

RECORD OF EXECUTIVE DECISION TAKEN BY AN EXECUTIVE MEMBER OR OFFICER

This form can be used for any decision but **MUST** be used to record:

- any decision taken by The Elected Mayor or an individual Councillor
- a key decision taken by a Council Officer

In these circumstances the form must be completed and passed to the Service Manager (Members' Services) no later than NOON on the second working day after the day on which the decision is taken. No action may be taken to implement the decision(s) recorded on this form until 7 days have passed and the Service Manager (Members' Services) has confirmed the decision has not been called in.

1. Description of decision
 To agree comments to be sent to the Office of the Deputy Prime Minister in response to the consultation on Best Value Indicators and Performance Standards 2004/5

2. Date of decision
4 February 2004

3. Reasons for decision
 To ensure that the Borough Council's maintains its input to the Best Value process and that the Council's comments are received by the deadline.

4. Alternatives considered and rejected
 None applicable

5. How decision is to be funded
 From existing budget

6. Conflicts of interest

Name of all Executive members who were consulted AND declared a conflict of interest.	Nature of interest	Did Standards Committee give a dispensation for that conflict of interest? (if yes give details and date of dispensation)
None		

Signed [Signature] Date 4-2-04

Name of Decision Taker [Signature]
 [this must be signed by the decision maker or, if the decision was made by the Mayor or Councillor then the relevant Head of Service may sign it].

This is a public document. A copy of it must be given to the Service Manager (Members' Services) as soon as it is completed.

Date decision published: 4-2-04

Date decision can be implemented if not called in: 16-2-04

Formal response from Bedford Borough Council

Contact Details: David K Bailey
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BV(*) Percentage of appeals allowed against the authority's decision to refuse

Comment:

The measurement of this performance indicator is an integral part of our existing performance management process. **Its introduction as a national BVPI can therefore be supported.**

BV(*) Quality of Service Checklist

Comment:

The six defined areas of service provide a reasonable spread across the broad range of planning services and should provide a reasonable insight into the overall quality of service provided. **The six defined areas of service can therefore be broadly supported.**

Similarly the criteria set down to obtain a positive score are generally reasonable, but in respect of checklist service area No. 6 **"Does the authority provide the capability for an electronic planning service?"**, the additional resource burden on local planning authorities should be clearly recognised and taken into account when the planning application fee schedule is reviewed.

BV 107 Planning cost per head of population

Comment: Support the deletion of this indicator.

BV188 – The number of decisions delegated to officers as a percentage of all decisions

Comment: Support the deletion of this indicator

Although not part of this consultation exercise it is opportune to respond to ODPM with concerns in relation to consistently achieving the BV109a (major applications) target. A major issue is the added delays caused by the completion of S.106 Agreements which require expert legal advice on both sides. This causes delays outside the direct planning process. ODPM are requested to consider adjusting the target for BV109a (or indeed any application that needs a S.106 Agreement) to be in respect of the date the Council **resolve to grant planning permission** subject to a S.106 Agreement.

I have also attached a copy of the papers/report that underpinned the formal decision of the Planning Portfolio Holder on behalf of the Council's Executive.

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Head of Planning Services

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BEDFORD BOROUGH COUNCIL

Agenda Item No. 6

For Publication

Committee: Planning
Date of Meeting: 2 February 2004
Author: Head of Planning Services

6(2) **BEST VALUE INDICATORS AND PERFORMANCE STANDARDS
2004/05: CONSULTATION**

(a) Introduction and Reason for Report:

To consider the government's consultation paper Best Value Indicators and Performance Standard 2004/05 and to agree a response prior to submission to the Planning Portfolio Holder and ultimately the ODPM. A copy of the document has been placed in the Members' Room.

(b) **Recommendation:**

- i) That the Planning Committee considers the comments set out in the report and, if satisfied, recommend them to the Planning Portfolio Holder as the basis for the Council's formal response to the ODPM.
- ii) That Members note with satisfaction that the Council is no longer subject to **imposed** performance '**standards**', having secured and sustained substantial performance improvement during 2002/03 and 2003/04.

