

Planning Committee

2.00pm, Wednesday, 29 January 2020

Planning Improvement Plan – Progress Update

Executive/routine	Routine
Wards	All
Council Commitments	1,4,10-15,18,28

1. Recommendations

- 1.1 It is recommended that the Committee notes the progress being made on the implementation of the Planning service's Improvement Plan and progress against internal audit actions on developer contributions.

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Report

Planning Improvement Plan – Progress Update

2. Executive Summary

- 2.1 The purpose of this report is to provide an update on progress made on the Council's Planning Improvement Plan (PIP) 2018/21 and on the recommendations of an internal audit on developer contributions.

3. Background

- 3.1 The PIP 2018/21 was approved by Planning Committee in [December 2018](#). It sets out a series of key actions in relation to Leadership and Management, Customer, Continuous Improvement and Performance. In approving the PIP, Committee requested that progress updates be provided at six monthly intervals.
- 3.2 In [February 2019](#), the Committee considered a report setting out the Scottish Government's feedback on the Council's Planning Performance Framework 2017/18. This highlighted the need to speed up the implementation of improvements on decision making timescales, timescales for legal agreements and clearing legacy cases, i.e. applications more than a year old.
- 3.3 In [May 2019](#), the Committee received a report summarising implementation of actions over the first six months of the PIP. This showed that progress was being made across all action areas. However, the effect of this had yet to impact on time performance figures for application handling.
- 3.4 In [August 2019](#), time performance monitoring figures for Quarter 1 of 2019/20 were provided in the Business Bulletin. The Council's Planning Performance Framework, which is submitted annually to Scottish Government, was also reported for information.

4. Main report

- 4.1 Progress continues to be made on the implementation of the PIP 2018/21. A six-month update is provided in Appendix 1. This explains progress made over the last six months and some of the improvements planned for the next phase of the programme. It also includes as an annex the Quarter 2 time performance figures in the same format as reported in the Business Bulletin for Quarter 1.

- 4.2 Section three of the update report explains in more detail the progress made in terms of time performance and addressing legacy cases. It indicates that the actions implemented over the last six months are starting to have a positive impact on time performance figures generally. However, actions have yet to make a significant difference to time performance for major applications due to their longer end-to-end timescales. Progress on legal agreements and legacy cases has been made, but more still needs to be done.
- 4.3 These findings are consistent with feedback from the Customer Forum held in September 2019. This feedback points to the continuing need for change and improvement in the service, including attention to quality of outcomes and other matters beyond quantitative time performance.
- 4.4 Appendix 2 sets out progress against the actions recommended in an internal audit relating to developer contributions. These recommendations were set out in a report referred from the Governance, Risk and Best Value Committee to Planning Committee in [May 2019](#), where it was agreed that an update would be provided in December 2019.

5. Next Steps

- 5.1 Work will continue to implement actions in the PIP. Priority will continue to be given to actions relating to decision making timescales, to ensure that time performance improvements are sustained.
- 5.2 Lessons learned from pilot and trial working practices will be used to inform further actions and build the service's capacity to change and respond to challenges as they arise. This experience and monitoring will be used to keep the PIP under review and inform any refresh of it.
- 5.3 Proposed changes arising from a review of the pre-application advice service are the subject of a separate report at this meeting of Committee. These proposals address an aim to improve customer service.

6. Financial impact

- 6.1 The costs associated with implementing the proposed improvements in the current PIP will be met from the Planning and Building Standards service budget.

7. Stakeholder/Community Impact

- 7.1 The PIP includes actions suggested at the Customer Forum held in June 2018. The third meeting of the Forum was held in September 2019. Customer feedback on implementation of improvement actions and experience of the service generally was sought. The findings are informing the implementation of actions.

- 7.2 Support for communities remains an important action for the improvement programme, with community council training particularly relevant following community council membership changes in autumn 2019.

