

REPORT TO: PLANNING AND REGULATORY SERVICE COMMITTEE ON 17 JUNE 2014

SUBJECT: PERFORMANCE REPORT – HALF YEAR 2013/14 (OCTOBER 2013 TO MARCH 2014)

BY: HEAD OF DEVELOPMENT SERVICES

1. REASON FOR REPORT

- 1.1 To inform the Committee of performance of the service for the period from 1 October 2013 to 31 March 2014.
- 1.2 This report is submitted to Committee in terms of Section III (F) (18) and (19) of the Council's Administrative Scheme relating to developing and monitoring the Council's Performance Management Framework for the Planning and Regulatory Services and contributing to public performance reporting.

2. RECOMMENDATION

2.1 It is recommended that Committee:

- (i) scrutinises performance against Planning and Regulatory Performance Indicators, Service Plan and Complaints to the end of March 2014 as outlined;**
- (ii) welcomes good performance as indicated in the report;**
- (iii) notes the actions being taken to improve performance where required; and**
- (iv) approves the changes to the Development Services' performance indicators which are reported to this Committee.**

3. BACKGROUND

- 3.1 The Policy and Resources Committee, at its meeting on 27 April 2010 (para 12 of the Minute refers), approved the development of a Quarterly Performance Monitoring Statement document, which provides the supporting information for the Performance Management Framework. This half-yearly performance report refers to the data held within that document.

- 3.2 The Economic Development and Infrastructure Services Committee at its meeting on 23 October 2012 (para 11 of the Minute refers) asked whether Transportation Planning performance indicators could also be reported to this Committee. To comply with this request the indicators are now reported to both Committees. The responsibility for oversight of the Transportation Planning indicators remains with the Economic Development and Infrastructure Services Committee.
- 3.3 Performance indicators are reviewed annually. Any changes to the indicators need approval from this committee.

4. **SUMMARY OF PERFORMANCE**

Performance Indicators

- 4.1 The tables below summarise performance: –

Service	No. of Indicators	Green Performing Well	Amber Close Monitoring	Red Action Required	Annual PI / Data Only
Building Standards	7	4	0	0	3
Development Management	5	0	0	0	5
Environmental Health	7	3	1	0	3
Strategic Planning and Economic Development	1	1	0	0	0
Trading Standards	6	1	0	0	5
Transportation Planning	3	2	0	1	0
Total	29	11 (38%)	1 (3%)	1 (3%)	16 (55%)
Total quarter 4	13	85%	15%	8%	

- 4.2 Performance at this stage of the year is presented across six service areas and involves 13 indicators. Eleven of which are regarded as performing well, 1 requires close monitoring and 1 requires action if the targets are to be met. Another indicator is included in the “Annual/Data Only” total because there was no data to report in quarter 4 but over the year the indicator met the target. All other indicators are data only.

Service Plan

Number of Actions	Postponed	Expected by end quarter 4	Actual by end quarter 4
33	3	25	16

- 4.3 At the end of the reporting period 26 actions were due for completion and 3 actions were postponed. Sixteen of the actions, which were due for completion, were completed and 9 are overdue. Of the remaining 5 actions, 3 have been completed ahead of time and 2 are progressing within timescales. Overall the plan is 83% complete at the end of the reporting period.

Complaints

- 4.4 During quarter 4 2013/14, Development Services received 2 Frontline and 2 Investigative complaints, all of which were responded to within timescales. Two complaints were part-upheld during quarter 4.
- 4.5 During quarter 3 2013/14, Development Services received 2 Frontline and 6 Investigative complaints, all of which were responded to within timescales. One complaint was part-upheld and another was upheld during quarter 3.

