



Haringey Council

Report for:	Regulatory Committee 3 March 2015	Item Number:	
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Title:	Development Management and Planning Enforcement Work Report
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Report Authorised by:	Stephen Kelly
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Lead Officer:	Emma Williamson
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Ward(s) affected: All	Report for Key/Non Key Decisions:
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1. Describe the issue under consideration

- 1.1 To advise the Regulatory Committee of performance on Development Management and Planning Enforcement for quarter 3 and January 2014/15.

2. Recommendations

- 2.1 That the report be noted.

3. Background information

- 3.1 The report summarises the performance of the Development Management and Planning Enforcement Service for the third quarter 2014/15 and January. Building Control performance will be reported to the meeting.
- 3.2 Work with the Corporate Delivery Unit with regard to developing a local suite of indicators to be reported regularly to Regulatory Committee as previously discussed is reaching a conclusion and will be used to report for the next financial year going forward.

4. 2014/15 Quarter Three and January Development Management performance

- 4.1 The number of major, minor and other applications determined by Haringey in the third quarter of 2014/15 together with January was 1,940. The overall number of applications submitted to the Development Management service continues to rise reflecting the increased development activity Londonwide and the prior approval regime introduced by the Government last year.
- 4.2 The cumulative performance for the quarter together with October and November is set out below which demonstrates that the corporate targets were comfortably achieved.
- 4.3 Performance on majors measured over the two years rolling is now in the top quartile. Performance on minors and others is still variable but has improved since the dip in the summer although further improvement is required to move into the top quartile in London. The statistics will end the year within the corporate targets. Performance on discharge of conditions is improving although further improvement is needed particularly given that automatic deemed discharge will be implemented shortly. Caseloads per officer have risen over the last 6 months although they have now started to reduce. The service is beginning to make inroads into the backlog and has been determining more applications than have been received for the last quarter.

2014 2015			Number of major apps decided	Number decided on time	no. of which were due to PPA / extension	% decided on time	LBH Target	Number of minor apps decided	Number decided on time	no. of which were due to PPA / extension	% decided on time	LBH Target	Number other apps decided	Number decided on time	no. of which were due to PPA / extension	% decided on time	LBH Target
Month	Total decided	Total received															
April	149	183	6	6	5	100%	65%	26	21	2	80.77%	65%	117	103	15	88.03%	80%
May	337	394	9	9	5	100%	65%	61	53	6	86.89%	65%	267	241	39	90.26%	80%
June	487	589	10	10	6	100%	65%	85	73	12	85.88%	65%	392	350	51	89.29%	80%
July	671	834	10	10	6	100%	65%	120	98	16	81.67%	65%	541	473	63	87.43%	80%
August	842	1043	10	10	6	100%	65%	155	122	24	78.71%	65%	677	585	89	86.41%	80%
September	1061	1270	12	12	8	100%	65%	195	155	31	79.49%	65%	854	732	103	85.71%	80%
October	1261	1519	13	13	9	100%	65%	231	175	39	75.76%	65%	1017	858	121	84.37%	80%
November	1495	1697	13	13	9	100%	65%	262	197	44	75.19%	65%	1220	1008	143	82.62%	80%
December	1769	1858	15	15	10	100%	65%	291	217	50	74.57%	65%	1401	1168	156	83.37%	80%
January	1940		18	18	12	100%	65%	312	235	53	75.32%	65%	1548	1263	168	81.59%	80%

4.4 Pre-application enquiries

- 4.5 The formalised paid pre-application planning advice service provided advice on 161 proposals between 1 April 2014 and 31 January 2015 which represents an increase on the previous year. This includes detailed written confirmation of the advice given at the pre-application meeting. A revised schedule of charges including a new paid householder pre-application service was agreed at Cabinet this month and will be implemented from 1 April 2015.
- 4.6 In addition 4 additional sites continue to be the subject of a series of meetings through the Planning Performance Agreement process.