8. Background reading/external references

- 8.1 [Planning Performance Framework 2018-2019](#), City of Edinburgh Council, July 2019
- 8.2 Report to Planning Committee, 12 December 2018, [Planning and Building Standards Improvement Plans](#)
- 8.3 Report to Planning Committee, 27 February 2019, [Scottish Government Feedback on Planning Performance Framework 2017 - 2018](#)
- 8.4 Report to Planning Committee, 15 May 2019, [Planning Improvement Plan – Progress Update](#)
- 8.5 Report to Planning Committee, 15 May 2019, [Internal Audit – Developer Contributions – referral from the Governance, Risk and Best Value Committee](#)

9. Appendices

- 9.1 Appendix 1 - Planning Improvement Plan 2018/21 Progress Update, January 2020.
- 9.2 Appendix 2 – Update on Recommendations from Internal Audit on Developer Contributions

Appendix 1 – Planning Improvement Plan 2018/21 Progress Update

1 Introduction

- 1.1 This is the second progress report on the Council's Planning Improvement Plan 2018-21. This report explains the progress made since the previous progress report in May 2019, sets out changes that have been made to the service and the intentions for the next phase of the improvement plan.
- 1.2 The Planning Improvement Programme identifies a series of key actions for the period 2018-21. These actions are structured around the Improvement Plan's core themes: Leadership and Management, Customer, and Performance and Continuous Improvement. Section 2 of this report sets out the actions delivered since May 2019 and an indication of the actions planned for the next phase. Section 3 includes analysis of our performance in terms of reducing the time taken to determine applications. It also provides some narrative to explain the details behind the figures.
- 1.3 In February 2019, a dedicated Planning improvement team was established to speed up progress on delivery of actions. This is comprised of three members of staff seconded from other Planning teams with support provided from the Building Standards Improvement team and other Council Services. The improvement team has been refreshed following staff moves.
- 1.4 Formal governance for the Planning Improvement Programme is now provided through an expansion of the Building Standards Improvement Board to include Planning in its remit. The new Building Standards and Planning Improvement Board has met several times since April 2019. As the Planning Improvement Programme continues to evolve over 2020, this will inform future updates of the Improvement Plan.
- 1.5 An annex provides Quarter 2 time performance figures, to complement those for 2019/20 Q1 reported in the Business Bulletin for Planning Committee in August 2019.

2 Progress on actions

2.1 The following table summarises the progress made under each of the three main improvement plan themes in the six months since the last update in May 2019 and sets out some of the actions to be implemented in the next phase.

Leadership / Management	
Delivered – Second Six Months	Planned next phase
<p>Engaging all staff in the Improvement Plan A People Plan has been prepared to provide a clear framework for the identification and delivery of leadership and management actions including staff training and awareness.</p> <p>Staff Resources Over the last six months realignment of staff resources and teams has been trialled. This has been combined with an ongoing assessment of workload to respond to pressures in a more flexible and agile way. The contribution of this to an improvement in time performance figures has been evaluated.</p> <p>A staff survey and a stress risk assessment have been undertaken to better understand the views and needs of Planning staff. These are being used to inform change and improvement in the service.</p> <p>Managing performance and people skills Planning and Building Standards staff now form two learning sets for the Council's Future Engage Deliver leadership development programme. Further staff have joined corporate learning sets, and an additional round of learning sets is due to be set up early in 2020. The impact of this will be evaluated as part of the 'early adopter' status of the services.</p>	<p>Engaging all staff in the Improvement Plan Staff at all levels will continue to be engaged more directly in identifying and delivered service changes and improvements.</p> <p>Staffing New approaches to resource and workload alignment will continue to be explored and tested for effectiveness</p> <p>Team Manager Development The team managers' role will be developed to ensure that the needs of both the service and our customers are being delivered. This will include support from Human Resources (HR) colleagues as part of the new Leadership Framework and using external management expertise.</p> <p>Embedding new practices Team members will continue to expand their roles to include greater strategic involvement in service and performance improvements.</p> <p>Mentoring The mentoring system will continue to be developed with further opportunities being created for broader professional development.</p>

The Planning service received the Royal Town Planning Institute's Learning Partner award in October 2019 as best practice in coordinating training for officers, elected members and community groups.

Mentoring

A more structured mentoring system has been introduced for Assistant Planning Officers and others working towards membership of the Royal Town Planning Institute.

Quality Assurance

Planning and Building Standards passed an annual external ISO 9001 audit held in September.

Recruitment

We have successfully recruited to the following additional posts:
 1 x Senior Planning Officers (Local) and
 1 x Senior Planning Officer (Major).
 We have moved quickly to fill permanent, secondment and maternity vacancies to minimise impact on performance.