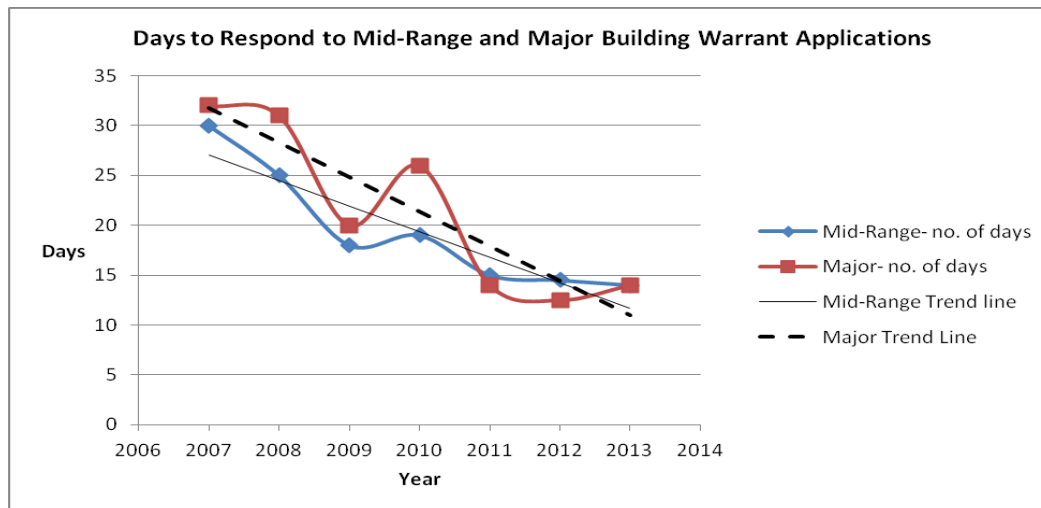
5. PERFORMANCE ANALYSIS

5.1 Areas of good performance

Building Standards

- 5.1.1 The data only indicators measuring the issue [rate](#) for Building Warrants First Reports (Envdr212, Envdr213, & Envdr214) show that there were no reports which took longer than 35 days and that 91% were issued within 20 days in quarter 4. The annual performance for 2013/14 was also that 91% were issued within 20 days.
- 5.1.2 The indicators that measure response times to applications: (Fast Track (ENVDV039b); Mid-Range (ENVDV041b); and Major (ENVDV043b)) continue to meet targets.

The graph below shows that the latest response times for major and mid-range applications are about half of their value from 6 years ago. Fast track response times have remained at around 9 working days over the same period.



Development Management

- 5.1.3 The average time to deal with local planning applications (SDS2b) continues to show a positive trend. The average time in quarter 4 (11.5 weeks) is better than the 2012/13 national average of 12.2 weeks. Annual performance has improved from 16.7 weeks to 13.5 weeks. 84.5% of all applications in quarter 4 were dealt within 9 weeks. The number of planning applications determined in 2013/14 (SDS2bi) at 987 is very nearly the same as 2012/13, 1002. The section expects that performance will continue to improve. This is underlined by the proposed target for 2014/15 (see section 6 below) being 10.4 weeks which is more than a week better than any previous performance.

Trading Standards

- 5.1.4 Trading standards measure customer satisfaction levels for consumers (ENVDV201), benefits clients (ENVDV216), and money advice clients (ENVDV300). The lowest score for these 3 indicators was 96% of respondents who were satisfied – Performance results were 96%, 100% and 98% respectively.
- 5.1.5 In 2013/14 the section's estimated welfare benefits gain for their clients (ENVDV217) was £1.9M which is an increase of £0.285M from the 2012/13 result.

Service Plan

- 5.1.6 (Development13.03) 'Public Service Improvement Framework will be used by service managers to assess the services with regards to service planning, people, partners, leadership, processes and performance.'. 100%. All sections have undergone a PSIF process and the resulting actions are already being implemented.
- (Development13.14) 'Investigate criminal allegations in line with the Enforcement Policy' 100%

Trading Standards undertook 34 investigations from April 2013 to March 2014, including a number of complex investigations into online sales of counterfeit goods and illicit sales of tobacco products. Four counterfeit goods cases involving nine individuals and companies have been reported to the Procurator Fiscal. Three of the four cases have been taken on with the remaining case under consideration.

- (Development13.15) 'Complete animal feed law enforcement programme including business inspections and sampling of feed products produced in Moray' 100%
All animal feed enforcement visits, by Trading Standards, that were due to be done were completed. Also the related sampling programme was completed.
- (Development13.30) 'Environmental Health will apply the guidance issued by the Food Standards Agency Scotland to control the risk of food becoming contaminated by E Coli O157.' 100%
Environmental Health have prioritised 285 premises for inspection based on risk. Progress will be reported to Committee as part of the Food Law Service Plan Review in September 2014.

