

EAST AYRSHIRE COUNCIL

DEVELOPMENT SERVICES COMMITTEE - 02 MAY 2006

**STATISTICAL ANALYSIS OF DEVELOPMENT PROMOTION AND BUILDING
STANDARDS**

**01 APRIL 2005 – 30 SEPTEMBER 2005
01 OCTOBER 2005 - 31 MARCH 2006**

Report by Executive Director of Development and Property Services

1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to present to the Committee a statistical analysis of the Development Promotion and Building Standards functions over the identified periods.

2. DEVELOPMENT PROMOTION

- 2.1 This analysis addresses the above two 6-month periods and “Householder” and “All” applications determined within the statutory 2-month timeframes for each of these periods. The first 6-month period shows a decline in performance relative to preceding periods in both “Householder” and “All” applications categories. This is directly consistent with the loss of a planning officer in the Kilmarnock office and a Senior Planning Officer in Lugar over the April to September 2005 period. Whilst the Planning Officer was replaced during the second period under consideration, the Lugar Senior post remains vacant and two Principal Planning Officers, (one part time), subsequently went on maternity leave in September 2005, extending in the one case until the present time and, in the other case, returning only in February 2006.
- 2.2 The return of one Principal Officer and the filling of another Principal Officer post has eased workload issues and precipitated an improvement in the key indicators for the second period under consideration. The Householder Performance for October 05 – March 06 exceeds that for the same period last year.
- 2.3 The numbers of applications received shows an increase in numbers between April and September 2005 by comparison with previous summer periods. However, the October 2005 to March 2006 total confirms a reduction in applications received relative to the comparable previous periods. The figures in terms of applications determined show a similar increase then decline, but to a lesser degree, making more detailed analysis unsafe at this time.

- 2.4 The “Weekly Recommendations” process became operational in September 2005 and sought to further limit the numbers of applications going to Committee. It has offered 15 applications to Members as potentially delegated Items. However eight of these applications have subsequently been called to Committee.
- 2.5 Alterations to the scheme of delegation attempted to further extend the use of delegated powers. Nevertheless a substantial number of applications, (103), were considered at Committee between October 2005 and March 2006; the highest figure since 2003. This coincides with a reduction in the percentage of such Committee applications dealt with inside two months and reaffirms the implications of Committee consideration in terms of meeting the Performance Indicators.
- 2.6 The following chart confirms applications received, determined and submitted to Committee over the two reporting periods.

Period	Applications Received	Applications Determined	Reports Prepared
Oct 2000 – Mar 2001	361	390	78
April 2001 – Sept 2001	450	395	97
Oct 2001 – Mar 2002	431	354	88
April 2002 – Sept 2002	522	481	92
Oct 2002 – Mar 2003	461	365	85
April 2003 – Sept 2003	585	544	103
Oct 2003 – Mar 2004	592	507	70
April 2004 – Sept 2004	623	536	75
Oct 2004 – Mar 2005	672	530	93
April 2005 – Sept 2005	651	589	79
Oct 2005 – Mar 2006	508	521	103

3. DEVELOPMENT PROMOTION ENFORCEMENT

- 3.1 Enforcement monitoring, and action where required, remains an important element of the Division’s planning related activity. The numbers of cases taken up for investigation remains comparatively high and where negotiation has not produced the desired result, 22 notices were served over the last 12 months.

4. BUILDING STANDARDS

- 4.1. During the above two 6-month analysis periods, 1660 Building Warrant applications were received and assessed. The minor downturn of 32 applications for the 2004/2005 period coincides with the deregulation of certain minor alterations to domestic buildings having been introduced on the 1st May 2005. However, 1660 applications equates to £116 Million worth of development during this period which maintains the buoyancy of developments within the area from the previous year.

- 4.2.** During the first 6 month period the general performance in processing Building Warrants and Completion Certificates saw a downward trend. This reduction in performance was attributed to several factors, namely the time taken to fill the three vacant posts, constant number of applications, the implementation of a new IT system, the implementation of the Building (Scotland) Act 2003 and increased fee structure. The implementation of the Act on the 1st May 2005 saw an unprecedented number of applications being submitted during April 2005. This increase was attributed to the implementation of the new fee structure and changes to the Building Regulations procedures brought about by the new Act and adversely affected performance in the first period.
- 4.3.** During the assessment of the medium to large applications it was apparent that many agents had submitted applications to ensure that the application was processed under the old legislation and fee structure. Coupled to this, the detailed technical design illustrating compliance with the Building Regulations had not been submitted with these types of applications. This resulted in the extended time period to process applications, both at the submission stage and where revised information was reassessed. Running parallel to this, the recruitment strategy to fill the vacancies was completed during May 2005 with initial staff training ongoing until July 2005, which combined, exacerbated the situation.
- 4.4.** While the new system and staff structure has bedded down during the first period of the financial year, the second period has seen an increased performance in the plan assessment of building warrant applications and completion certificates first response. The performance is steadily rising and linked to the recently installed management reporting system now enables work load peaks to be identified at an earlier stage. Various methods have been implemented to reduce the application timescale predominantly on the larger applications via the use of pre-warrant consultation with agents, homeworking and both re-prioritising and redistribution of workloads.

