



## Performance Surgeries

### SUMMARY

- 1.1 Performance Surgeries are held to explore areas of underperformance arising from performance monitoring of key measures within the Council Scorecard.
- 1.2 This report presents the Neighbourhoods Commission with further information on relevant measures reviewed at the first round of Surgeries in September 2011.

### RECOMMENDATION

- 2.1 To note the background information and action plans considered by Performance Surgery on 6 September 2011.

### REASONS FOR RECOMMENDATION

- 3.1 To reduce duplication of reporting, Performance Surgery papers are issued to Commission members to inform any future scrutiny reviews.

### SUPPORTING INFORMATION

- 4.1 The first round of 2011/12 Surgeries took place in September 2011, of which two measures fell within the Neighbourhoods Commission remit. These were:
  - NI 47 and NI 48 – Killed and Seriously Injured.
  - NI 157 – Processing of Planning Applications.
- 4.2 The Surgeries held on 6 September were chaired by the Cabinet Members for Neighbourhoods and Planning & Transport. The Chair and Vice Chair of Neighbourhoods Commission were invited to attend the session along with Opposition Lead members (if relevant). The Strategic Director and Accountable Officers were also in attendance.
- 4.3 Background information for these two indicators (including minutes and agreed actions) for the Surgeries can be found in **Appendices 2 and 3**.

## OTHER OPTIONS CONSIDERED

5.1 No other options have been considered.

**This report has been approved by the following officers:**

|   |  |
|---|--|
| <b>Legal officer</b><br><b>Financial officer</b><br><b>Human Resources officer</b><br><b>Service Director(s)</b><br><b>Other(s)</b> |  |
|---|--|

|   |  |
|---|--|
| <b>For more information contact:</b><br><br><b>Background papers:</b><br><b>List of appendices:</b> | Heather Greenan, Head of Performance and Improvement<br>Tel: 01332 643462<br>None<br>Appendix 1 – Implications<br>Appendix 2 – Performance Surgery Template – NI 47 / 48<br>Appendix 3 – Performance Surgery Template - NI 157 |
|---|--|

|                     |
|---------------------|
| <b>IMPLICATIONS</b> |
|---------------------|

**Financial and Value for Money**

- 1.1 Any action plans arising from Surgeries are expected to be fully costed and integrated with existing business plans.

**Legal**

- 2.1 There are no issues arising.

**Personnel**

- 3.1 There are no issues arising.

**Equalities Impact**

- 4.1 Performance outcomes should be analysed by equality groups and specific actions will be expected where there are significant gaps in outcomes for vulnerable groups.

**Health and Safety**

- 5.1 There are no issues arising.

**Environmental Sustainability**

- 6.1 There are no issues arising.

**Asset Management**

- 7.1 There are no issues arising.

**Risk Management**

- 8.1 Risks have been considered as part of Surgery action planning.

**Corporate objectives and priorities for change**

- 9.1 Improving services directly supports a number of the priority outcomes in the Council Plan, including 'good quality services that meet local needs'.

## **PART B - Surgery Notes on NI 47 and 48 (Killed and Seriously Injured)**

### **Attendees:**

|                    |                   |
|--------------------|-------------------|
| Councillor Poulter | Christine Durrant |
| Councillor Holmes  | Ian Woodhead      |
| Councillor Davis   | Ellen Bird        |
| Councillor Jackson | Heather Greenan   |
| Paul Robinson      | Sharon Hancock    |
| David Gartside     | Alison Eldam      |
| Paul Riley         |                   |

### **Brief minutes**

Alison Eldam talked through the performance template, highlighting performance against target and direction of travel for the indicators under review.

N1 47a - Number of people killed or seriously injured in road traffic accidents – 10/11 target 93 vs actual 111

N1 48a - Number of children killed or seriously injured in road traffic accidents – 10/11 target 14 vs actual 15

David Gartside gave a presentation on the issues and causes of current performance and key actions:

- Targets have been set optimistically but are realistic and stretching given reduced resources.
- Nationally Derby is a good performer in this area.
- Government set targets up to 2010 – 50% reduction in children killed or seriously injured (KSI). 40% reduction in all KSI. No new target set by Government.
- Partnership work with police, ambulance, fire and other strategic partners is continuing. The Council alone cannot make an impact on road safety without this partnership approach.
- The group reviewed an analysis of casualties by ward. There are six priority wards including Arboretum, Abbey, Derwent and Normanton. Normanton Road accounts for 10% of all accidents. Work is focusing on the schools in these areas.
- The group discussed the possibility of re-defining the indicator e.g. accident rate per population or per distance travelled.
- Work is focusing on education and commonality of behaviour i.e. young drivers, child pedestrians, motorcycles, driving at work, problem roads/routes.

### **Action Plan**

- Actions will be more targeted and a full detailed Action Plan will be produced by end of the year.

### **Additional actions agreed**

- Statistical information to be taken to Commission and Neighbourhood Boards.
- Increase education for at-risk groups.
- Indicator and targets to be approved by Cabinet.

### **Future review**

Action plan to be approved by Neighbourhoods Commission on 17 January 2012.

Update progress at Surgery on 22 February 2012.

**Performance Improvement Template – NI 47 and NI 48****Overview**

|             |                    |            |                        |                    |  |
|-------------|--------------------|------------|------------------------|--------------------|--|
| <b>Type</b> | National Indicator | <b>Ref</b> | a) NI 47a<br>b) NI 48a | <b>Description</b> | a) Number of people killed or seriously injured in road traffic accidents<br>b) Number of children killed or seriously injured in road traffic accidents |
|-------------|--------------------|------------|------------------------|--------------------|--|

|                         |   |   |  |
|-------------------------|---|---|--|
| <b>Brief Definition</b> | a) 3 year rolling average up to the current year of all killed and seriously injured in road traffic collisions. The 20010/11 information relates to collisions which occurred in the 2009 calendar year.<br>b) As above but only including children who are less than 16 years of age at date of collision | <b>Population</b><br>(area, client group) | a) Citywide<br>b) Citywide – under 16s |
|-------------------------|---|---|--|

**Link to Council Plan:**

|                     |                                  |
|---------------------|----------------------------------|
| <b>Outcome(s)</b>   | O5 – Being safe and feeling safe |
| <b>Indicator(s)</b> | N/A                              |

|                         |                |                            |                |                            |                           |
|-------------------------|----------------|----------------------------|----------------|----------------------------|---------------------------|
| <b>Directorate</b>      | Neighbourhoods | <b>Cabinet Portfolio</b>   | Neighbourhoods | <b>Scrutiny Commission</b> | Neighbourhoods Commission |
| <b>Service Director</b> | Tim Clegg      | <b>Accountable Officer</b> | David Gartside |                            |                           |

