referenced in the table below.

## **2.5 Internal & External Regulatory Reports**

<b>Undertaken By</b>	<b>Title &amp; Date Report Received</b>	<b>Overall Report Status</b>
Internal Audit	Planning Appeals	<b>Limited</b>

## **3. Exception Reporting**

### **3.1 Improvement Plan Monitoring**

6.1 – Adoption of UDP – Adopted at Council in September 2012. Plan now printed and available as an interactive document on the Flintshire County Council website.

8.6 - Implement Section 106 funding policy. Local Planning Guidance Note on educational contributions to schools adopted by Council in September 2012. The overarching LPG on developer contributions will be one of a series to support the implementation of the UDP and will be the subject of consultation and then adoption in 2013. Further work is being undertaken at a regional level to establish the move to the Community Infrastructure Levy which will ultimately replace Section 106s in Wales.

### **3.2 SARC Monitoring**

The Green Predictive date was changed in Q2 from the previously reported December 2011 to September 2017 as we are now clearer (following adoption of the UDP) when work

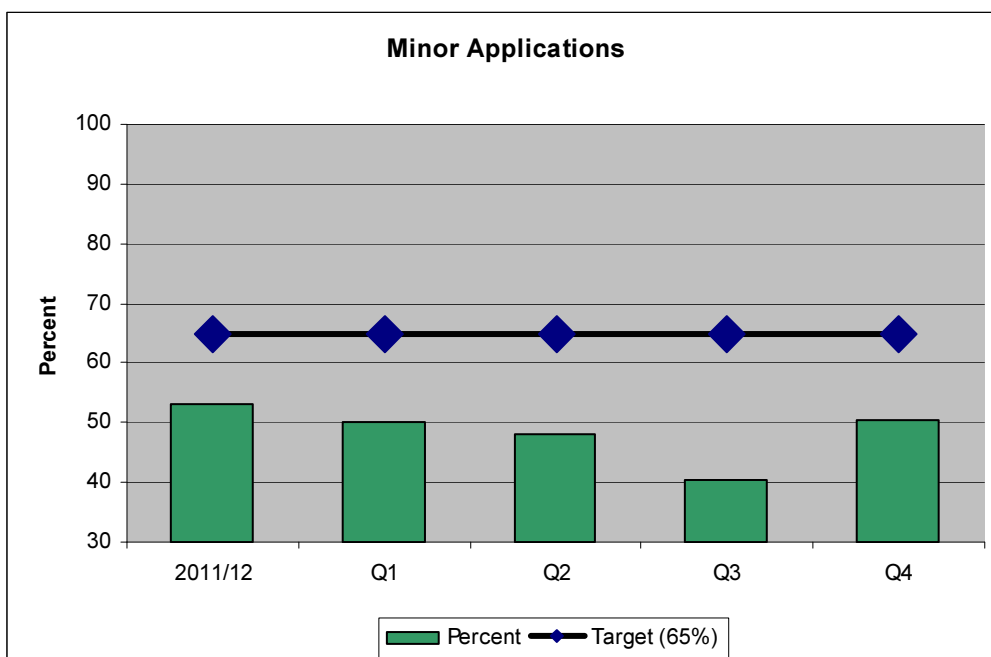
on the LDP can be completed by. The September 2017 date will be referred to in our LDP Delivery Agreement with Welsh Government which is due to be in place by the end of 2013. It is proposed to delete this SARC and for consideration to be given as to a new SARC for the LDP process.

### 3.3 Improvement Targets

The Planning Service has three **Improvement Targets** identified for 2012/13 – **PLA/004a** – Major applications determined within 13 weeks, **PLA/004b** – Minor applications determined within 8 weeks and **PLA/005** – Enforcement cases resolved within 12 weeks.

In relation to **PLA/004a** the target (**39%**) has been exceeded with the annual return (**40.63%**) (Q4, **38.1%**), although the numbers involved (62 applications - 21 within Q4) is less than 10% of the total applications determined. The fact that the target is set at below 50% recognises that most of the major applications are tied to the committee timetable and are often subject to Section 106 Obligations. These major applications are often also subject to extensive negotiation, often with amendments, resulting in a positive decision (49 granted, 13 refused), but out of time. The new WG indicators have dropped the 13 week period for the determination of major applications and in future these will be judged against the 8 week target which is applied to other applications. As a service, a decision will then need to be taken as to the priority to be given to speed of decision in relation to added value through negotiation and quality of development.

