



The Planning Inspectorate
Yr Arolygiaeth Gynllunio

Ministerial Measures - Experimental Statistics

23rd February 2023

Introduction

This report provides information on how the Planning Inspectorate has performed against new measures by which Ministers agreed to assess the organisation's casework performance for appeals.

These measures are:

- A. Appeals valid on first submission
- B. How long appeals take
 - There is also an ambition for more consistent, timely decisions
- C. Customer satisfaction
- D. Number of cases quality assured

Full details of these are available at

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1049462/Housing_Minister_letter_to_PINS.pdf

For measures A and D, this report covers the three months October to December 2022. Information on how long appeal decisions take from valid receipt to decision (measure B) covers the 12 months from February 2022 to January 2023. No information is available on measure C.

This is the third time such information has been produced¹, and work is still in development. There will be a formal review in March 2023 to decide whether to continue this series. Subject to the outcome of that review, updates will be provided every three months, with the next publication in May 2023.

These statistics are designated as Experimental Statistics and any feedback would be welcome. Please send comments to statistics@planninginspectorate.gov.uk

¹ It's the first time this data on how long appeals take has been published. Information on appeals valid on first submission, and on number of cases quality assured, was published in August 2022.

A. Appeals Valid on First Submission

Ambition: Proportion rising annually and ambition to reach 100%. Rising to at least 85% in 2023/24.

For appeals received during October to December 2022, 72.5% were valid first time². Table 1 shows how the proportion valid on first submission varies over the last six quarters. The proportion valid at first submission appears to be increasing, from around 62% for the first two quarters, to around 63% to 65% for the next three quarters; and up to 72.5% for the most recent quarter, October to December 2022.³ This may be revised down next quarter if there are cases received in October to December 2022 that have not yet been validated, as was the case for July – Sep 2022. As a result, this value should be treated as provisional.

The Inspectorate is developing new digital public services. As more appeals are submitted through those services the proportion of valid cases submitted is expected to rise.

Table 1 - Proportion of Appeals Valid on First Submission, By Quarter, Jul 21 - Dec 2022

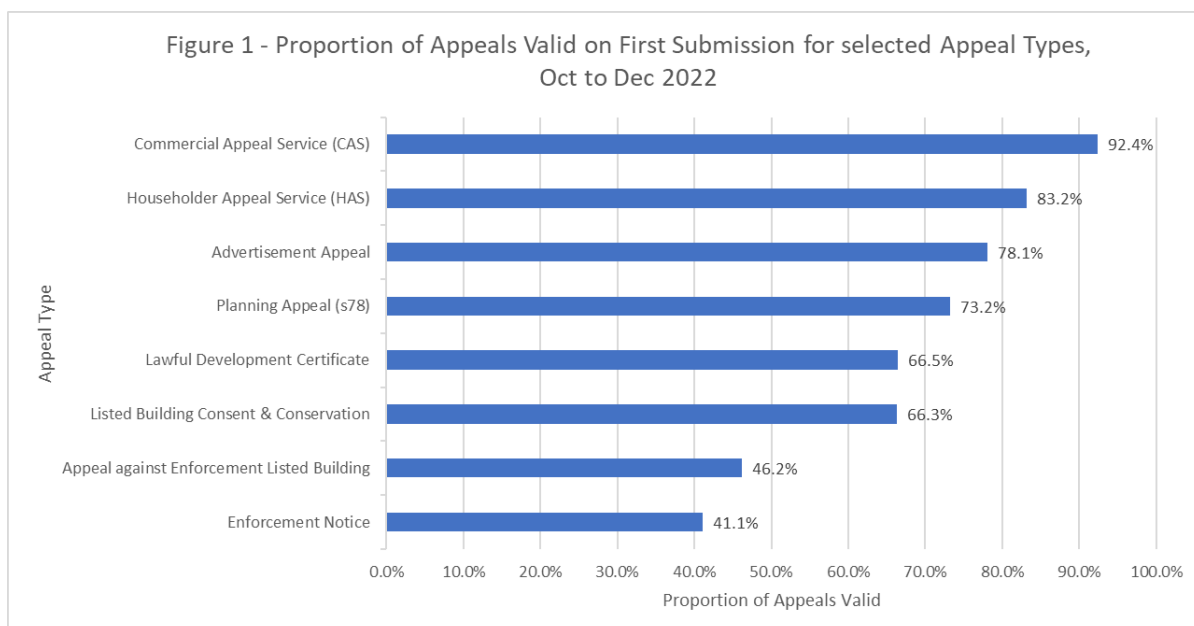
Appeals Received	Jul – Sep 2021	Oct – Dec 2021	Jan – Mar 2022	Apr – Jun 2022	Jul -Sep 2022	Oct – Dec 2022
% Valid First Time	61.4%	64.9%	64.7%	64.6%	63.3%	72.5% ^P