5.2 Areas of performance identified for improvement

Environmental Health

- 5.2.1 Although Environmental Health does not have any indicators which are exceptions at the end of the reporting period, one indicator requires close monitoring and exhibits a downward trend in performance:
ENV DV070a ' Food Safety - percentage of category B (12 months) premises inspected '87.5% against a target of 100%
21 out of 24 premises due for inspection were inspected in quarter 4.
The reasons for a reduction in performance include a reduction in staff and allocating resources for the cross contamination initiative and the DBS process. There is a risk that fewer inspections could result in an increase in highest risk premises, food poisoning and a negative report from the Food Standards Agency. Food safety inspections are a high priority for the section.

Transportation Planning

- 5.2.2 The Transportation Planning section is not part of Development Services and is reported here for the reasons detailed in section 3.2.
The performance indicator ENV DR074b '% of pre-application cases (major) responded to planning department within target time of 15 working days of scheduled meeting with developer' did not meet target in quarter 4.
There was only 1 major pre-application case in the quarter and the response was 11 days late. The late response was due to ongoing dialogue with applicant and unusually high work demands arising from a vacant post, other site visits and meetings with other developers. The vacant post was filled from 6 May.

Service Plan

- 5.2.3 At the end of the reporting period nine Service Plan actions were overdue, albeit with good progress against many of them, 2 actions were postponed and 1 was cancelled.

Overdue

- (i) Development 13.01 – ‘Customer feedback. The methods of obtaining customer feedback will be reviewed to improve response rate where this is needed’. 95%
This action is nearly complete. All sections have reviewed their methods of obtaining feedback with the exception of Environmental Health who have done the vast majority of the work.
- (ii) Development 13.02 – ‘Manage Change from Designing Better Services Programme to improve service provision and efficiencies. Deliver regular, open and frank communications to staff on the change process’ 85%
There has been good progress with this but there is still some work on Building Standards and Environmental Health to be delivered.
 - For Building Standards delays occurred as part of the implementation process related to sourcing appropriate technology and developing solutions to fit new work styles. Once these are achieved the action will be completed.
 - Work in Environmental Health has been delayed due to the workload currently being experienced within that service and because of the complexity of the range of subject matters. The section has now completed what can be done and is presently awaiting ICT finishing some work before the rest can be completed.
- (iii) Development 13.04 – ‘Benchmarking will be used to examine service provision from a quality and cost viewpoint’ 80%
Building Standard is awaiting the development of a web based portal by the Scottish Government. Comparisons against other organisations have, until now, not been easily made because of the complexity of adjusting what is measured by different organisations to a common format to allow comparison.
The portal is due to go live in quarter 1 2014/15 from which time analysis of data from other local authorities will be much easier and reportable.
- (iv) Development 13.06 - ‘Lossie Green Masterplan Scope for master plan’ 80%
The scoping process for this major development has been slowed to take into account the guidance on masterplan development from the Scottish Government. A workshop/stakeholder event to bring about wider consultation with stakeholders and the public was agreed by the January 2014 meeting of the ED&I Committee (paragraph 9 of the minute refers). The workshop took place in April 2014. It is envisaged

that scoping will be completed this calendar year.

- (v) Development 13.10 'Census publication of information' 35%
The final release of data from National Records Scotland was at the beginning of January 2014. Census work has been delayed because of Local Plan Consultations and the service has had to run with a vacant post associated with the work. The consultation work is due to complete at the end of April 2014 when the Census work will continue. Publication is now expected in July.
- (vi) Development 13.12 'Review of Format of Planning Committee Reports' 75%
There has been good progress with this but additional legislation has been introduced which has delayed the review of the committee reports as this will impact on the final version.
- (vii) Development 13.13 'Planning Conditions Review of model conditions to be undertaken in consultation with internal consultees and legal services' 20%
There has been some progress with this. The development of a wind farm conditions template has commenced.
In order to take into account the work done by Heads of Planning Scotland (HoPS), who are also reviewing planning conditions, the review has been delayed. During the reporting period resources were re-directed to the implementation of high hedges legislation.
- (viii) Development 13.17 'Compliance checks at all petrol filling stations – weights and measures and petroleum safety' 54%
15 out of 28 petrol retailers and storage sites were inspected. The remainder will be inspected in 2014/15.
Because the Trading Standards section is currently working at maximum capacity actions have had to be prioritised.
- (ix) Development 13.23 'eBuilding Standards In addition to the DBS changes a system of submitting Building Warrant applications electronically will be reviewed and developed.' 5%
This has been delayed because ICT have been unable to schedule some time for the project, as yet. However a pilot scheme, which was instigated and run by the service to receive Building Warrant applications by email, started on 24 March 2014. The National eBuilding Standards will commence in autumn 2015 or later. Moray will be compliant with the national standards before they are implemented.