**Performance Background**

| Reasons for performance surgery | In year target missed | Forecasting to miss target | Deteriorating direction of travel | Poor comparison to other authorities | Other [please state] |
|---------------------------------|-----------------------|----------------------------|-----------------------------------|--------------------------------------|----------------------|
|---------------------------------|-----------------------|----------------------------|-----------------------------------|--------------------------------------|----------------------|

| BRAG rating | a) Red<br>b) Red | % adrift from target | a) 19%<br>b) 9% | Impact/correlation to other performance measures |  |
|-------------|------------------|----------------------|-----------------|--|--|
|-------------|------------------|----------------------|-----------------|--|--|

|  |  |
|--|--|
| <b>Reasons for current performance</b> | <p><i>What factors generally affect the measure?</i></p> <p>increasing traffic growth</p> <p>Increasing car ownership</p> <p>Increasing cycle activity</p> <p>Increasing road length</p> <p>Rising population</p>  |
|  | <p><i>What issues/causes are leading to the current performance?</i></p> <p>Road collisions are rare random multifactor events occurring when one or more person fails to cope with the environment. There are random fluctuations in casualty numbers and in particular as there are very few child casualties this figure is prone to wide statistical variation. It is difficult to directly affect road collisions but we can influence road user behaviour by road engineering, education, training and enforcement.</p> <p>Whilst there has been a significant drop in KSI casualties in the past 10 years from 133 in 2001, in more recent years there has been a slight rise in KSI casualties. This is however against a rising Derby population, increased car usage and a greater length of road network. Despite this Derby is in the second highest quartile for English authorities achieving casualty reduction in the past ten years.</p> <p>Results for the calendar year 2010, which would be reported as 2011/12, are much improved. This shows an annual reduction in all KSI's of 26 to 91 which is below the projected DfT target. We have performed less well for child KSI reductions in the 2010 calendar year when 17 KSI casualties were recorded. However we have been below the</p> |

|  |   |
|--|---|
|  | <p>milestone indicators for 8 of the last ten years and our long term performance is positive.</p> <p>It should be noted that the KSI targets no longer exist and work is taking place to consider a more appropriate indicator. The government suggests that this may be more suitable as a rate based on population or vehicle miles travelled which would relate more to activity than a finite absolute.</p> <p><i>Are there any equalities, geographic or client group considerations affecting the overall performance?</i></p> <p>There is a disproportionate number of injuries occurring within deprived wards. For example there are 32.3 child casualties per 1000 population in Arboretum which is 200% higher than the average 'Casualties_KSIs by Ward'</p> |
|--|---|

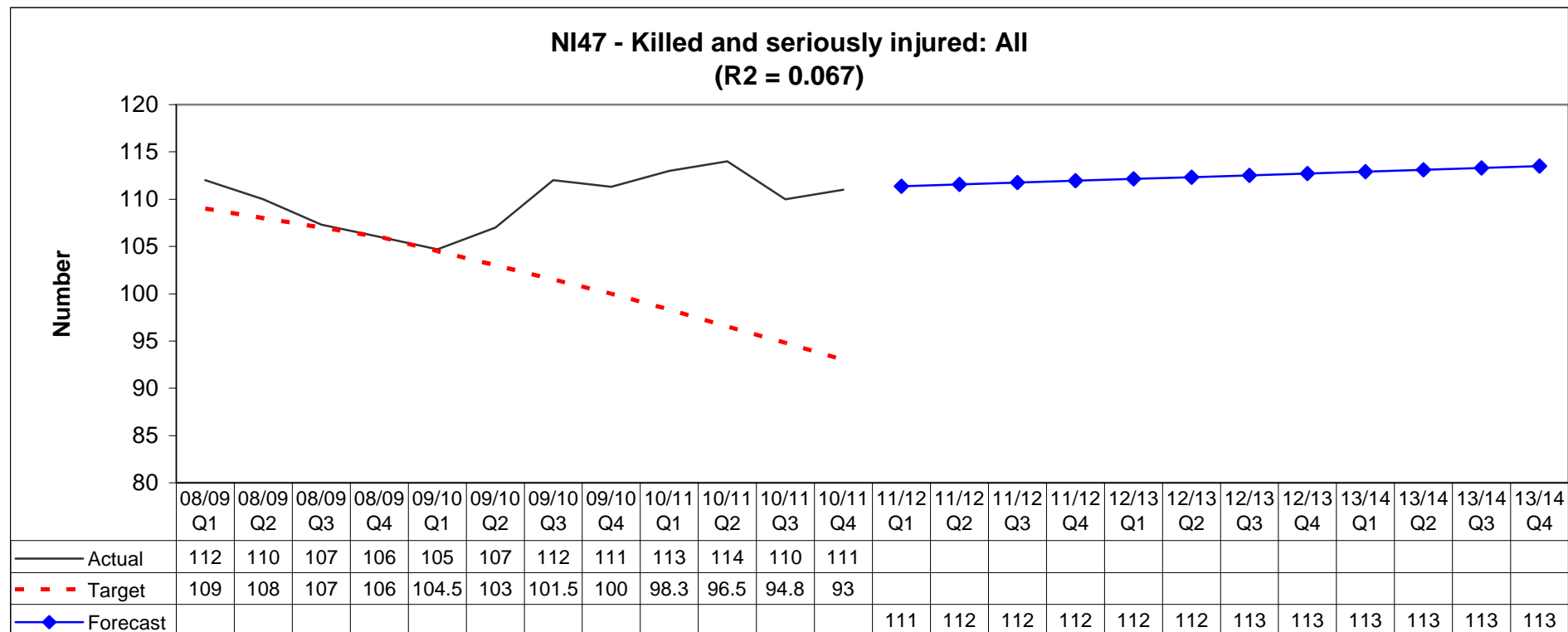
|   |     |                                      |   |
|---|-----|--------------------------------------|---|
| <b>Partners – is input from other services/ departments/organisations required?</b> | Yes | <b>Partners – help required from</b> | Derbyshire County Council<br>Derbyshire Police Authority<br>Derbyshire Fire and Rescue<br>Joint Health Authority<br>Highways Agency |
|---|-----|--------------------------------------|---|

| <b>Additional Information/data required?</b> | Benchmarking/Comparator   | Value for money data   | Equalities/                           | Other [please state] |
|--|---|--|---------------------------------------|----------------------|
|  | (Derby is in the second highest quartile for casualty reduction of English authorities based on DfT targets). | (Based on CIPFA information Derby sits in a central position on value for money when compared with unitary comparators). | (Geographic/Client group breakdowns). |                      |