Quality Assurance

We will continue to work with other services to develop a consistent approach across the Place Directorate.

Performance and Continuous Improvement	
Delivered in first six months	Planned next phase
<p>Performance</p> <p>The following arrangements were introduced to speed up decision making timescales:</p> <ul style="list-style-type: none"> • re-alignment of staff resources across the service to improve the efficiency and quality of decisions; • detailed weekly monitoring reports by team of applications received, being assessed and determined.; • better use of the "stop the clock" protocol to provide more accurate measurement of the planning authority's own performance; and • ongoing review of processes with 	<p>Performance</p> <p>Flexible and agile redistribution of workload will continue to be developed.</p> <p>Time performance monitoring will continue to be developed, with a particular focus on accurate capture of use of measures such as stop-the-clock and extensions to application determination timescales. These improvements will also provide more rapid feedback to teams, as has been developed for Building Standards.</p>

<p>regular staff training sessions</p> <p>The impact of these was discussed at the Customer Forum in September 2019.</p> <p>An enforcement workshop was held on short term lets.</p> <p>Information Communication Technology (ICT) Support and Development</p> <p>Weekly meetings have been held with the Council's internal Digital Services team and external partner CGI to resolve ongoing issues and identify development opportunities as part of improvement programme.</p> <p>A major hardware refresh was rolled out in October. A number of Microsoft Surface Pro machines, with detachable tablets for use on site visits, have been allocated to teams where this will have greatest impact. New laptops have been issued to other staff, including a small number of machines suited for specialist Geographical Information System (GIS) activities.</p> <p>Legal Agreements and Developer Contributions</p> <p>A new template for identifying developer contribution requirements in a consistent and efficient way has been developed and trialled.</p> <p>Training for all relevant staff on the end-to-end developer contributions process has been delivered – a recommendation of an Internal Audit on contributions.</p> <p>Committee Reports</p> <p>Improvements to the format of reports to the Development Management Sub Committee are being trialled.</p>	<p>ICT Support and Development</p> <p>The weekly meetings will continue to ensure ongoing commitment to resolving the ICT issues that impact on performance.</p> <p>Opportunities associated with the national Digital Planning project, and the City Region Data Driven Innovation programme, will be explored with the Digital Services team and external partners.</p> <p>Opportunities for automation of application processes will be explored. These will be developed where possible.</p> <p>Legal Agreements and Developer Contributions</p> <p>The other recommendations from the Internal Audit report on the developer contributions process will be implemented by Planning, Finance and Legal Services.</p> <p>Further information on progressing the audit recommendations is provided separately, in Appendix 2.</p> <p>The status and use of Supplementary Guidance on Developer Contributions and Infrastructure Delivery will be kept under review.</p> <p>Training</p> <p>An ongoing training programme for staff will continue to be implemented.</p> <p>Design Quality</p> <p>Lessons learnt from the internal review process and the Edinburgh Urban Design Panel will continue to be shared with case officers and changes introduced to strengthen the approach to raising design quality.</p>
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<p>Training Training workshops were held for members of the Planning Committee on a number of topics, including economic viability of affordable housing and design guidance.</p> <p>A new Planning Committee training and awareness programme 2019/20 was presented in a report to the August Committee.</p> <p>The staff training programme was delivered.</p>	<p>Learning from Others</p> <p>Lead practice in other authorities will be identified, including through liaison with Heads of Planning Scotland performance sub-committee, and Glasgow.</p> <p>Lessons from the Building Standards improvement programme will be applied to change and improvement in Planning.</p>
Customer Improvements	
Delivered last six months	Planned next phase
<p>Website</p> <p>The service has been liaising with colleagues during the upgrade of the Council's website, giving consideration to opportunities to improve information available on planning pages.</p> <p>Pre-Application Advice</p> <p>Following consultation, a revised service was introduced. A structured and specified level of advice has been introduced to address customer needs and streamline resources to support the efficient operation of the planning application process.</p> <p>Handling Complaints</p> <p>A review of issues raised in complaints addressed in is now part of the feedback cycle which is considered by staff leading on the Customer theme. This informs actions in the overall change and improvement programme as appropriate.</p>	<p>Website</p> <p>Customer feedback on using the Planning section of the upgraded Council website will be used to inform its development.</p> <p>Pre-Application Advice</p> <p>Early findings and next steps for the revised pre-application advice service are the subject of a dedicated evaluation reported separately.</p> <p>Handling Complaints</p> <p>The use of complaints to inform service change and improvement will continue to be developed.</p> <p>Community Council Training</p> <p>Further community council training is being arranged, particularly to assist new members following the renewal of memberships in October 2019.</p>

Community Council Training

Community council training workshops were held in May 2019.