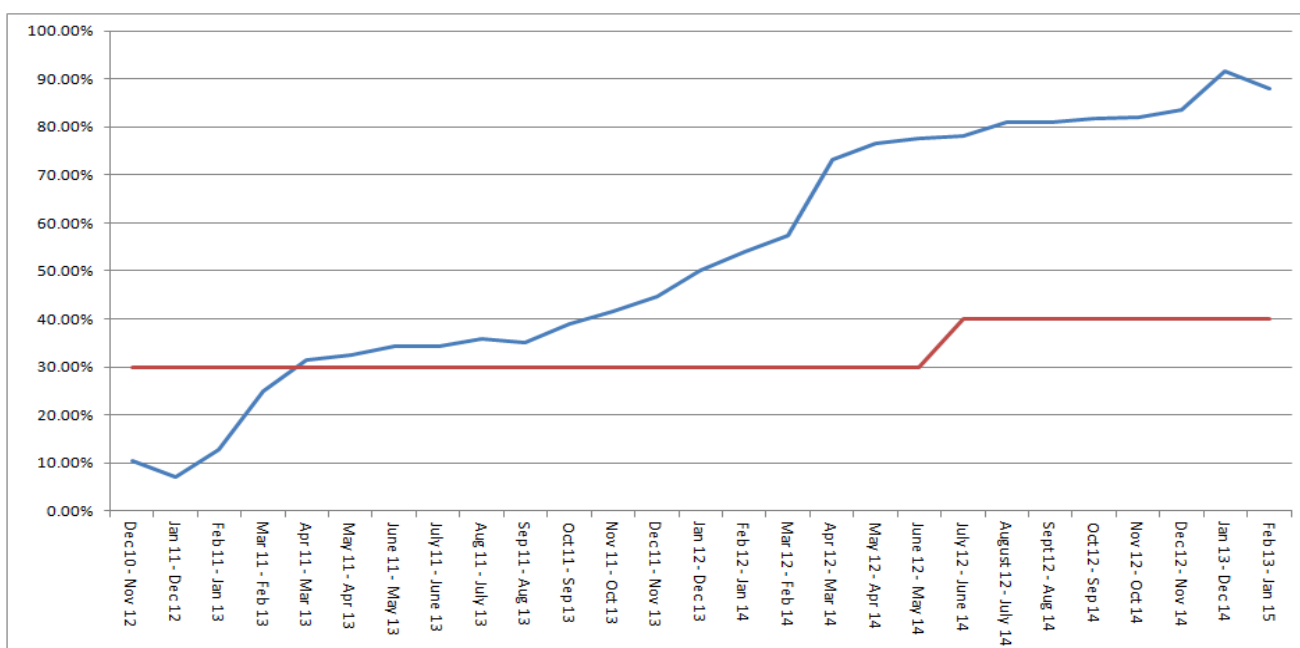
National monitoring on performance on processing planning applications

4.7 The provision to designate under-performing local planning authorities is based on two criteria:

4.8 **Speed of decisions** – the measure to be used is the average percentage of decisions on applications for major development made within the statutory determination period or such extended period as has been agreed in writing with the applicant (either a Planning Performance Agreement or an extension of time). The initial threshold for designation in October 2013 was set at 30% or fewer for the first designation and the assessment period was the two years up to and including the most recent quarter i.e the two year period ending on 30 June 2013. The Council’s performance for this period was published by DCLG on 27 September 2013 and showed a percentage of 34.2%. DCLG increased the threshold for designation in July 2014 to 40%. The last official published data is for the period to June 2014 (published on 2 October 2014) which shows Haringey at 78% for the two year period to the end of June 2014. Haringey is ranked 72nd in England which is top quartile. The top performing London Boroughs are Newham at 88.5%, Barking and Dagenham at 87.2% and Kensington and Chelsea at 85.9%.

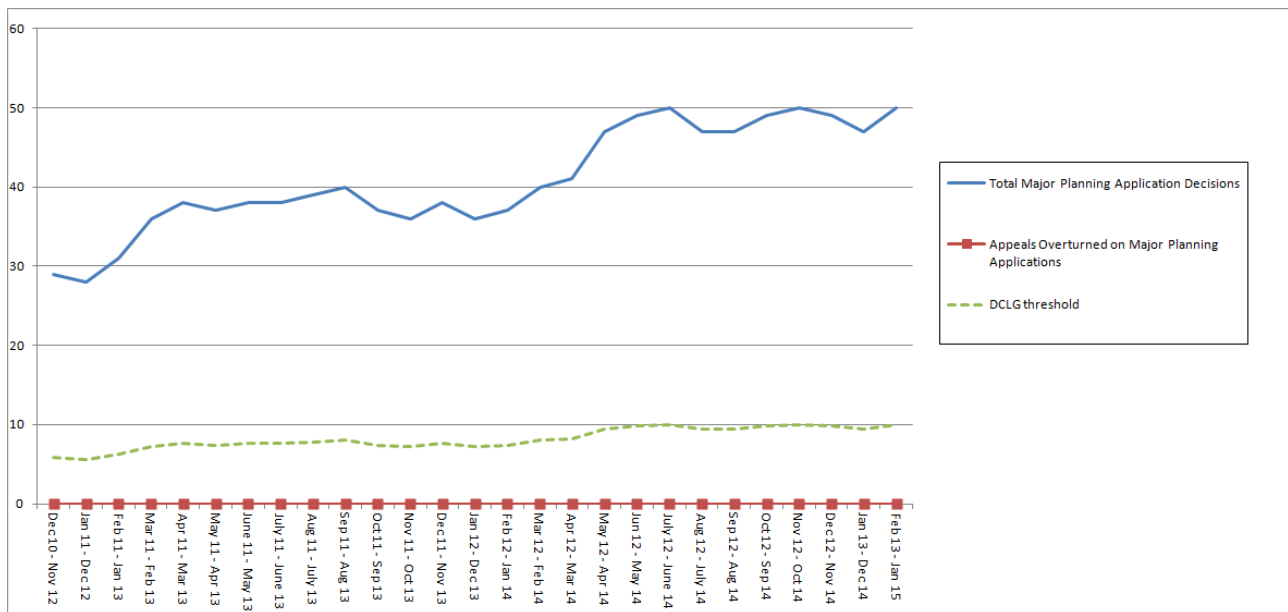
More recent data (not yet published by DCLG) shows current performance up to end of January 2015 at 88%.