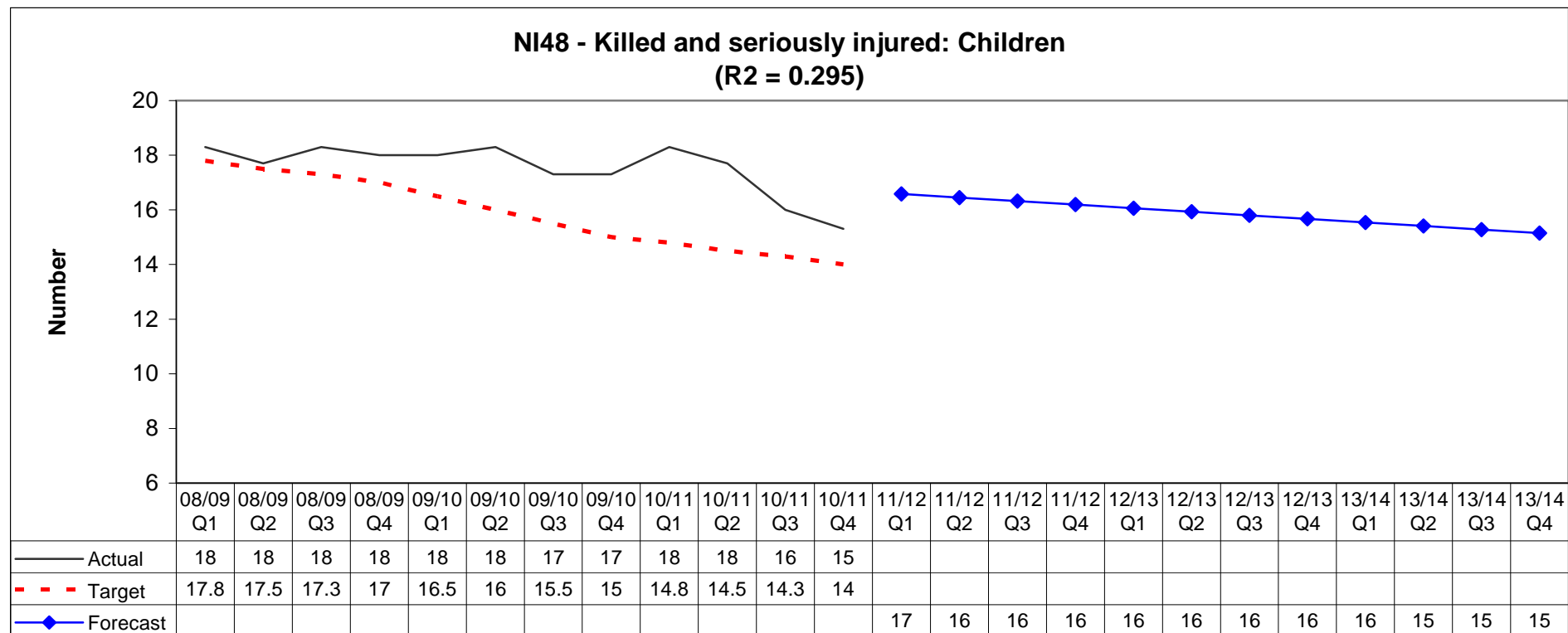
**Performance – historical and forecast**

NI 47a – All KSIs



This measure has been reviewed before at a Performance Surgery. Previous reviews were held 11.03.09 &amp; 15.09.09

## NI 48a – Children KSIs



**Part A - Action Plan**

What actions would make a difference to performance? Try to list actions that fall into different cost ranges and timeframes to completion, see table

| Cost categories | Timeframes                  |
|-----------------|-----------------------------|
| 1) No cost      | a) Short term: 0-4 months   |
| 2) Low cost     | b) Medium term: 5-10 months |
| 3) Off the wall | c) Long term: 10 months+    |

**BRAG Rating Key**

**Red** = variance of more than 5% from the target

**Amber** = variance of 5% or less from the target

**Green** = target met

**Blue** = target exceeded by 2% or more

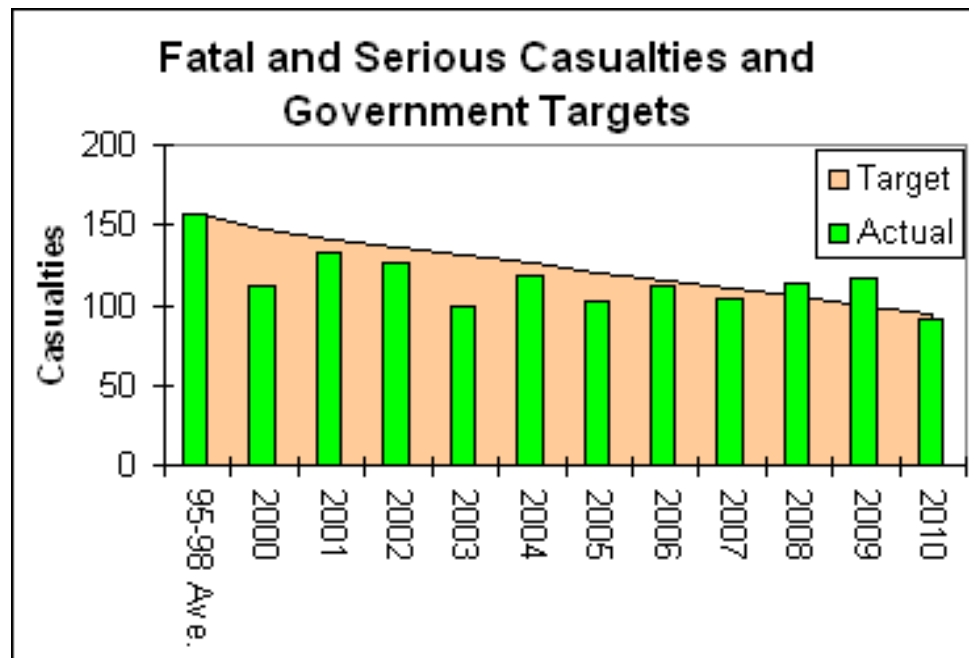
| Ref | Action  | Cost  | Effect of Action  | Expected % Improvement                            | Timeframe before effect of action felt        | Business plan link   | Link to other strategies       | Lead Officer   |
|-----|---|---|---|---|---|--|--------------------------------|----------------|
|     |   | <i>e.g. no cost<br/>low cost<br/>off the wall<br/>Please state estimated cost £</i> | <i>Will the action affect a particular client group/ward, what will the impact be</i>                     | <i>Please state performance estimated figure</i>  | <i>e.g. short, medium or long term</i>        | <i>e.g. if action is already in business plan include the reference if not add N/A</i> | <i>e.g. list strategy name</i> |                |
| 1   | Identify and investigate casualty trends and common treatable factors in deprived wards | £5k   | Aimed at supporting residents within deprived wards which have disproportionate number of road casualties | See graph showing future performance – page 8 & 9 | August 2011                                   | SP1b   | Local Transport Plan           | David Gartside |
| 2   | Identify and investigate top 20 worst casualty locations                                | £5k   | Aimed at improving specific locations with poor casualty history  | As above  | See attached graph showing future performance | SP1b   | Local Transport Plan           | David Gartside |
| 3   | Upgrade casualty monitoring computer system   | £20k  | Provide a more effective system to best manage and monitor road casualties                                | As above  | See attached graph showing future performance | N/A  | Local Transport Plan           | David Gartside |