Community briefings on the City Plan 2030 project were scheduled for November 2019.

Customer Engagement

The third annual Planning and Building Standards Customer Forum event took place in September 2019 and was well received. Themes raised include communication, consistency of decision making and time performance.

Feedback indicated that changes to working practices were beginning to have positive impacts, but more needs to be done for major applications and key stages in the process, such as consultee input. It also indicated that other aspects of performance, such as quality of outcome, need to be addressed.

Working with Other Services

Planning has continued to work with other Services on a range of Council projects.

Sharing Information

We have continued to use the [Planning Edinburgh](#) blog to update customers on City Plan 2030, let people know about consultation events and procedural changes and share research and technical information.

Customer Engagement

Further customer engagement will be carried out, informed by practice in Building Standards. Another annual Forum will be held in 2020.

Communicating with Customers

Protocols for handling customer enquiries by email and telephone have been developed and will be trialled before full roll out.

Working with Other Services

The Planning change and improvement programme will be closely coordinated with changes in other Council services to ensure that opportunities for improvement to customer service are explored and learning is shared.

3 Progress on Reducing Application Timescales

- 3.1 The following section provides information on applications received in the six months from April to end October 2019 and some mid-year analysis of application timescale statistics. An annex provides detailed figures and some comments for Quarter 2.

Table 1: Number and Type of Applications Received

Application Type	2017/18*	2018/19*	2019/20 (first 6 months)
Major Development	24	31	19
Non-Householder	1276	1181	577
Householder	1641	1631	849
Listed Building and Conservation Area Consent	1055	1113	548
Other	293	237	144
Total	4289	4193	2137
* Figures for 17/18 and 18/19 have been adjusted to reflect backdated validations			

- 3.2 Over the six months, the Council received 2,137 applications at a rate of between 290 - 360 applications per month. The number of major applications received in six months indicates a slightly higher rate to that in 2018/19. The number of householder applications indicates a similar rate to last year. There appears to be a similar rate of receipt of non-householder applications compared to 2018/19. There has been a slight decrease in the number of listed building/conservation area consent applications. There appears to be an emerging increase in the number of “other” applications, which are predominately advertisement consents. For all types of applications, it remains to be seen whether these trends will continue in the second half of 2019/20.
- 3.4 Table 2 set outs information on the time taken to determine applications in the last two quarters. Figures for each quarter are provided in the annex below.
- 3.5 The figures indicate that time performance has improved for majors, locals, householder and listed building/conservation area applications. This has been despite a steady and high level of incoming applications.
- 3.6 It is considered that the new working practices introduced during this period have helped contribute to these positive trends. However, further progress is needed to meet the relevant targets.

Table 2: Performance - % of applications determined within target timescales*

Application Type	2017/18 Comparator	2018/19 Comparator	2019/20 (first 6 months)	Target
Major Development	13%	16%	37%	70%
Non-Householder	60%	57%	64%	70%
Householder	76%	78%	86%	90%
Listed Building and Conservation Area Consent	56%	54%	69%	70%

*Four months or as agreed with applicant for major applications, two months or as agreed with applicant for others.

- 3.7 There were nine major applications determined in Quarter 1 and seven in Quarter 2. Six of these were determined either within the four-month target or within an agreed timescale (either through processing agreement or extension). The use of these tools has contributed to an overall improvement in time performance, though the overall proportion is still far short of the target 70%. Increased use of stop-the-clock is expected to help further, though this will take some time to have an impact. A total of six major legacy cases were determined in this six-month period.
- 3.8 The time taken to conclude legal agreements continues to impact on determination timescales. However, new measures including a template for contributions and a model legal agreement have been introduced. These are expected to have a positive impact on time performance in due course.
- 3.9 A priority is to clear legacy cases (defined as over a year old). Between March and October 2019, 30 legacy cases were resolved. 20 were granted, 9 refused and 1 withdrawn. However, over the same period, 28 applications turned one year old and became new legacy cases. As of late October 2019, 70 legacy cases remained, only a small reduction from the total in March 2019. 30 of these cases are minded to grant, which highlights the significance of the legal agreement process to resolving legacy cases.