Average percentage of decisions on applications for major development made within the target (rolling two year period)



4.9 **Quality of decisions** – the measure to be used is the average percentage of decisions on applications for major development that have been overturned at appeal once nine months have elapsed following the end of the assessment period. The threshold for initial designation is 20%. For the first designations in October 2013 a two year assessment period ending on 31 December 2012 was used. The nine months is to enable the majority of decisions on planning applications made during the assessment period to be followed through to subsequent appeals that may be lodged and for the outcome of those appeals to be known. The table below monitors this indicator and shows that up to the end of January 2015 the Council is currently at 0% and therefore well below this target.

% of Planning Appeals Allowed Against the Decision to Refuse Planning Permission: Individual Monthly Performance



5. Planning Appeals Performance

- 5.1 The Planning Inspectorate has issued decisions on 49 appeals so far in this financial year and only ten of these were allowed (20%). The majority of these were decided via the written representations route although there was one informal hearing.
- 5.2 A delegated refusal of a major scheme- Ermine Road and Plevna Crescent a residential scheme for 98 units on a Site of Nature Conservation Importance is due to be heard at a Public Inquiry in March.
- 5.3 In the period 1.3.2013-31.1.2015 9 applications were refused by planning committee. 7 of these were against officer recommendation. 6 of these refusals have been appealed. The remaining one was revised, resubmitted and subsequently approved by the committee.
- 5.4 A report on lessons learned will be included in the annual report on planning performance to be reported at the next Regulatory Committee.

6. Planning Enforcement Performance

6.1 Number of cases

- 6.1.1 The overall caseload continues to increase since 2011-12 and 830 cases have been received so far this year. The service is continuing to implement improvements to speed up decisions on case and be more responsive to the customer.
- 6.1.2 At 31 January 2015 572 planning enforcement cases are still open. Efforts to deal with the backlog will be made in the final quarter of 2014-2015. This figure has been upwardly distorted by staffing shortages over the December to February period. Further information on the type and distribution of cases will be presented at the meeting.

6.2 Enforcement action

6.5 To date 93 enforcement notices have been served in 2014/15 82 Planning Contravention Notices have been served. These are a tool to gain further information about a potential breach and these are often a pre-cursor to enforcement action.