| Ref                          | Action  | Cost     | Effect of Action  | Expected % Improvement | Timeframe before effect of action felt        | Business plan link | Link to other strategies | Lead Officer   |
|------------------------------|---|----------|---|------------------------|---|--------------------|--------------------------|----------------|
| 4                            | Continue to deliver targeted education, training and promotion activity (ETP)   | £100k    | Aimed at supporting residents in a proactive and reactive series of activities to improve road safety behaviour | As above               | March 2012                                    | SP1d               | Local Transport Plan     | David Gartside |
| 5                            | Develop engineering and ETP action plan to tackle 1&2   | £20-180k | Aimed at improving specific locations with poor casualty history  | As above               | See attached graph showing future performance | N/A                | Local Transport Plan     | David Gartside |
| 6                            | Continue to support partnerships to deliver co-ordinated casualty reduction activities including speed enforcement and training activities in Derby | £110k    | Aimed at supporting residents in a proactive and reactive series of activities to improve road safety behaviour | As above               | March 2012                                    | SP1c               | Local Transport Plan     | David Gartside |
| 7                            | Support Neighbourhoods to deliver specific road safety activities   | £20k     | Aimed at supporting specific neighbourhoods issues and problems that otherwise would be unfunded                | As above               | March 2012                                    | SP1d               | Local Transport Plan     | David Gartside |
| <b>Resulting BRAG rating</b> |   |          |   | As above               |   |                    |                          |                |

## Additional KSI data by (discreet/individual) calendar year

**KSI Annual Milestones for All ages**

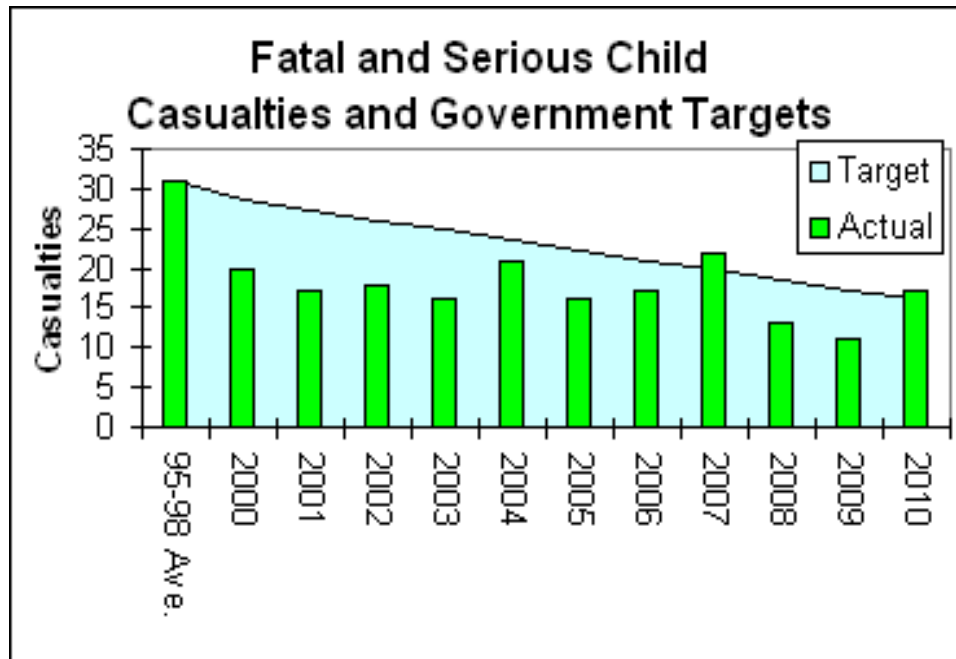
40% reduction in killed and serious casualties by the year 2010.



| Year       | Target | Actual | % Above/<br>Below<br>Milestone |
|------------|--------|--------|--------------------------------|
| 95-98 Ave. | 157    | 157    |                                |
| 2000       | 147    | 112    | -24                            |
| 2001       | 141    | 133    | -6                             |
| 2002       | 136    | 126    | -7                             |
| 2003       | 131    | 100    | -24                            |
| 2004       | 126    | 118    | -6                             |
| 2005       | 120    | 102    | -15                            |
| 2006       | 115    | 112    | -3                             |
| 2007       | 110    | 104    | -5                             |
| 2008       | 105    | 113    | 8                              |
| 2009       | 99     | 117    | 18                             |
| 2010       | 94     | 91     | -3                             |

### KSI Annual Milestones for Child Casualties

50% reduction in killed and serious casualties by the year 2010.



| Year       | Target | Actual | % Above/<br>Below<br>Milestone |
|------------|--------|--------|--------------------------------|
| 95-98 Ave. | 31     | 31     |                                |
| 2000       | 29     | 20     | -31                            |
| 2001       | 27     | 17     | -37                            |
| 2002       | 26     | 18     | -31                            |
| 2003       | 25     | 16     | -36                            |
| 2004       | 24     | 21     | -13                            |
| 2005       | 22     | 16     | -27                            |
| 2006       | 21     | 17     | -19                            |
| 2007       | 20     | 22     | 10                             |
| 2008       | 19     | 13     | -32                            |
| 2009       | 17     | 11     | -35                            |
| 2010       | 16     | 17     | 6                              |

90 people were seriously injured, 23 less than in 2009, there was one fatality, two less than in 2009.