Source: Horizon
P = Provisional

Figure 1 below shows how the proportion valid first-time varied for a selection of appeal types, for appeals received in October to December 2022.

² Please note that this is calculated using a proxy: included are those cases where the date that the appeal had been validly received, is the same as the date that the case was first received. Additionally, be aware that the date for 'validly received' is the date on which the information was received, even if is assessed as being valid on a later date.

³ It is possible that the most recent quarter reported each publication is being inflated. The percentage of appeals valid first time for Jul – Sep 22 was previously reported as 68.9% and is now calculated as 63.3%. The reason for this is not clear – it may be that the result is 'biased' by some cases, that take a very long time to validate, being excluded from the recent calculation, but included three months later. As a result, it is possible that the figure for Oct – Dec 2022 will be found to be lower in three months' time. Note also that some of the figures previously published have been revised by a small amount in this publication.



Source: Horizon

Robust data on the reasons for appeals not being valid are not currently available. The Inspectorate are developing new digital public services and as more cases are submitted using those services the data we hold will improve.

B. How Long Appeals Take

Ambition: As an initial milestone in making more consistent, timely decisions - The Planning Inspectorate should be working towards consistently achieving decisions in these ranges:

Appeals decided entirely using writing evidence in 16 – 20 weeks

Appeals decided including at least some evidence through hearing or inquiry in 24 - 26 weeks (30 weeks to recommendation for called in or recovered cases)

This section provides information on how long it has taken to make decisions in the last 12 months (in this case, February 2022 to January 2023). Complementary statistics for the same period can be found in our monthly Official Statistics publication⁴.

Figure 2 below shows the proportion of cases decided:

- within 20 weeks⁵;
- within 26 weeks (but more than 20 weeks);
- within 52 weeks (but more than 26 weeks); and
- more than 52 weeks.

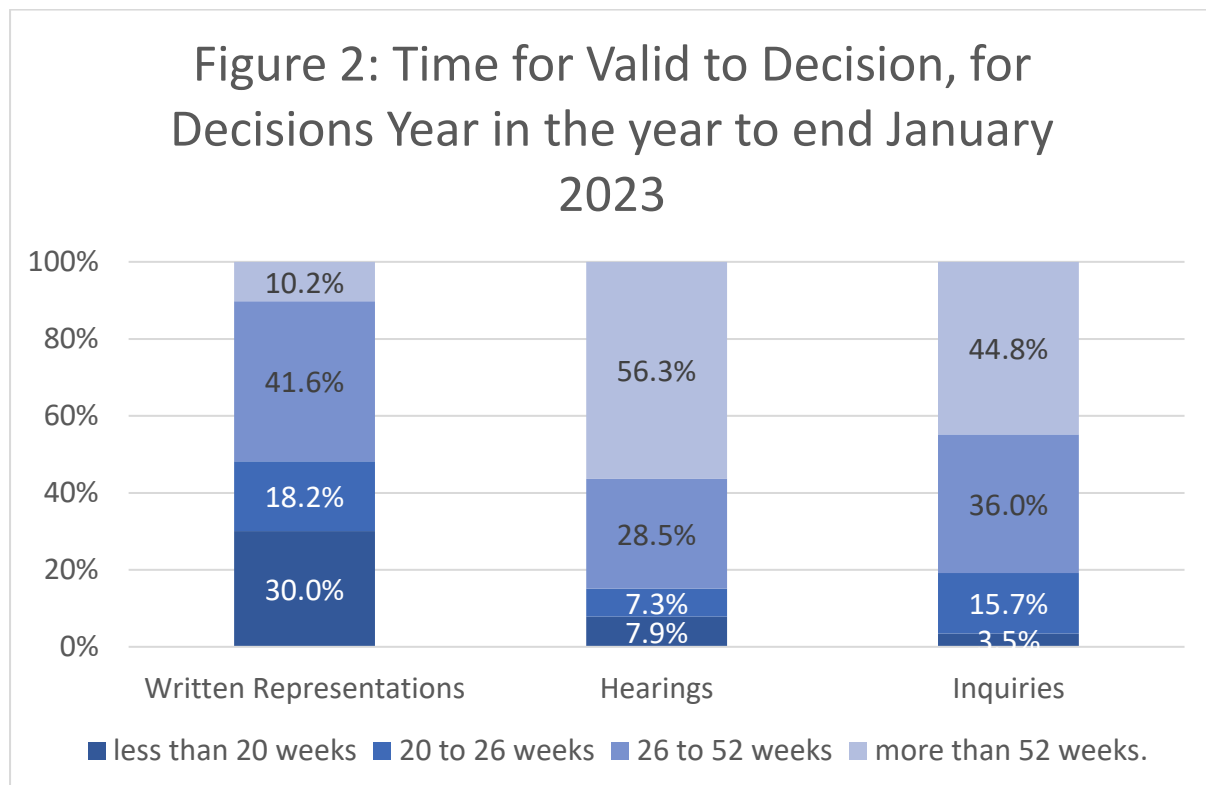
The data applies to all cases decided in the year to the end of January 2023; and is broken down by the procedure used to arrive at the decision. The data for this Figure is available at Annex B.