5.0 BUILDING STANDARDS ENFORCEMENT

- 5.1.** The number of Section 27 Enforcement Notices served in relation to unauthorised works having been carried out without benefit of a Building Warrant for both periods is 18. This is an increase of 8 enforcement notices since the previous year. The level of staff involvement in the enforcement action process has continued to be high, particularly given the increased enforcement powers under the 2003 Act.
- 5.2.** The number of Section 30 Enforcement Notices served in relation to Dangerous Buildings over this period is 46. This is a 35 % increase from the previous financial year. This level of activity has been attributed to buildings affected by arson, dilapidation and the general awareness of the public raising property complaints all of which following investigation have culminated in emergency works being undertaken either by the building owners or directly by this service on the owners behalf.

6. RECOMMENDATION

6.1 It is recommended that the Committee;

- (i) Note the contents of the report.

James Lavery
Executive Director of Development and Property Services
21 April 2006
DM/DMcD/SA – FV

LIST OF BACKGROUND PAPERS

Nil

For further information on the contents of this report contact Dave Morris (Development Promotion) Telephone No. 01563 576753 or David McDowall (Building Standards). Telephone No. 01563 576749.

Implementation Officer: Alan Neish

ANNEX 1

DEVELOPMENT PROMOTION

	April 98 – Sept 98*	Oct 98- March 99*	April 99- Sept 99*	Oct 99- March 00	April 00-Sept 00	Oct 00 - March 01	April 01- Sept 01	Oct 01- Mar 02	Apr 02- Sep 02	Oct 02- Mar 03	Apr 03 – Sep 03	Oct 03 – Mar 04
% Householder applications												
Less than 2 months	74.5%	73%	90%	82%	68%	71%	81.3%	70.9%	74.4%	66.0%	69.6%	76%
More than 2 months	25.5%	26%	10%	18%	32%	29.9%	18.7%	29.1%	25.0%	34.0%	30.4%	24%
% of all applications												
Less than 2 months	60.5%	57%	69.2%	64%	59%	56%	63.9%	57.9%	58.9%	51.5%	51.1%	59.8%
More than 2 months	39.5%	41%	30.8%	36%	41%	43%	36.1%	42.1%	41.1%	48.5%	48.9%	40.2%
% of all applications to Development Services/Local Planning Committee determined in less than 2 months	45.9%	67.01%	38.79%	63.15%	68.5%	56%	48.9%	43.2%	25%	38%	27.5%	30%

*Note: The statutory indicator changed from 8 week periods to 2 month periods from October 1999

ANNEX 1(Continued) DEVELOPMENT PROMOTION

	April 04 – Sept 04	Oct 04 – Mar 05	April 05 – Sept 05	Oct 05 – Mar 06		
% Householder applications						
Less than 2 months	79.1%	71.4%	65.6%	75.9%		
More than 2 months	20.9%	28.6%	34.4%	24.1%		
% of All Applications						
Less than 2 months	59.3%	55.4%	47.4%	51.4%		
More than 2 months	40.7%	44.6%	52.6%	48.6%		
% of all applications to Development Services/Local Planning Committee determined in less than 2 months	22.7%	33.3%	36.7%	21.0%		

ANNEX 2 DEVELOPMENT PROMOTION - ENFORCEMENT ACTION

	April 98- Sept 98	Oct 98- March 99	April 99- Sept 99	Oct 99- March 00	April 00- Sept 00	Oct 00 - March 01	April 01- Sept 01	Oct 01 – Mar 02	April 02- Sept 02	Oct 02- Mar 03	Apr 03 – Sep 03	Oct 03 – Mar 04
All cases taken up	210	129	186	116	165	168	155	139	162	182	163	157
Notices served	10	5	19	11	3	7	15	10	17	8	12	14

ANNEX 2(Cont) DEVELOPMENT PROMOTION - ENFORCEMENT ACTION

	April 04- Sept 04	Oct 04- March 05	April 05 – Sept 05	Oct 05 – Mar 06		
All cases taken up	154	104	182	147		
Notices served	11	12	10	12		

ANNEX 3

BUILDING WARRANT STATISTICS

	April 02 – Sept 02	Oct 02 – Mar 03	April 03 – Sept 03	Oct 03 – Mar 04	April 04 – Sept 04	Oct 04 – Mar 05	April 05 – Sept 05	Oct 05 – Mar 06
No of Building Warrant Applications received	663	604	696	744	851	824	895	765
No of Building Warrant responded to within 15 WD's	334 (49.6%)	184 (32%)	177 (28%)	259 (36%)	241 (26%)	197 (24%)	142 (21%)	336 (46%)
No of Decisions reached	581	506	623	517 (89% within 6 days)	816 (87% within 6 days)	801	861 (80% within 6 days)	824 (82% within 6 days)
No of Completion Certificates applied for	540	518	563	677	659	685	641	781
Average time taken to respond to a request for a Completion Certificates	3 Days	4 Days	5 Days	3 Days	6 Days	8 Days	7 Days	5 days
Number of Completions issued	509	487	522	455	543	543	564	707
Number of Completions refused	72	31	41	222	118	142	77	74
No of Completion Certificates Determined within 3 days	414 (81%)	423 (87%)	387 (74%)	389 (85%)	425 (78%)	425 (78%)	500 (78%)	539 (69%)

ANNEX 4**BUILDING STANDARDS - ENFORCEMENT ACTION**

	April 01- Sept 01	Oct 01 – Mar 02	April 02 – Sept 02	Oct 02 – Mar 03	April 03 – Sept 03	Oct 03– Mar 04	April 04 – Sept 04	Oct 04– Mar 05	April 05 – Sept 05	Oct 05 – Mar 06
S27 Notices Served	11	10	13	3	4	3	3	7	4	14
S29 and 30 Notices Served	26	35	36	10	25	21	13	17	22	24