(c) Resource Implications:

The upgrade of the UNIFORM system has already been fully funded. However, to realise its full capacity and achieve electronic submission of all applications, together with on-line viewing of all applications, will incur additional resources. In particular a high quality scanner will be required, technical support capacity will have to be reviewed and staff training provided.

A review of procedures and guidance for submitting applications will have to be undertaken to ensure a standardised format for plans and supporting text to aid the scanning process together with major

documents e.g. Environmental Assessments being required to be submitted in digital format.

(d) Details:

The consultation paper sets out the Government's proposals for changes to the Planning Best Value Performance Indicators (BVPI's) for the financial year 2004/05 and the Best Value Performance Standards that will be set for specified authorities in that year.

The consultation paper seeks to respond to criticism of the existing BVPI's in that they are too focused on process measures and consequently short of measures of the outcomes of the planning system. The proposal is therefore to introduce two new indicators to measure the quality of the outcomes and processes used by authorities.

The two new indicators are:-

1. **BV(*) Percentage of appeals allowed against the authority's decision to refuse**

The Government is concerned about the general increase in the number of appeals and whether this is due to LPA's push to improve BV109 performance targets. The intention is to use this indicator to assess appeals performance and indirectly the quality of planning policy and the planning service provided.

The target setting for this BVPI will be 'local', and is already measured and monitored as part of our performance management process.

The Government's earlier target for this BVPI was 40% and in 2002/03 only **32.5%** of appeals were allowed against the local authority's decision to refuse.

In the first three quarters of 2003/04 only 27% of appeals have been allowed. **This continues to demonstrate a good overall appeals performance, sound planning policies, fair and reasonable decision making by Members and officers, and the provision of a good planning service.**

Comment: *The measurement of this performance indicator is an integral part of our existing performance management process. Its introduction as a national BVPI can therefore be supported.*

2. **BV(*) Quality of Service Checklist**

The Government's intention is to measure the quality of planning services through a Quality of Service Checklist.

The Checklist defines six areas of service and sets down specific criteria to enable LPA's to answer 'Yes' in respect of any one of the six areas of service. The areas of service and their criteria are set out in full in Appendix 'A'.

The planned upgrade to our UNIFORM software this summer will provide a direct connection to the recently revamped planning web site (www.bedford.gov.uk/planning). An integrated mapping system will allow a map base to be viewed together with text information giving direct access to planning history, application details and enabling comments to be registered on-line. The upgraded system will have the capacity to enable application plans to be viewed on-line and for applications to be submitted electronically. To achieve this final element of electronic submission there will be resource implications and its programming has therefore not yet been determined.

Comment: *The six defined areas of service provide a reasonable spread across the broad range of planning services and should provide a reasonable insight into the overall quality of service provided. **The six defined areas of service can therefore be broadly supported.***

*Similarly the criteria set down to obtain a positive score are generally reasonable, but in respect of checklist service area No. 6 "**Does the authority provide the capability for an electronic planning service?**", the additional resource burden on local planning authorities should be clearly recognised and taken into account when the planning application fee schedule is reviewed.*

The consultation paper also proposes the deletion of two BVPI's so as not to impose an unreasonable burden on local planning authorities. These are:

1. BV107 – Planning cost per head of population

This indicator is proposed to be removed because of the negative effect it could have on planning services. It is now recognised as having a perverse effect by discouraging expenditure in planning when there has been a long-term problem of under-resourcing the service.

Comment: *Support the deletion of this indicator.*

2. BV188 – The number of decisions delegated to officers as a percentage of all decisions

The indicator and associated target of 90% of planning applications to be delegated is considered to be redundant. The drive to meet the national targets of speed in the determination of all applications [i.e. BV 109(a) (b) and (c)] can only be successful through effective delegation. Information about

delegation levels will continue to be collected as part of our quarterly statistical return to ODPM.

The review of our delegation scheme is ongoing and Paul Rowland (Service Manager – Development Control) has arranged discussion meetings with all political groups to listen to the concerns and view of Members and to move the review forward together.

Comment – Support the deletion of this indicator.