Postponed/Cancelled

- (x) Trading Standards, working at maximum capacity in the reporting period, postponed one action and cancelled another.
Development 13.20 'Review and advise Caravan Parks on their terms and conditions'. This project has been postponed to 2014/15.

Development 13.19 'Compliance of Moray Based online traders with distance selling legislation' Resources for this project were diverted to a number of complex and time consuming investigations. It was decided not to take the project forward in 2014/15.

- (xi) Development 13.25 'Building Standards Charter to be reviewed and revised in line with National Charter'. This project has been postponed to 2014/15. The charter could not be updated in 2013/14 because it was not possible to predict what the service would look like until the DBS process was finished.

6. **Proposed changes to the Performance Indicators**

- 6.1 An annual review of indicators has been carried out; all indicator and targets remain unchanged with the exception of those detailed in the table below. Targets have been added to 3 indicators, amended in 3 indicators, 2 indicators to be retained as management indicators and 3 new indicators added.

PI Code	Short Name	Current Target	Proposed Target	Proposed Action
Envdv212	Percentage of building warrant first reports issued within 20 working days	n/a	100%	Target added to a former data only indicator
Envdv213	Percentage of building warrant first reports issued within 15 day backstop period (21-35 working days)	n/a	n/a	Retain as management information. By aiming to issue all reports in 20 days (Envdv212 above) it is considered no longer useful to report to committee the number between 21 and 35 days
Envdv214	Percentage of building warrant first reports issued after backstop period (35 days) but within statutory 3 month period	n/a	n/a	Retain as management information. By aiming to issue all reports in 20 days (Envdv212 above) it is considered no longer useful to report to committee the number over 35 days
ENVVDV041b	BS - Average number of days taken to respond to Mid Range applications	20	15	Change target from 20 to 15 days
ENVVDV043b	BS - Average number of days taken to respond to	20	15	Change target from 20 to 15 days

	Major applications			
SDS2b	Average time (weeks) to deal with local planning applications	n/a	10.4	Target added to a former data only indicator
ENV DV070c	EH - Food Safety - % of registered food premises which are broadly compliant with food law	n/a	80%	Target added to a former data only indicator
ENV DV086	EH - Percentage of responses for high-priority pest control services which met the national target	90%	95%	Change target from 90% to 95%
ENV DV247	P&D – Is the age of local development plan requirement less than 5 years?	n/a	yes	New indicator
ENV DV248	P&D – Is the effective housing land provision greater than a 5 year supply?	n/a	yes	New indicator
ENV DV250	P&D - Vacancy rate of retail floor space	n/a	10%	New indicator

7. **SUMMARY OF IMPLICATIONS**

(a) **Moray 2023: A Plan for the Future/Service Plan**

Development Services performance indicators reflect priorities included within the Moray 2023: A Plan for the Future/Service Plan.

(b) **Policy and Legal**

The Council has a statutory requirement to publish a range of information that will demonstrate that it is securing best value and assist in comparing performance both over time and between authorities where appropriate.

(c) **Financial implications**

None.

(d) Risk Implications

Risks of fewer food safety inspections are outlined in paragraph 5.2.1.

(e) Staffing Implications

None.

(f) Property

None.

(g) Equalities

An Equality Impact Assessment is not needed because the report is to inform the Committee on performance.

(h) Consultations

Managers were consulted regarding the content of this report and are in agreement with the content.

8. CONCLUSION

8.1 Performance within Development Services overall has been strong during the second half of 2013/14. 85% of indicators show good performance. The Service Plan for 2013/14 is 83% complete.

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