1,014 people were slightly injured, 44 more than in 2009.

17 children were seriously injured, 6 more than in 2009.

**PART B - Surgery Notes on NI 157 Planning Applications**

**Attendees:**

|                    |                   |
|--------------------|-------------------|
| Councillor Poulter | Christine Durrant |
| Councillor Holmes  | Ian Woodhead      |
| Councillor Davis   | Ellen Bird        |
| Councillor Jackson | Heather Greenan   |
| Paul Robinson      | Sharon Hancock    |
| David Gartside     | Alison Eldam      |
| Paul Riley         |                   |

**Brief minutes**

Alison Eldam talked through the performance template, highlighting performance against target and direction of travel for the indicators under review.

NI 157 - Processing of planning applications for:

- a) Major application types
- b) Minor application types
- c) Other application types

Reason for performance surgery – in year target missed, poor comparison to other authorities and deteriorating direction of travel. Minor and other categories (b and c) are included in the Council Scorecard, with stretching targets for 2011/12.

Paul Robinson and Christine Durrant presented some of the issues relating to current performance and key actions:

- Level of delegation to Planning Officers not as high as other authorities. Any applications with four or more objections must be reviewed by Planning Committee (even social media such as Facebook is now considered a legitimate objection). This has a significant impact on deadlines.
- Handholding of applicants takes place due to the majority of applications not being acceptable at first submission. Could achieve 100% processing within time but complaints would increase. Members felt that if applications are incorrectly submitted, they should be sent back by officers.
- Balancing efficiency vs customer service/satisfaction is difficult. Pre application advice could be used more widely to help achieve this.
- Resources within the Planning Team have reduced from 8.8 to 7. Plus more technical support has been lost to Business Support. No spare capacity if staff on leave/sick.
- Process re-engineering is being undertaken by Christine Durrant as part of the 'One Derby one council' (ODOC) programme.
- The group discussed the opportunity for constitutional changes to improve processes and reduce delays. A briefing note was prepared in 2009/10 but not been taken any further. It was agreed that any changes would need to be debated thoroughly with Neighbourhoods Commission and Planning Committee.
- Perception of service could be improved - perception is that Council says no too often, not seen as helpful to progressing applications.
- Council could take a harder line but this could affect what we are trying to achieve.
- Major applications should be prioritised over 'minor' and 'other' applications to support city regeneration.

### **Action Plan**

Officers talked through the provisional action plan included in the Surgery papers (Part A). This included the following actions:

- Revise Council Constitution.
- Revise briefing note procedure.
- Appoint more case officers.



**Additional actions agreed at Surgery:**

- Review constitutional changes with options including delegated authority.
- Explore opportunity for free peer assessment of planning service.
- Undertake benchmarking exercise.
- Set up process for receiving feedback from post applications.
- Update on transformation/ODOC and technology to be reported back to Commission.
- Pilot Considerate Architects scheme. Investigate if anyone else is doing it.

**Future review**

Update progress on revised Action Plan by 24 November 2011 and provide regular updates to Neighbourhoods Commission.

## Performance Improvement Template – NI 157

### Overview

|             |                                  |            |   |                    |  |
|-------------|----------------------------------|------------|---|--------------------|--|
| <b>Type</b> | National Indicator Business Plan | <b>Ref</b> | NI 157: <ul style="list-style-type: none"> <li>a</li> <li>b</li> <li>c</li> </ul> | <b>Description</b> | Processing of planning applications for: <ul style="list-style-type: none"> <li>major application types</li> <li>minor application types</li> <li>other application types</li> </ul> |
|-------------|----------------------------------|------------|---|--------------------|--|

|                         |  |   |          |
|-------------------------|--|---|----------|
| <b>Brief Definition</b> | <p>Planning applications determined in:</p> <ul style="list-style-type: none"> <li>a - 13 weeks major</li> <li>b - 8 weeks minor</li> <li>c - 8 weeks other</li> </ul> <p>Applications should be marked with date of receipt. The time period begins on the day after a valid application and correct fee have been received and counts as 'day 1' (other than telecommunications notifications when the date of receipt is 'day 1'). The processing period ends on the date a decision is reached. The time period should not be suspended to await amended plans. Withdrawn applications should not be included in the calculation. The timeframe for appeals is not included.</p> | <b>Population</b><br>(area, client group) | Citywide |
|-------------------------|--|---|----------|

#### Link to Council Plan:

|                     |  |
|---------------------|--|
| <b>Outcome(s)</b>   | O1 - A thriving and sustainable economy      |
| <b>Indicator(s)</b> | O1f – A better built and natural environment |

|                         |                   |                            |                          |                            |                           |
|-------------------------|-------------------|----------------------------|--------------------------|----------------------------|---------------------------|
| <b>Directorate</b>      | Neighbourhoods    | <b>Cabinet Portfolio</b>   | Planning and Environment | <b>Scrutiny Commission</b> | Neighbourhoods Commission |
| <b>Service Director</b> | Christine Durrant | <b>Accountable Officer</b> | Paul Clarke              |                            |                           |

## Performance Background

| Reasons for performance surgery | In year target missed | Forecasting to miss target | Deteriorating direction of travel<br>(Part a only) | Poor comparison to other authorities<br>(see Appendix 3 for details) | Other [please state] |
|---------------------------------|-----------------------|----------------------------|--|--|----------------------|
|---------------------------------|-----------------------|----------------------------|--|--|----------------------|

|                    |                                  |                             |                            |  |   |
|--------------------|----------------------------------|-----------------------------|----------------------------|--|---|
| <b>BRAG rating</b> | a- Red<br>b - Amber<br>c - Amber | <b>% adrift from target</b> | a- 47%<br>b – 3%<br>c – 3% | <b>Impact/ correlation to other performance measures</b> | NI 154 – Net additional homes provided<br>NI 155 – Number of affordable homes delivered<br>NI 189 – Flood risk management |
|--------------------|----------------------------------|-----------------------------|----------------------------|--|---|