⁴ Please note that these are experimental statistics, with further work required to ensure robust, consistent quality assurance around them. As such they do not have the same status as the Official Statistics measures for the same period.

⁵ The count of measures “within” a given number weeks, includes cases which took that number of weeks to decide. For example, cases that took 20 weeks are included in the “within 20 weeks” count.

Figure 2 shows how many cases are decided within a year, and how many take longer than a year. It shows that a much smaller proportion (10%) of cases decided by written representations take more than a year those decided by Hearings (56%) or Inquiries (45%).

It also shows that a greater proportion of cases decided by written representations are decided within 20 weeks (30%) than those decided by Hearings (8%) or Inquiries (4%).



Source: Horizon

Measures set by the Minister that apply to cases decided wholly by written representations are shown in Annex C.

Consultation

If you would like to make a suggestion on which information you would like to see; or would like to have the chance to comment on any proposals on what is published, please contact us via statistics@planninginspectorate.gov.uk

Figure 2 shows the proportion of cases that meet Ministerial timescales. Figure 3 below shows more detail. It gives the full spread of time taken to decide cases, providing visibility of those case far outside the accepted range. It shows all cases decided in the 12 months to the end of January 2023; and a breakdown by the decision procedure. Larger pictures are available at Annex D.

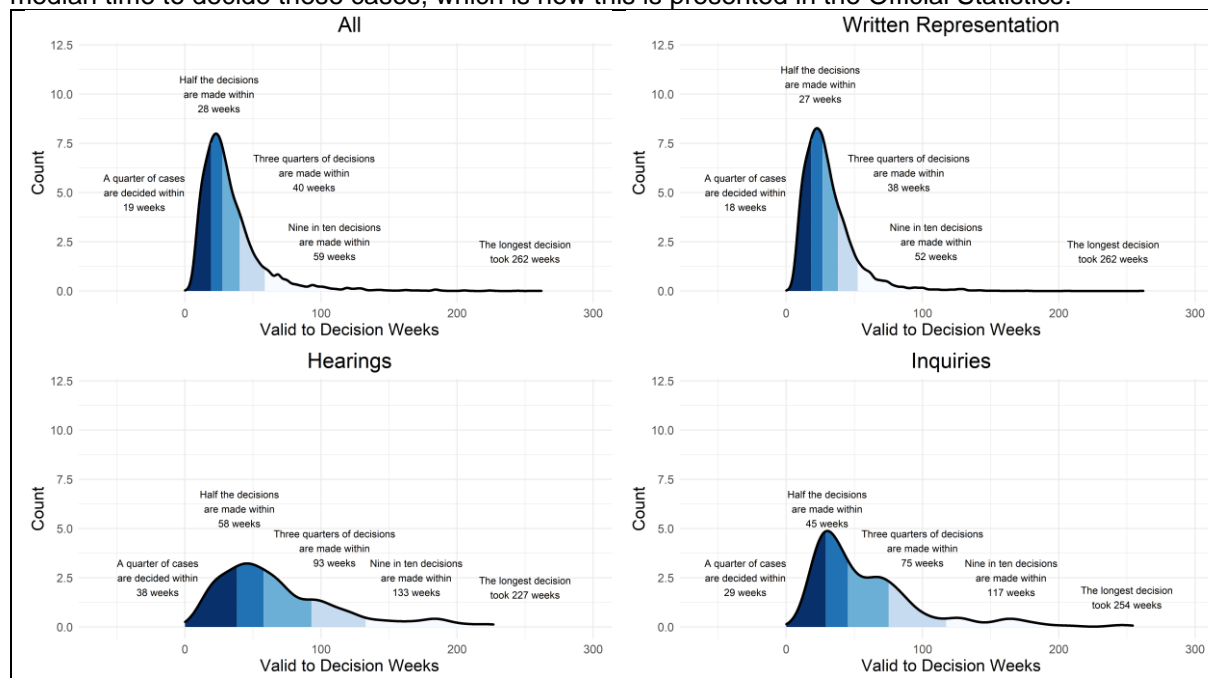
Figure 3 shows:

- The spread of time taken to decide for all cases, is similar to the spread for those decided wholly by written representations. This is because the large majority (16,310/17,628) of cases are decided this way.
- For all procedure types, there are a small number of cases that take over four years (200 weeks and more) – two decided through written representations, six through inquiries, 17 through hearings.

- Three quarters of cases decided wholly by written representations are decided within 41 weeks. The corresponding time for three quarters of cases decided wholly or partly by Hearings is 68 weeks and for those wholly or partly by Inquiries is 46 weeks)