Planning Standards 2004/05

Our improved performance to year ending June 2003 was in itself sufficient to avoid being a 'named' planning authority subject to imposed standards.

Our **improving performance** continues to be **sustained** with the published statistics for the second quarter of 2003/04 July – September 2003) showing **performance above the national targets**.

July – September 2003	
BV 109a	74%
BV 109b	81%
BV 109c	90%

The performance achieved in respect of major applications (BV 109a) remains the one subject to greatest fluctuation due to the complexity of major schemes and time delays in completing S.106 Agreements.

Although not part of this consultation exercise it would be opportune to respond to ODPM with concerns in relation to consistently achieving the BV109a (major applications) target. A major issue is the added delays caused by the completion of S.106 Agreements which require expert legal advice on both sides. This causes delays outside the direct planning process. ODPM should be requested to consider adjusting the target for BV109a (or indeed any application that needs a S.106 Agreement) to be in respect of the date the Council **resolve to grant planning permission** subject to a S.106 Agreement.

Background Papers: *Best Value Indicators and
Performance Standards:
Consultation*

Previous Relevant Minutes: *None*

File Reference No: *1/067/16*

Appendix: *'A' – Quality of Service Checklist*

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BV(*) QUALITY OF SERVICE CHECKLIST

Description

Score against a quality of service checklist.

Definition

1. Does the authority provide guidance to applicants on the requirements for submission of applications under the Planning Acts, reflecting the different types of development?

Note: The following must apply for councils to answer 'Yes':

- The guidance must be accessible through written or electronic media
- The guidance may be supplemented in writing or verbally
- The guidance must be pre-prepared
- The guidance must reflect the size and type of the development envisaged

2. Does the authority provide pre-application advice?

Note: The following must apply for councils to answer 'Yes':

- The pre-application advice should be available for all types of applications under the Planning Acts
- The advice should have regard to the history of the site of the proposed development
- 'Site history' includes details of previous applications for the site, details of any development plan proposals for the site and details of previously stated views from all significant and relevant parties and statutory bodies where necessary
- The advice must be accessible through written, electronic media or verbally during reasonable office opening hours reflecting the needs of different users
- The scale and nature of the advice must reflect the size and type of the development envisaged

3. In preparing the local development plan and determining all types of applications under the Planning Acts, does the authority have arrangements to access specialist advice on design?

Note: The following must apply for councils to answer 'Yes':

- The advice should be used for the preparation of the local development plan and the determination of all types of applications under the Planning Acts
- 'Design' should include all aspects of design
- The advice may be given in-house, by another authority or group of authorities, by public bodies such as CABI and English Heritage, or by the private sector
- The arrangements for securing the advice should be permanent and continual

4. In preparing the local development plan and determining all types of applications under the Planning Acts, does the authority have arrangements to access specialist advice on the historic environment?

Note: The following must apply for councils to answer 'Yes':

- The advice should be available for the preparation of the local development plan and all types of applications under the Planning Acts
- The advice may be given in-house, by another authority or group of authorities, by public bodies such as CABI and English Heritage, or by the private sector
- The arrangements for securing the advice should be permanent and continual

5. Is there a development team approach to major planning applications?

Note: The following must apply for councils to answer 'Yes':

- The approach must be multidisciplinary, integrated and proactive
- Lead officer/s should be available (including at pre-application stage) to manage and co-ordinate development advice and information and subsequent application processing
- The approach must use project management tools to manage activities in relation to the applications

- The approach should also apply to any related applications under the Planning Acts

6. Does the authority provide the capability for an electronic planning service?

Note: The following must apply for councils for answer 'Yes':

- The service must include an informative and up-to-date website in relation to all the statutory functions of the planning authority, including committee papers, planning register, forms, guidance and policies
- The service must be capable of interactive consultation on development plans and planning applications
- The service must support electronic submissions of all types of applications under the Planning Acts

The checklist is drafted so that each question requires a 'Yes' or 'No' answer. A 'Yes' answer attracts a score of 1; a 'No' answer attracts a score of 0. The BVPI will report the score as a percentage of the possible total of 6.

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