In relation to **PLA/004b** the annual outturn (**47.4%**) falls well short of the target (**65%**) and is also below the 2011/12 return (**53.27%**). The Q4 return (**50.49%**) is above the annual figure and in the last month of the quarter, March, **89.19%** (33 out of 37 minor applications) were determined within the 8 weeks. This reflects the increased monitoring and scrutiny on an individual officer basis which is now being applied and providing the Cabinet Member with regular reports on the reasons why applications go beyond their decision time. Some of these reasons (e.g. long term sickness absence which began in Quarter 2 requiring re-allocation of work) are difficult to address, but other reasons are being addressed (e.g. we have established a regular liaison meeting with Legal Officers to establish the position on each Section 106 Obligation where instructions have been sent. We are also seeking to streamline the procedures involved with legal agreements, again to reduce any delays currently involved with these).

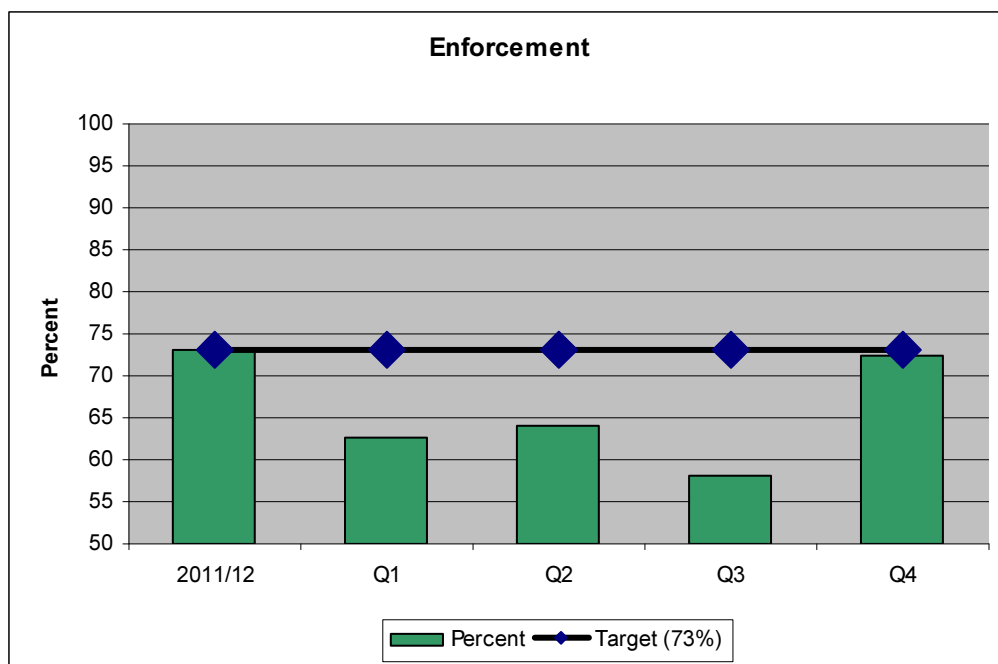


Recent changes to Head of Planning's the scheme of delegation, including the loss of the Chairman's meeting, were agreed in Quarter 4 and will result in less delays whilst cases await a relevant Planning and Development Control Committee or Chairman's meeting.

Apart from the increased emphasis on negotiating quality which is difficult to quantify (but is being addressed), there are a number of reasons why decisions on the minor applications go beyond the 8 weeks. These include the number of applications needing to be reported to the Committee meetings for reasons which include the need for Section 106 Agreements to cover affordability of housing (under Policies HSG 3 and HSG 5).

However, this Improvement target remains critical as long as performance is measured against speed of decision and this will continue to be monitored, on a case by case basis where necessary, to ensure that negotiations on development proposals are carried out in accordance with procedures set out in the Procedure Manual, and to challenge with local members the need for committee determination of applications, where appropriate.