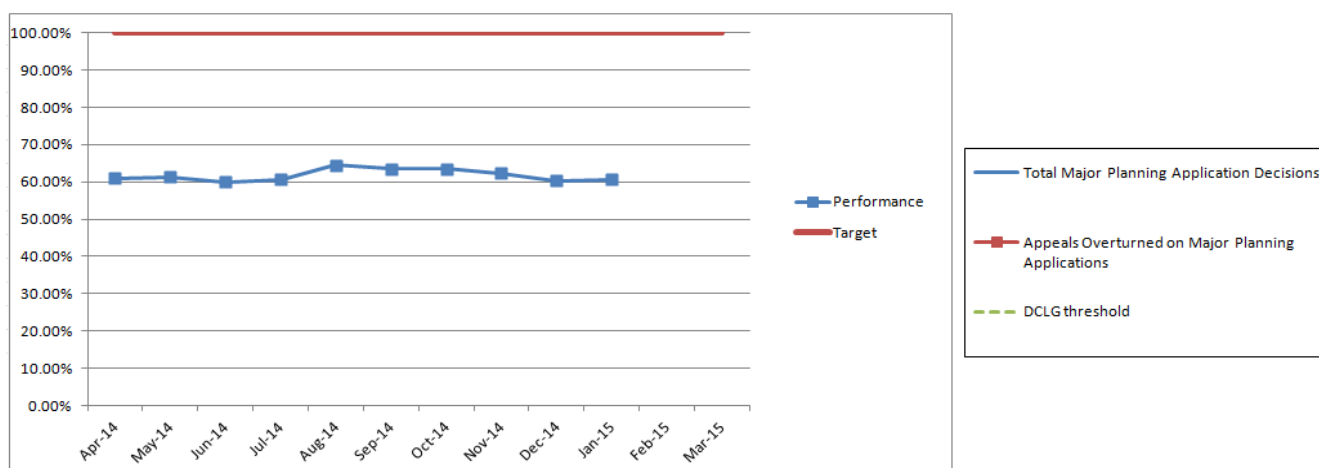
6.6 Enforcement appeals

6.7 Information on enforcement appeals will be presented at the meeting.

6.8 Performance indicators

The service is now collecting data on the number of enforcement complaints on which a decision is made as to how to proceed within 8 weeks rather than whether the case was closed within 8 weeks. The rationale for this approach is that in instances where formal enforcement action is pursued; the timescales involved are outside the control of the planning enforcement service. Examples include the Planning Inspectorate timescales, which do not in any way reflect the performance of the service. The cumulative performance for the year so far is 57%. The service has set itself the target for performance to be at 65%. It is expected that at the next reporting period, the performance will exceed this performance benchmark.

Month	complaints received	decision taken within 8 weeks	Target %	Total decisions	%
Apr-14	61	39	100.00%	64	60.94%
May-14	151	89	100.00%	145	61.38%
Jun-14	245	133	100.00%	222	59.91%
Jul-14	341	183	100.00%	302	60.60%
Aug-14	405	253	100.00%	392	64.54%
Sep-14	484	308	100.00%	485	63.51%
Oct-14	589	353	100.00%	556	63.49%
Nov-14	676	419	100.00%	673	62.26%
Dec-14	741	483	100.00%	802	60.22%
Jan-15	795	492	100.00%	811	60.67%
Feb-15			100.00%		
Mar-15			100.00%		



6.9 Work is ongoing to improve this performance through management and performance tracking changes.

6.10 The service also collects data on the number of cases acknowledged within 3 days and the number of initial site visits carried out within the service standards (10 days for most breaches). The service's performance against these measures will be reported to the meeting.. In addition, the service has now introduced a new

performance indicator to measure the number of cases which are acknowledged within 1 working day.

Prosecutions and other income

- 6.11 Information on prosecutions and other enforcement income will be presented to the meeting.

Proceeds of Crime Act (POCA)

- 6.12 There have been no further cases referred for confiscation under the Proceeds of Crime Act (POCA) however an additional £21,000 is expected from a reopening of 9 Heybourne Road and 1 Bruce Castle Road. This money is expected to be paid in June 2015.

7 Issues and challenges

- 7.1 The growing personal caseloads of officers and fixed national planning fee regime has created significant pressures on the caseloads for existing staff. The level of income has not risen in line with this despite rising application numbers because of the increase in applications and prior approvals which attract a low fee. Whilst the continued focus on process efficiency and management of a suite of performance indicators has helped to maintain good levels of performance over the year to date, the service is now exploring options for more radical process changes through workshops with staff and external specialists with the support of the Planning Advisory Service.
- 8.2 With the announcement on 20 February of a Housing Zone for Tottenham, the service is also preparing to engage with the Mayor's and Government's expectations for streamlined, transparent and efficient planning processes. It is expected that the service will make extensive use of "planning performance agreements" to ensure that the necessary staffing and expertise are in position to respond positively to the expected increase in strategic applications. A planning protocol between officers of the Council and the Mayor's planning team, together with the establishment of the Quality Review Panel, (see paper elsewhere on this agenda) are part of the planning service's pro-active response to the announcement.
- 8.3 Against this backdrop, the service is also seeking to address the current balance between agency and permanent staff. Rather than adopting a piecemeal approach, the service is proposing to undertake a recruitment exercise for Development Management officers based upon a refreshed operating structure that highlights clear development and career pathways for individual officers to develop and grow within the Council - in line with the emerging corporate response to workforce development. Recruitment is likely to begin later in the spring.

8 Comments of the Assistant Director of Corporate Governance and legal implications

- 8.1 The Assistant Director of Corporate Resources has been consulted in the preparation of this report. As a noting report there are no specific legal implications which arise.

9 Local Government (Access to Information) Act 1985

- 9.1 Planning staff, application, appeals and enforcement case files are located at 6th floor, River Park House, Wood Green, London N22 8HQ. Application details are available to view, print and download free of charge via the Haringey Council website: www.haringey.gov.uk. From the homepage follow the links to 'planning' and 'view planning applications' to find the application search facility. Enter the application reference number or site address to retrieve the case details.
- 9.2 The Development Management and Building Control Support Team can give further advice and can be contacted on 020 8489 5504, 9.00am-5.00pm Monday to Friday.