

Appendix 4: Performance Report

A4.1 At the July 2019 meeting of Scrutiny Committee, Members resolved to request information on the following:

- Staffing resources;
- Communication timescales with the public; and
- The number of complaints received by the Service on planning contraventions.

This information is presented in Table 1, overleaf.

A4.2 The Service does not keep a record of communication timescales per se, so Table 1 instead shows information about the time taken to ‘investigate’ and ‘take positive action’ in relation to cases. It is at these junctures that updates are typically provided to complainants and alleged contraveners, so they serve as useful indicators of communication timescales.

A4.3 The colour coding in Table 1 relates to Welsh Government performance targets: green denotes good performance; yellow denotes fair performance; and red means improvement is required. It is important to note that on the 17th October 2018 (roughly midway through Q3 of the 2018-19 period), the Welsh Government revised how its performance indicators are to be interpreted by local planning authorities—that is; what it means to have investigated a breach, and what it means to have taken further (‘positive’) action.¹

A4.4 Before the 17th October 2018, a case would have been deemed investigated when an officer had—

- a) Decided whether it was expedient to take further action;
- b) Taken action accordingly (formal or informal); and
- c) Updated the complainant.

The action taken could have comprised an informal instruction, e.g. to cease the breach or submit a retrospective planning application. Now, such informal courses of action do not count towards a case being investigated for the purpose of the Welsh Government’s statistics; a case can only now be recorded as investigated when a formal enforcement notice has been issued or when a valid planning application has been received (as opposed to merely requested). Notices and certainly applications can often take weeks to prepare, and thus the Welsh Government’s revisions have had a noticeably detrimental impact on the

¹ Further information about this topic was provided to Scrutiny Committee in the Service’s December 2018 report entitled “Performance of the Council’s planning compliance function”.

recorded performance of the compliance function. For the past four quarters—i.e. since the introduction of the new performance measures—the Service’s performance in the investigation phase has “required improvement”.

Table 1: Staffing, caseload and performance statistics, January 2017 to December 2019

Period	2016-17	2017-18				2018-19				2019-20		
	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3 ¹	Q4	Q1	Q2	Q3
Staffing												
Number of staff members (full-time equivalent)	1	1	1	1	1	1	1	1.6	1.6	1.6	1.6	1
Caseload												
Reports of alleged breaches received/created	55	49	52	33	35	40	49	77	43	75	45	42
Performance (timescales)												
Percentage of cases ‘investigated’ within 12 weeks	91	96	92	87	82	81	77	78	61	62	67	33
Average time taken to ‘investigate’ cases (weeks)	8.1	8.1	10.9	11	6	11.3	8.3	10.4	14.7	16	14.7	21.9
Average time taken to take ‘positive action’ (weeks)								17.1	27.9	28.4	19.8	25.4

¹ New system of measuring performance introduced (on 17th October 2018).

A4.5 It was after the 17th October 2018 that the average time taken to investigate cases was no longer monitored by the Welsh Government (though the Service continues to monitor this). Instead, the concept of taking a ‘positive action’ was introduced and monitored. A positive action has been taken when, following investigation, it is decided that a breach has occurred and one of the following courses of action has also taken place:

- a) Informal negotiation removes the breach;
- b) An Enforcement Notice is issued;
- c) Planning permission is granted in retrospect;
- d) Prosecution is brought;

e) Direct action by the Authority removes the breach.

Throughout the period in which it has been monitored (five quarters to date), the Service's performance as regards taking a 'positive action' has been categorised as "fair".