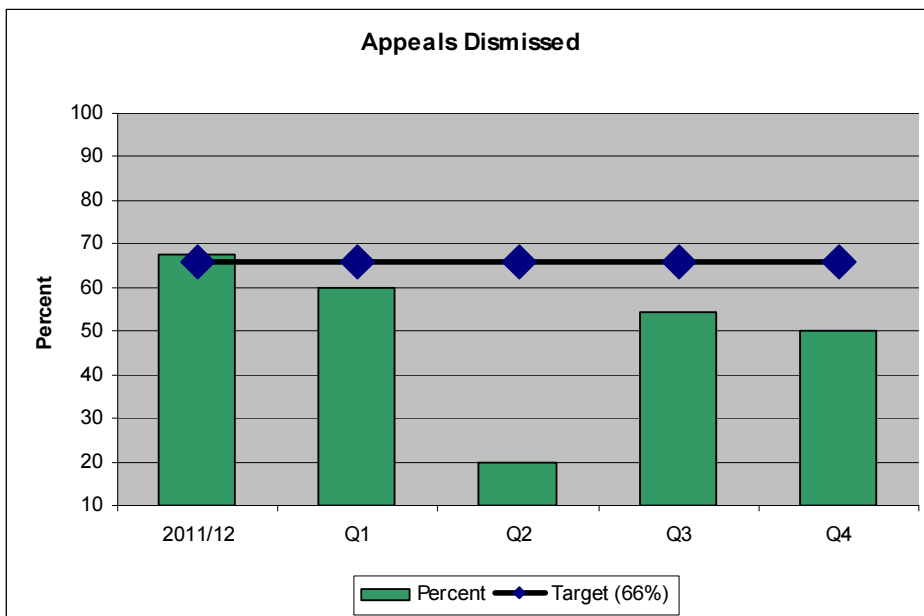
In relation to **PLA/005** the annual outturn for 2012/13 (**63.33%**) is below the target (**73%**) and below the return for 2011/12 (**73.12%**). However, the Q4 outturn (**72.48%**) shows an improvement over Q3 (**58.20%**) which has pulled down the annual performance. Poor performance in Q3 reflected the large number of cases closed (189 cases closed in Q3 as opposed to 109 in Q4), including many with long standing issues which were eventually signed off. For cases subject to formal enforcement action, a liaison group has been established with Legal Officers and a shared database of these cases is regularly updated to ensure that cases are brought to a conclusion as expeditiously as possible.



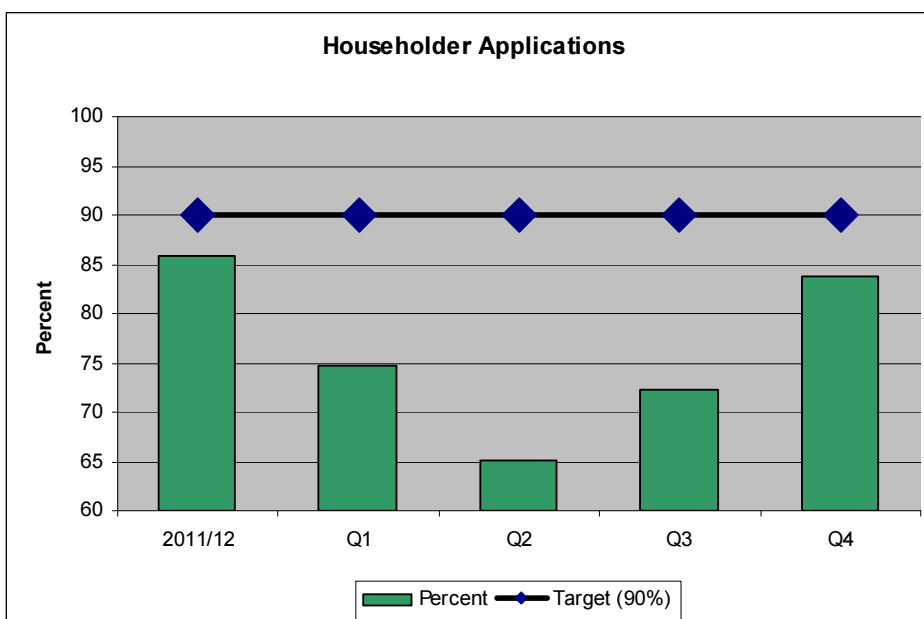
With regard to indicators other than the Improvement Targets: -

**PLA/003** – Percentage of Planning Appeals where Council's decision was upheld – The **50%** outturn for 2012/13 falls below target (**66%**) and the 2011/12 return (**67.64%**). This indicator has always been unpredictable, based as it is on a relatively low numerator/denominator ratio (30 appeal decisions within the year – 15 Allowed). An Internal Audit report into planning appeals has been received and recommendations being implemented. Not least of these is the regular reporting to Planning Strategy Group, with an analysis of certain decisions, particularly those which follow a decision contrary to officer

recommendation or where costs have been awarded against the Council for unreasonable behaviour. The report on those appeal decisions received in 2012/13 was the subject of a report to Planning Strategy Group in May 2013. Planning appeals were the subject of considerable Member and Officer training sessions in November 2012, so it is hoped that the results of those sessions will bear fruit in the forthcoming year.

