

<b>PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE</b>	<b>AGENDA ITEM No. 6</b>
<b>26 JULY 2011</b>	<b>PUBLIC REPORT</b>

Cabinet Members responsible:	Lead Members: - Cllr Hiller (Housing, Neighbourhoods and Planning)	
Contact Officers:	Nick Harding (Area Manager, Development Management)	Tel. 454441
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### SIX MONTHLY APPEAL PERFORMANCE REPORT

RECOMMENDATIONS	
<b>FROM</b> : Head of Planning Services	<b>Deadline date</b> : October 2011
That the Committee notes past performance and outcomes as attached at Appendix A.	

#### 1. PURPOSE AND REASON FOR REPORT

It is useful for Committee to look at the Planning Service's performance at appeals and identify if there are any lessons to be learnt in terms of appeal outcomes. This will help inform future decisions and potentially reduce costs.

#### 2. TIMESCALE.

Is this a Major Policy Item/Statutory Plan?	<b>NO</b>	If Yes, date for relevant Cabinet Meeting	<b>n/a</b>
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#### 3. MAIN BODY OF REPORT

3.1 The number of appeals received has dropped this last six months from 30 to 15 compared to the previous half year. A total of 20 appeals have been determined which is nine less than the previous six months.

	(01/07/09 – 31/12/09)	(01/01/10 – 30/06/10)	(01/07/10- 31/12/10)	(01/01/11- 30/06/11)
<b>Appeals Received</b>	28	22	30	15
<b>Method of Appeal</b>				
a) Householder	3	6	11	6
b) Written Reps	23	15	19	8
c) Informal Hearing	1	0	0	1
d) Public Inquiry	1	1	0	0

	(01/07/09 – 31/12/09)	(01/01/10 – 30/06/10)	(01/07/10- 31/12/10)	(01/01/11- 30/06/11)
<b>Appeals Determined</b>	27	26	31	20
Appeals Dismissed	18	19	21	12*
Appeals Allowed	8	7	9	8*
Appeals Withdrawn	1	0	1	2
Success Rate	70%	73%	71%	60%
Householder	2	7	7	9
Written Reps	22	16	22	13
Informal Hearing	1	1	0	0
Public Inquiry	2	2	2	0

\* One appeal was allowed in part and dismissed in part

In the first six month of 2011, the Council's decision was upheld in 60% of the cases, this is in line with the national average of 60%.

The attached table (Appendix A) gives a summary of the appeal outcomes in the last 6 months with a commentary where there is scope for service improvement.

#### 4. IMPLICATIONS

- 4.1 **Legal Implications** – The proposed changes have been prepared and will be consulted on in accordance with guidance issued by national government. There are no legal implications.
- 4.2 **Financial Implications** – This report itself does not have any financial implications. However, in the event that the Council or appellant has acted unreasonably in terms of the planning decision or appeal, an award of costs may be made against or in favour of the Council.
- 4.3 **Human Rights Act** – This report itself has no human rights implications but the appeals process has due regard to human rights issues.
- 4.4 **Human Resources** – This report itself has no human resources implications.
- 4.5 **ICT** – This report itself has no ICT implications.
- 4.6 **Property** – This report itself has no Property implications.
- 4.7 **Contract Services** – This report itself has no Contract Services implications.
- 4.8 **Equality & Diversity** – This report itself has no Equality and Diversity Implications and it should be noted that there is no evidence that appeal outcomes are influenced by equality and diversity factors.