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Title of meeting:	Planning Policy and City Development Portfolio Meeting
Subject:	21 February 2023
Date of meeting:	Development Management Performance
Report by and Authored by:	Ian Maguire Assistant Director for Planning and Economic Development
Wards affected:	All

1. Requested by

- 1.1 This report was requested by the Planning Policy and City Development Portfolio holder, Cllr Lee Hunt

2. Purpose

- 2.1 This report provides an update on performance of the Council's Development Management service. This follows a substantive report on the same subject to Cabinet in February 2022 and summarises monthly updates provided to the Portfolio Holder in weekly briefings.

3. Information Requested

- 3.1 Performance in Development Management is monitored according to prescribed approaches given by the Department of Levelling Up, Housing and Communities. The assessment of performance is limited to the speed of determination following the receipt of valid applications, expressed as a targeted threshold of applications being within their statutory determination period of 8 to 16 weeks depending on the application type, or a longer time agreed with the applicant.
- 3.2 Within the Council however a key matter of concerns has been identified as the 'backlog' of undetermined cases. An LPA will always have some applications "in hand" while they take time to progress through the consultation, assessment and determination processes, and applicants would expect this. However through comparison with other periods where similar process and resource consideration

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applied we can identify an excess number of applications which through no fault of applicants are unnecessarily delayed due to a lack of resource to process them to resolution. When performance was reported to Cabinet and Full Council in 2022 the backlog was identified as being around 300 applications. Extraordinary action was therefore taken with the service undertaking a 'Decision Delivery Drive' in April and May 2022 in advance of rolling out the processes within the service. This Drive, which was publicised by the Council prior to implementation, and is a process that has since been replicated by other authorities, saw a hiatus in dealing with new customer enquiries to focus on clearing the backlog of applications. This two week initiative enabled the Council to process 250 applications, a 500% increase in productivity. This focus did impact the other performance metrics with performance in the relevant quarter only achieving 38.5% of non-major applications were determined in time in that quarter compared to the average of 73.9% of non-majors that were in time in the preceding quarters. The Decision Delivery Drive, as noted above was however primarily focussed on reducing the backlog of applications awaiting decision to reduce the service pressures of failure demand and more importantly resolve the customer concerns associated with undetermined applications. The Drive used newly introduced more efficient processes created with the support of Interventionist from the Council's Systems Thinking team and in this targeted way was able to reduce the backlog of cases by over half, from around 330 to closer to 150 excess open cases. This improvement can be seen in the 'Backlog' graph at the end of this report.

- 3.3 While the reduction in the backlog has reduced the failure demand managed by the department and resolved outstanding applications for residents and businesses the speed of determination of applications within statutory or agreed timetables still requires improvement. In January DLUHC wrote to the Council to advise us that we may be liable for designation for the speed of its decisions on applications for non-major development under section 62A of the Town and Country Planning Act 1990. This is because in the relevant assessed period, 24 months to September 2022 the Council determined 63.2% of non-major applications within time, compared to a government target of 70%. The current PCC performance, across all development types not just 'non-major' development is detailed in the '% in Time' graph at the end of this report. Around 20 local authorities were similarly written to at the same time with a requirement to detail any exceptional circumstances that they considered relevant to DLUHC consideration as to designation. Portsmouth City Council's letter to this effect was issued on 2nd February 2023, and is appended to this report for reference, and we are now awaiting a response from the Department. Key circumstances we have identified to government that we believe are relevant to current performance and the appropriateness of designation are the fact that the Council has already identified and actioned improvements to efficiencies, such as the decision delivery drive described above; the impact of Covid-19 on determinations in the first half of the relevant period; and the continuing challenges of staff retention and recruitment. These are problems for many local authorities but are particularly acute for Portsmouth.

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- 3.4 While the current performance against government percentage statistics is a matter of concern and attention for the LPA, this monitoring framework is hampered by being unable to distinguish applications that are determined 1 day after their determination period or 1 year after the determination. The statistical returns can therefore mask better or improving performance for customers. Similarly the ability to agree 'extension of time' agreements with applicants, while often beneficial and introduced to enable applicants to make necessary amendments to applications, can also mask delays in the actual time taken to determine applications. To understand these issues the LPA also monitors, outside of the DLUHC framework, the median determination time for its application in each month to assess whether the process improvement and prioritisation of staffing capacity is having the desired positive effect. These median determination periods are shown in the 'Timeliness' graph at the end of this report which shows the median number of days over 56 (the minimum statutory time limit for determination) taken to determine applications in that month. This graph shows that the interventions that have been made are making improvements, with the median determination time falling from over 130 days to 55 days in August and September 2022.
- 3.5 Government targets for performance have been met in all but one category and as can be seen from the attached graphs overall Development Management performance is improving but however still requires further improvement. While the backlog has been dramatically reduced there remains an excess number of applications awaiting determination. Similarly while processes within the service have been comprehensively reviewed and streamlined determination times remain too long. A key component of this challenge is the recruitment and retention of qualified planning staff. In 2022 the Council saw the departure of the Head of Development Management, 3 Principal Planning Officers and 3 Senior Planning Officers, as well as the reduction in working hours from staff adjusting to new working patterns or moving towards retirement. While extraordinary temporary staffing resourcing, and internal promotion assist with this capacity challenge temporary staff are frequently less able to generate the quality or speed of determination needed to make the necessary improvements as additional training, support and supervision is required from a reduced number of permanent established staff. Recent recruitment to these roles in Development Management have been unsuccessful.
- 3.6 A key focus for the department in 2023 therefore is the sustained and effective recruitment of qualified planning staff and the development and retention of current valued staff within the service. This will be carried out alongside continuous process improvement with the support of the Planning Advisory Service.

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Signed by pp(Director)

Appendices:**Background list of documents: Section 100D of the Local Government Act 1972**

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location
Update on Development Management and increase in capacity - Report to Cabinet 08.02.2022	
Letter to Department of Levelling up Housing and Communities - 02.02.2023	

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