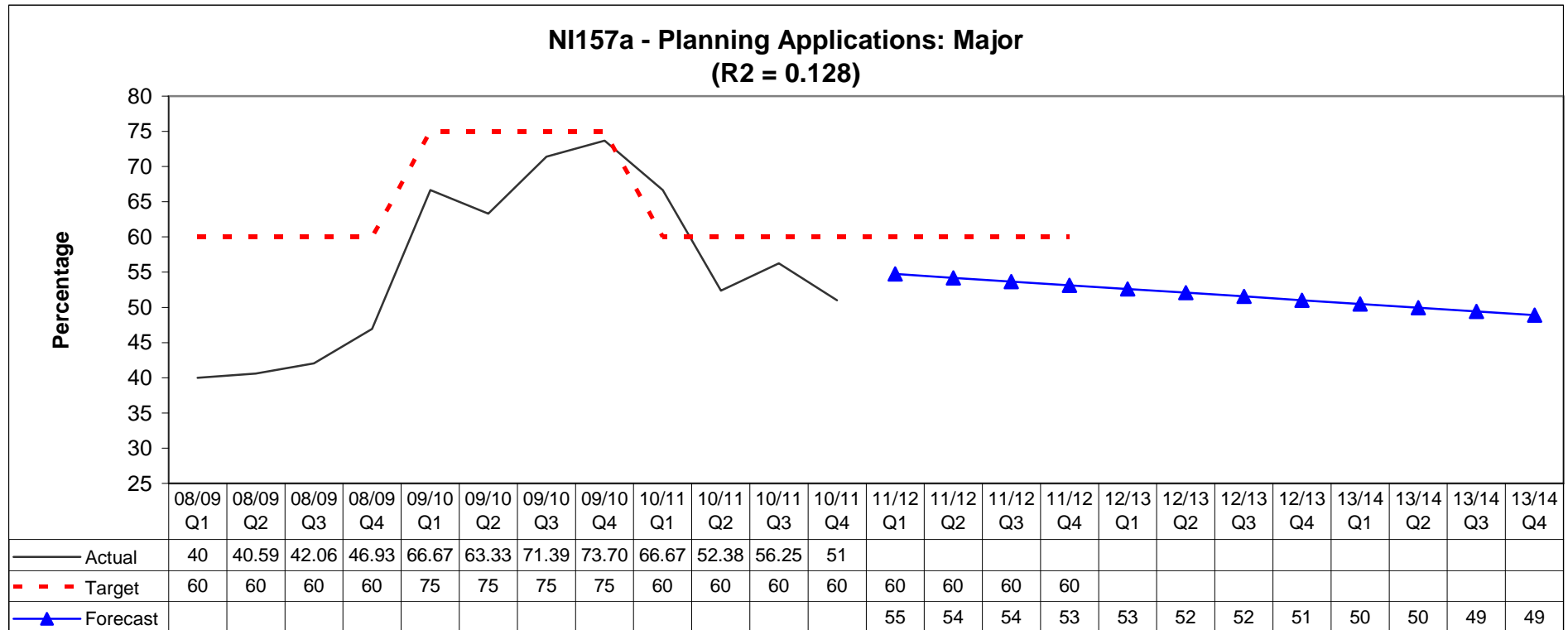
|  |   |
|--|---|
| <b>Reasons for current performance</b> | <i>What factors generally affect the measure?</i><br>Economic situation affects application numbers<br>Quality service vs. meeting deadlines  |
|  | <i>What issues/causes are leading to the current performance?</i><br>1. The 'weight' of major applications.<br>2. Performance targets versus benefits for the city.<br>3. Constitutional delegation arrangements.<br>4. Delivering the transformation project.<br>5. The litigious nature of the process.<br>6. The influence and input of objectors and interest groups. |
|  | <i>Are there any equalities, geographic or client group considerations affecting the overall performance?</i><br>None   |

|   |    |                                      |     |
|---|----|--------------------------------------|-----|
| <b>Partners – is input from other services/ departments/organisations required?</b> | No | <b>Partners – help required from</b> | N/A |
|---|----|--------------------------------------|-----|

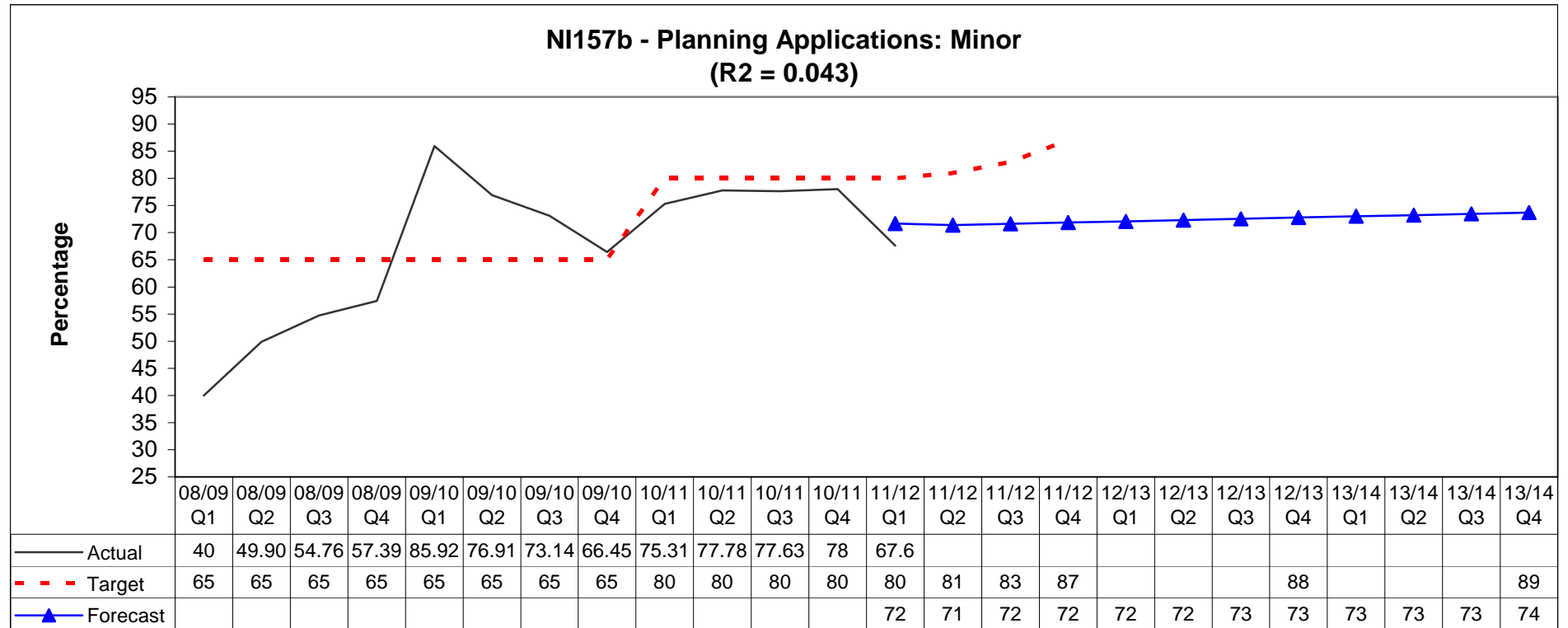
|  |                                 |                             |  |                      |
|--|---------------------------------|-----------------------------|--|----------------------|
| <b>Additional Information/data required?</b> | <b>Benchmarking/ Comparator</b> | <b>Value for money data</b> | Equalities/<br>Geographic/Client group<br>breakdowns | Other [please state] |
|--|---------------------------------|-----------------------------|--|----------------------|