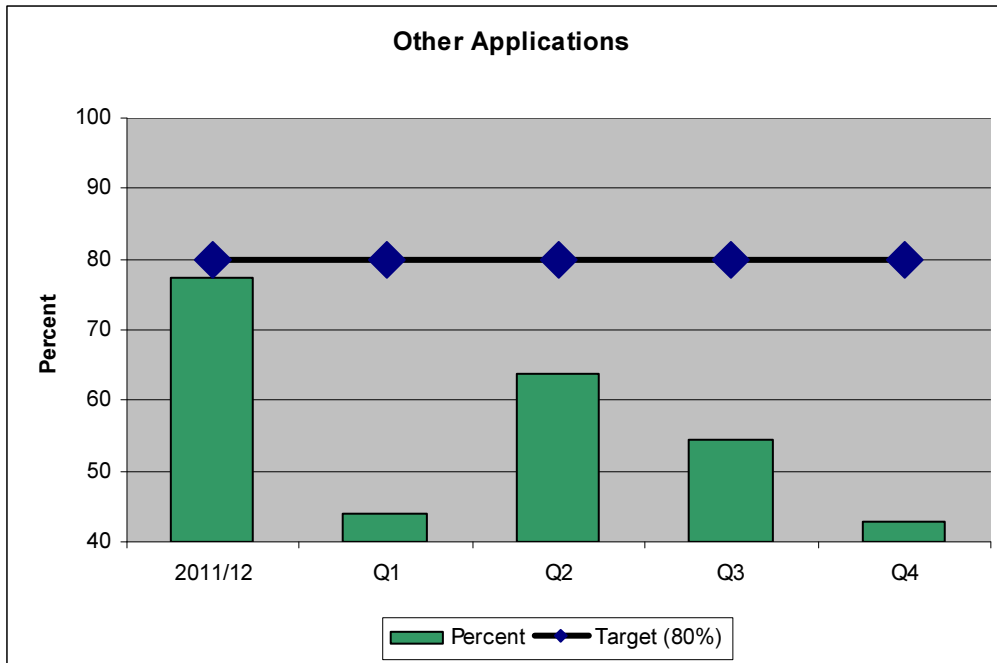


**PLA/004c – Householder Applications –** The very poor performance in this category (**73.89%** against the target of **90%**) is largely down to staff absences (including a long term sickness absence at a key time commencing in Quarter 2). As householder applications constitute well over a third of the total applications determined (384/925) this clearly has a significant impact on the overall, headline performance figure (**57.44%**). In turn, the annual outturn for householder applications determined (**73.82%**) is influenced by Q2 (**65.17%**) and the small improvement in Q3 (**72.22%**). By the end of the year performance had been turned around with Q4 (**83.75%**) including a March outturn of **92%**.





**PLA/004d** – Other applications – The Q4 return (**42.86%**) pulls down the annual outturn (**51.11%** against the target of **80%**), which compares poorly against 2011/12 (**76.12%**). This category includes a range of development types, e.g. mineral applications and advertisement consent. Combined with the relatively low numbers of applications this means that the outturn can be unduly influenced by the type of applications within any particular quarter.



### 3.4 Key Actions from Service Plan Monitoring

The robustness of the Enforcement procedures have been tested through the LEAN report and compliance with them through the Audit report carried out during 2011/12.

The revised Enforcement Policy document is to be reported to Planning Strategy Group in May 2013, with a view to taking this forward as an adopted policy. The Enforcement Team are also leading a focus group looking at 'Advertisements on the Highway', again with a view to formulating a policy and guidance to address this contentious issue. A similar review of the enforcement role in relation to Listed Buildings and Conservation Areas is also being undertaken within the Planning Service. This follows on from a series of meetings with Town/ Community councils within Flintshire undertaken within the year

The Development Management Manual is currently being reviewed, with the initial focus being on the Appeal Procedures (following the Internal Audit into Planning Appeals) and the procedures involved in the planning application process from receipt to determination. This is in parallel with the work being undertaken within the DM section on developing the CIVICA software system to meet the changing needs of the planning service.