	Mar-18	Mar-19	Oct-19
Legacy Cases	89	72	70
<i>of these minded to grant</i>			30

- 3.10 In Quarters 1 and 2 there were 544 enforcement cases received and 452 cases closed. 135 of the cases submitted were short term lets, of which 58 were closed. 86% of these were closed within 6 months, exceeding the target proportion of 80%. 14 notices were served on short term lets, all but one within the 6-month target period. This has required significant officer resource, which has had some impact on other types of enforcement case. Across the six months, 71% of other cases were closed within 3 months, below the target proportion of 80%.

4 Conclusion

- 4.1 The new working practices identified in the Planning Improvement Plan are having a positive impact on time performance monitoring information. Figures for the first six months of 2019/20 have all seen positive change, despite a continuing high level of incoming caseload.

- 4.2 However, time performance is not yet meeting overall targets, and further development of working practices is needed to ensure that improvements can be sustained. Use of relevant tools needs to be developed further, and further work to resolve legacy cases is required.
- 4.3 Other more qualitative aspects of the service's performance, including customer service, relationships and quality of outcomes will also require development over the next phase of the improvement programme.

Annex – Time Performance Information Quarter 2 (1 July – 30 September 2019)

Major Applications 2019 – 2020				
	Q1	Q2	Q3	Q4
Number submitted	11	6		
Number determined	9	7		
Number (and %) determined within 4 months or agreed timescales (target =70%)	3 (33%)	3 (43%)		
	6-month figure: 37%			
Number (and %) determined with Planning Processing Agreements and/or Agreed Extensions of Time	3 (33%)	3 (43%)		
Comments				
<p>The three applications determined on target in Q2 were a housing development at Bath Road in Leith, a university development at King’s Buildings and new development at the Botanic Gardens. All had agreed extensions of time, the latter also had a processing agreement.</p> <p>Three other developments were refused (one at Marionville Road, two at Old Dalkeith Road). The former missed its target due to a delay in signing off and issuing the decision. The latter were non-allocated sites for which the applicant did not agree to a processing agreement or time extension, and which could not go to a committee meeting within target as there was another hearing on.</p> <p>One legacy application (i.e. older than one year) was determined in this quarter.</p>				

Non-Householder Applications 2019 -2020				
	Q1	Q2	Q3	Q4
Number submitted	200	248		
Number determined	269	242		
Number (and %) determined within 2 months or agreed timescales (Target = 70%)	169 (62.8%)	158 (65.3%)		
	6-month figure: 64.0%			

Householder Applications 2019 – 2020				
	Q1	Q2	Q3	Q4
Number submitted	372	389		
Number determined	387	397		
Number (and %) determined within 2 months or agreed timescales (Target 90%)	318 (82.1%)	357 (89.9%)		
	6-month figure: 86.1%			

Listed Building Consent Applications 2019 – 2020				
	Q1	Q2	Q3	Q4
Number submitted	226	262		
Number determined	187	233		
Number (and %) determined within 2 months or agreed timescales (target 70%)	116 (62.0%)	175 (75.1%)		
	6-month figure: 69.3%			

Advertisement Consent Applications 2019 – 2020				
	Q1	Q2	Q3	Q4
Number submitted	58	68		
Number determined	62	76		
Number (and %) determined within 2 months or agreed timescales	45 (72.6%)	63 (82.9%)		
	6-month figure: 78.3%			

Short term Let Enforcement Cases 2019 – 2020				
	Q1	Q2	Q3	Q4
Number submitted	66	69		
Number closed	19	39		
Number (and %) closed within 6 months (target 80%)	14 (77.7%)	36 (92.3%)		
	6-month figure: 86.2%			
Number of notices served	5	9		
Number (and %) served within 6 months (target 80%)	5 (100%)	8 (89%)		
	6-month figure: 92.9%			
<p>Comments</p> <p>Performance on dealing with short term let cases has improved further in the second quarter. However, the number of short term let cases continues to grow and this puts pressure on maintaining performance including resourcing other enforcement investigations (see below).</p>				