## Performance – historical and forecast

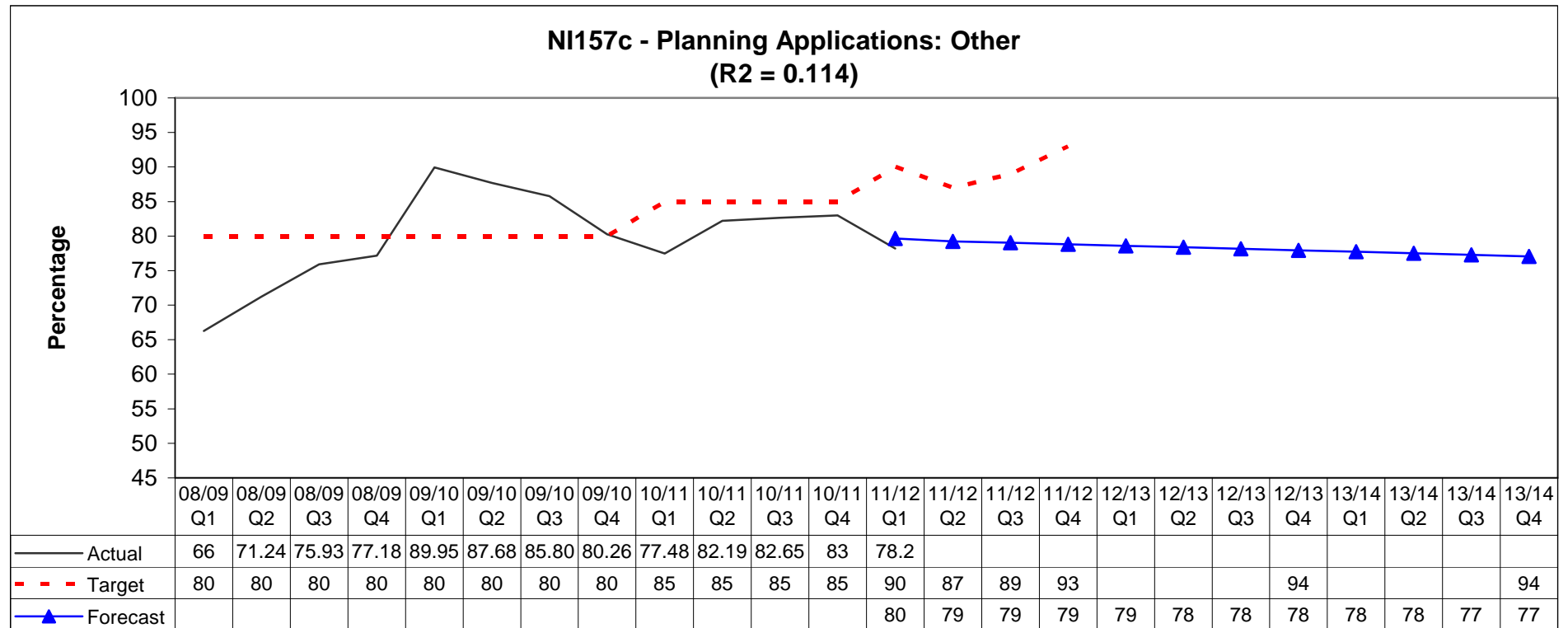
## a - Major Planning Applications



## b - Minor planning applications



## c - Other planning applications



**Part A - Action Plan**

What actions would make a difference to performance? Try to list actions that fall into different cost ranges and timeframes to completion, see table

| Cost categories | Timeframes                  |
|-----------------|-----------------------------|
| 1) No cost      | a) Short term: 0-4 months   |
| 2) Low cost     | b) Medium term: 5-10 months |
| 3) Off the wall | c) Long term: 10 months+    |

**BRAG Rating Key**

**Red** = variance of more than 5% from the target

**Amber** = variance of 5% or less from the target

**Green** = target met

**Blue** = target exceeded by 2% or more

| Ref                          | Action  | Cost  | Effect of Action  | Expected % Improvement                           | Timeframe before effect of action felt | Business plan link   | Link to other strategies       | Lead Officer |
|------------------------------|---|---|---|--|--|--|--------------------------------|--------------|
|                              |   | <i>e.g. no cost<br/>low cost<br/>off the wall<br/>Please state estimated cost £</i> | <i>Will the action affect a particular client group/ward, what will the impact be</i> | <i>Please state performance estimated figure</i> | <i>e.g. short, medium or long term</i> | <i>e.g. if action is already in business plan include the reference if not add N/A</i> | <i>e.g. list strategy name</i> |              |
| 1                            | Revise briefing note procedure                                  | No cost   | No particular group affected  | 5%   | Short term                             | N/A  | N/A                            | ICW          |
| 2                            | Restructure and ongoing review of validation team and processes | Low cost  | No particular group affected  | 5%   | Medium term                            | N/A  | N/A                            | ICW / PC     |
| 3                            | Revise Council constitution                                     | Low cost  | No particular group affected  | 10 - 15%   | Medium / Long term                     | N/A  | N/A                            | ICW / PC     |
| 4                            | Appoint more case officers                                      | Low cost  | No particular group affected  | 10%  | Short / Medium term                    | N/A  | N/A                            | PC           |
| <b>Resulting BRAG rating</b> |   |   |   | a) Red<br>b) Green/Blue<br>c) Green/Blue         |  |  |                                |              |





## **Reasons for current performance**

### **1) The 'weight' of major applications**

The applications highlighted in 2) take a tremendous amount of effort and officer time. The pressure of dealing with these applications (the Allenton Tesco application was reported to Planning Control Committee on 3 occasions) means that other work suffers as a result. There is no capacity within the team for other applications or pre-application enquiries to be reallocated and workloads re-balanced. In essence it's the cumulative effect of dealing with heavy workloads over time which has affected performance.

