



Corporate Plan

2018-21

June 2018

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FOREWORD BY THE CHIEF COMMISSIONER

This Corporate Plan sets out the Planning and Water Appeals Commission (PACWAC) strategic direction and priorities for the period 2018-21.

The Commissions as independent appellate bodies are in a unique position within the planning world. We as a decision making body respond to an appellant's perceived need to access justice and also act as an independent arbitrator in respect of hearings, inquiries and independent examinations. All our decisions and recommendations are based on the evidence that is presented to us. We as a body recognise the important role that we play in not only the development management process but also the contribution that we can make to the delivery of local development plans and the economic, social and environmental well-being of Northern Ireland as a whole.

At present PACWAC has been operating with reduced resources. Despite the shortfall, due to the hard work and dedication of the PACWAC team, we have delivered above expectations in the 2017-18 financial year. Moving forward the priority has to be remedying the situation to address existing business needs and anticipated resource requirements in relation to the independent examination of Local Development Plans.

In terms of Hear and Decide casework, business volumes appear to have reached a constant level post transfer of planning powers to Councils. Our Hear and Report casework will be extremely challenging to deliver over the lifetime of this corporate plan with not only the referred major proposals casework but also the anticipated referral of Local Development Plans (LDPs) for independent examination.

The Commission is fully aware of the budgetary pressures faced by other public bodies and across NICS as a whole. Securing additional resources within the current environment will be a key challenge. The Department of Justice is the sponsor for the Commissions through Northern Ireland Courts & Tribunal Service (NICTS). We are working in close collaboration with NICTS to proactively address the resource requirements to deliver an effective service going forward. As an organisation we remain committed to delivering on our statutory obligations which rely on the availability of adequate Commissioner resources and administrative support.

In addition to securing sufficient resources it is our intention to undertake a critical review of our service delivery to ensure that it meets customer and business needs. Where appropriate it will then be necessary to align our systems to ensure that we have in place arrangements that are fit for purpose.

Andrea Kells
Chief Commissioner
June 2018

1. OUR BUSINESS

- 1.1 The Planning Appeals Commission is an independent appellate body established under statute to decide a wide range of appeals and to report on various matters under planning and other legislation. The Water Appeals Commission is a separate appellate body and exercises a wide range of functions under water, fisheries and drainage legislation. It shares the vision, aims, objectives and core values of the Planning Appeals Commission.
- 1.2 The Commissions have two broad areas of work which for ease of discussion are categorised as Hear and Decide, and Hear and Report. Hear and Decide is the appeal casework. Appellants lodge appeals and the Commission considers the evidence and makes a final decision. In addition to the appeal decision the Commission may have to consider a costs claim if it is submitted.
- 1.3 Hear and Report is a second area of work which is less predictable and more resource intensive. The principal elements are firstly, public inquiries and hearings into regionally significant and called in planning applications, and secondly independent examinations into local development plans (LDPs). In these cases referrals are made from the Department for Infrastructure to the Commission. The Commission will consider the evidence presented to them and report back to the Department who will make the final decision.
- 1.4 There are also a variety of other hear and report functions, including public inquiries into development schemes, vesting orders and road schemes, and hearings into the need for environmental impact assessments for planning applications.
- 1.5 PACWAC is currently operating below complement in both the Commissioner and administrative aspects. Work is ongoing to move to recruit resources in order to ensure our services can continue to be delivered in line with existing business needs. Efforts are also underway to enhance our complement to address future business requirements.

2. OPERATING CONTEXT

- 2.1 The Commissions are not part of any Government Department. They receive financial and administrative support from their sponsoring department, the Department of Justice through the Northern Ireland Courts and Tribunals Service (NICTS).
- 2.2 Due to the nature of the work that comes before the Commissions there is a high level of interest in what we do. This arises not only from within the planning community

but also the wider public. This is understandable given the social, environmental and economic impact of decisions and reports issued by the Commissions.

- 2.3 It is expected that in the forthcoming years Hear and Decide casework will comprise at least 300 appeals together with costs claims arising. Historically, when the Area Plan process gained momentum there was an increase in appeal numbers as developers tried to secure permissions in accordance with existing policies. This situation will be closely monitored to assess of the LDP process will have a similar impact.
- 2.4 Hear and Report work is less predictable and more resource intensive, as at March 2018, the Commission had three cases under active consideration. Three other cases referred by DfI are in abeyance awaiting further environmental information. In discussion with DfI officials, we have been alerted to the possibility of a number of future referrals. There are also likely to be challenges by developers to determinations as to the need for environmental impact assessments. Our conservative working assumption is that we can anticipate four referrals in each financial year.
- 2.5 In addition to the Hear and Report major case work, the PAC are anticipating conducting independent examinations into the local development plans for each of the eleven Councils. Each of the Councils will prepare a Plan Strategy which will be subject to independent examination. Once adopted the Local Policies Plan for the Council area will be prepared and it too will be subject to an independent examination. It is anticipated that there will be twenty two independent examinations before the Commission in the coming years. This has significant resource implications for the Commission but given the importance of the delivery of the LDPs to Northern Ireland as a whole we will have to focus our efforts on ensuring the successful delivery of the LDP programme.

3. CORPORATE AIM AND VALUES

- 3.1 The Commissions aim to make the best possible appeal decisions and offer the best possible recommendations to Departments, consistent with the evidential context within which appellate functions are exercised.
- 3.2 The Commissions, as independent appellate bodies, attach great importance to the following values in the exercise of their work:

Delivering our service effectively

- Providing a high quality service to the public
- Maximise the benefit from available resources, providing value for money

- Aspiring to always improve

People Focused

- Being honest, open and transparent
- Treating everyone with respect and understanding different needs
- Develop and supporting our workforce

Dependability

- Approach work with an open mind without pre-disposition to any particular view
- Acting with professionalism and integrity

4. PRIORITIES

4.1 There will be three key focus areas over the lifetime of this Corporate Plan:

- Our People
- Our Approach
- Our Technology

Our People

4.2 The priority will be to ensure that the Commissions are sufficiently resourced to address existing and pending work commitments. Investment in training will be focused on ensuring the development of the workforce to enhance their skills set and effective contribution to the organisation.

Our Approach

4.3 The second priority will be undertaking a critical review of our service delivery to ensure it meets customer and business needs. Business models will be reviewed to as far as possible future proof the organisation in terms of service delivery. If required solutions will be tested before implementation.

Our Technology

4.4 Closely aligned with our review into our approach it will be necessary to develop our technologies to ensure that we have strong foundations for moving the organisation forward.

5. **STRATEGIC OBJECTIVES**

5.1 In order to deliver on our priorities the Commissions have the following strategic business objectives:

- Deliver a high quality service that meets the needs of our customers;
- Expand and develop our workforce to achieve our objectives;
- Implement effective solutions to ensure our systems are fit for purpose.

5.2 Our annual business plans will set out our key deliverables for each financial year within the Corporate Plan period.