All Other Enforcement Cases 2019 – 2020				
	Q1	Q2	Q3	Q4
Number submitted	192	217		
Number closed*	162	232		
Number (and %) closed within 3 months (target 80%)	109 (67.3%)	172 (74.1%)		
	6-month figure: 71.3%			
Number of notices served	8	8		
Number (and %) served within 3 months (target 80%)	5 (62.5%)	2 (25%)		
	6-month figure: 43.8%			
<p>Comments</p> <p>The new City wide Enforcement team set up at the beginning of June has been stepping up efforts to clear the legacy cases. This process is impacting on time performance but is essential for the operation of the team going forward.</p>				

Legal Agreements 2019 -2020				
	At end Q1	At end Q2	At end Q3	At end Q4
Number of applications currently at legal agreement stage	41	50		
Number of applications where more than 6 months since Minded to Grant decision	26	20		
<p>Comments</p> <p>In this quarter there has been a reduction in the number of applications where it has been longer than 6 months since the minded to grant decision. Measures already in place as part of the Planning Improvement Plan should reduce the number of future applications falling into this category.</p>				

Appendix 2

Internal Audit on Developer Contributions May 2019 (PL1802)

Update on Recommended Actions

The internal audit report and full recommendations are available [here](#).

Recommendation	Status Update
1 Backlog of legacy developer contributions	
1.1 Recommendation – review of developer contributions held in the Finance database <ul style="list-style-type: none"> • Agreed management action - review of developer contributions held in the Finance database • Owner: Stephen Moir, Executive Director of Resources • Agreed Implementation Date: 30 September 2020 	In progress Being progressed through by Finance with input from Planning and other services as appropriate.
1.2 Recommendation – retrospective review of historic developer contribution legal agreements <ul style="list-style-type: none"> • Agreed Management Action – retrospective review of historic developer contribution legal agreements • Owner: Paul Lawrence, Executive Director of Place • Agreed Implementation Date: 30 September 2020 	In progress Being progressed through joint working led by Planning, with Finance, Legal and Transport officers.
2 End-to-end developer contributions processes, procedures and training	
2.1 Recommendation – process documentation, guidance, and standardised documentation <ul style="list-style-type: none"> • Agreed Management Action – process documentation, guidance, and standardised documentation • Owner: Paul Lawrence, Executive Director of Place • Agreed Implementation Date: 31 March 2020 	In progress Key elements of an end-to-end process have been introduced. Next steps include the integration of all elements into a full end-to-end process.
2.2 Recommendation – quality assurance <ul style="list-style-type: none"> • Agreed Management Action – quality assurance • Owner: Paul Lawrence, Executive Director of Place • Senior Solicitor. Agreed Implementation Date: 31 December 2020 	In progress Quality assurance measures will interface with the end-to-end process required by recommendation 2.1 above.
2.3 Recommendation – legal agreements and rates <ul style="list-style-type: none"> • Agreed Management Action – legal agreements and rates • Owner: Stephen Moir, Executive Director of Resources • Agreed Implementation Date: 30 June 2019 for implementation of template application of revised hourly charge; and 30 June 2020 for completion of first annual review of hourly charges 	Partly Completed Review of hourly charges has been updated. First annual review to take place by end June 2020.
2.4 Recommendation – Induction and refresher training <ul style="list-style-type: none"> • Agreed Management Action – induction and refresher training • Owner: Paul Lawrence, Executive Director of Place • Agreed Implementation Date: 30 September 2019 	Completed. Training was undertaken in September 2019. Additional training being provided.

3 Ongoing Management of Developer Contributions

3.1 Recommendation – identification and allocation of developer contributions

- Agreed Management Action – identification and allocation of developer contributions
- Owner: Paul Lawrence, Executive Director of Place
- Agreed Implementation Date: 31 March 2020

Partly Completed.

All invoices now issued through the Council's Finance system (PPSL). On-going discussion between Planning and Finance to improve the service for both sections and the customer.

3.2 Recommendation – ongoing maintenance of developer contributions

- Agreed Management Action – ongoing maintenance of developer contributions
- Owner: Stephen Moir, Executive Director of Resources
- Agreed Implementation Date: 30 September 2020

In progress

Being progressed through by Finance with input from Planning and other services as appropriate.