### **2) Performance targets versus benefits for the city**

Increase in complexity of applications which effectively embody the 'speed versus corporate importance' dilemma. For e.g. the speculative application to redevelop the Meteor Centre by Land Securities. The application could have been refused within the 13 week deadline given the paucity of the submission in relation to the retail impact assessment. However, from the early stages separate negotiations were established between land securities and Chief Officers (including the CEO) where the importance of the proposal in terms of advertising Derby being 'open for business' was highlighted. Chief Officers therefore gave the signal that speed was not important in this case. Officers were essentially instructed to continue with negotiations and deliver a decision and, given the need for continuing dialogue with the applicant's team, the application went beyond the 13 week deadline. This scenario applies to the Allenton Tesco application, the Friar Gate Goods Yard application and the DRI (Nightingale Quarter) application where there is a corporate and political will to deliver such strategically important schemes. Whilst these examples are major applications this scenario is not confined to such. The application at Persian Close, for the erection of a boundary fence, has recently been reported twice to Planning Control Committee and deferred on both occasions. This has major implications for officer time and performance.

### **3) Constitutional delegation arrangements**

An ongoing / longstanding problem that impacts directly on performance across all 3 categories of application is the Council's own delegation arrangement. Applications have to be reported to Planning Control Committee where they are either departures from the local plan, have attracted 4 or more objections or where an elected member 'calls it in'. The '4 or more objections' rule is the main impediment to top quartile performance given that householder applications regularly attract more than that number. It should also be noted that in addition to this small threshold the Council undertakes publicity for applications which exceed statutory levels and, as such, more people are involved in the application process. That obviously sits happily with the theme of localism but impacts unduly on performance. Other Derbyshire authorities, such as Bolsover D.C. and Amber Valley B.C., have no threshold for objections that warrant the reporting of applications to their respective committees. A wasteful example of an application reported to a recent Committee as a result of the 4 or more objection rule is the householder application at 32 Blagreaves Avenue. The application generated no debate between members and the application deadline expired solely as a result of the need to report it to committee. Other authorities do not report householder applications at all. An attempt was made to address the constitution and the delegation arrangement in 2008 but members would not accept changes at that time.

### **4) Delivering the transformation project**

The DC service is assisted by a small business support team which has been restructured as part of the ongoing ODOC transformation programme – which has yet to provide the required administration support services. That business support team has been reduced from 6 to 3 FTE and there are ongoing pressures in areas such as the service specific scanning function. The business support team and planning support officers (2 FTE) are currently involved in a restructure programme to consolidate and maximise that part of the service which assists in the validation and dispatch of applications. This should improve the throughput of applications and decisions.

This measure has been reviewed before at Performance Surgery. Previous reviews were held 22.01.09 & 17.09.09

### **5) The litigious nature of the process**

The planning process is subject to legal interpretation and judgement which has a direct influence on how applications are determined. An example of this is the Woolley case of 2008 and the issue of protected species. That case essentially ruled that where protected species are involved in the application process (any application type) the issue has to be investigated fully during the life of the application and cannot be addressed post-decision by planning condition. A recent application to the rear of 21 Penny Long Lane is an example of where the existence of protected species was highlighted by an objector late in the application process and a decision on the application had to be deferred by Committee for further investigation - hence extrapolating the application process.

### **6) The influence and input of objectors and interest groups**

The major applications highlighted in 2) have attracted close scrutiny and objection from planning consultancies that have provided substantive objections. Those objectors hone in on both the merits of proposals and how they are procedurally handled by officers. The latter issue means that where challenges are initiated on procedural grounds, judicial reviews are a possibility. The application at Chellaston School for an all-weather sports pitch proceeded towards the initial stages of the judicial review process before it was aborted. Such a case generated a huge amount of officer time and cost. The officer time is unquantifiable in performance terms. In the emerging era of localism interest groups are more mobilised and the application at the former Palm Court site (which was reported to Planning Control Committee on 1 September) highlights how modern media can generate a huge amount of third party interest in the application process. This has major implications for officer time and performance.

| Ref     | Derby Quartile Position | Derby Data | Thresholds   |              |              |                 |
|---------|-------------------------|------------|--------------|--------------|--------------|-----------------|
|         |                         |            | Top Quartile | Upper Median | Lower Median | Bottom Quartile |
| NI 157a | Bottom Quartile         | 46.93%     | 76.6%        | 72.1%        | 65%          | 40%             |
| NI 157b | Bottom Quartile         | 57.39%     | 83.6%        | 77.5%        | 73%          | 57.39%          |
| NI 157c | Bottom Quartile         | 77.18%     | 89.9%        | 88.4%        | 85.2%        | 66%             |

2008/09 outturn data

| Ref                  | Derby Quartile Position | Derby Data | Thresholds   |              |              |                 |
|----------------------|-------------------------|------------|--------------|--------------|--------------|-----------------|
|                      |                         |            | Top Quartile | Upper Median | Lower Median | Bottom Quartile |
| NI 157a              | Upper Median            | 73.7%      | 83.3%        | 72.6%        | 62.5%        | 25%             |
| NI 157b              | Bottom Quartile         | 66.45%     | 88%          | 80%          | 75%          | 37%             |
| NI 157c              | Lower Median            | 80.26%     | 91.6%        | 87.1%        | 80.26%       | 33%             |
| 2009/10 outturn data |                         |            |              |              |              |                 |

| Ref             | Derby Quartile Position | Derby Data | Thresholds   |              |              |                 |
|-----------------|-------------------------|------------|--------------|--------------|--------------|-----------------|
|                 |                         |            | Top Quartile | Upper Median | Lower Median | Bottom Quartile |
| NI 157a         | Lower Median            | 56.25%     | 73.3%        | 65.4%        | 52.2%        | 26.3%           |
| NI 157b         | Upper Median            | 77.63%     | 81.2%        | 74.4%        | 69.5%        | 56.6%           |
| NI 157c         | Lower Median            | 82.65%     | 90.7%        | 87.1%        | 82.65%       | 59%             |
| Q3 2010/11 data |                         |            |              |              |              |                 |