- Nine in ten cases decided wholly by written representations are decided within 56 weeks. The corresponding time for nine out ten cases decided wholly or partly by Hearings (101 weeks) and Inquiries (101 weeks), is roughly twice as long.

Figure 3 – Spread of time taken to decide cases (in weeks), for cases decided November 21 – October 22

Note: The figure for “Half the decisions are made within” is the 50th percentile; this is the same as the median time to decide these cases, which is how this is presented in the Official Statistics.



Source: Horizon

The Ministerial measure⁶ requires information on how long appeal decisions take from valid receipt to decision⁷, with information on various percentiles.

Ambition: Decision time for 50th percentile falling. Decision time for 90th percentile falling faster than 50th percentile.

The ambition is that cases are decided more quickly, and the time taken for longest cases is reduced. If the ambition is met, the gap between the 50th percentile and 90th percentile needs to reduce.

What is a percentile?

A percentile is a measure that shows the value below which a given percentage of the values in a group of numbers fall.

For example, if we tell you the 25th percentile for decision times, then you know that 25% of decisions are issued in less time (or the same time) as that.

⁶ Measure: How long appeal decisions take from valid receipt to decision with information on 25th, 50th, 75th, 90th and 100th percentiles accompanied by reasons to explain what factors affected longer or shorter timeframes.

⁷ As noted in Footnote 1 above, the date for ‘validly received’ is the date on which the information was received, even if it is assessed as being valid on a later date

Table 2 below shows the 25th, 50th, 75th and 90th percentiles for valid to decision, in weeks, for the decisions made from November 2021 to October 2022. Note that these match the timings given in text on the shapes in Figure 3 above.

Table 2 - Percentiles for Valid to Decision (in weeks) for decisions made February 2022 – January 2023 – and number of decisions in that time

Procedure	25 th percentile	50 th percentile	75 th percentile	90 th percentile	100 th percentile	Number of decisions
Written reps	18 weeks	27 weeks	38 weeks	52 weeks	262 weeks	16,310
Hearing	38 weeks	58 weeks	93 weeks	133 weeks	227 weeks	827
Inquiry	29 weeks	45 weeks	75 weeks	117 weeks	254 weeks	491
All	19 weeks	28 weeks	40 weeks	59 weeks	262 weeks	17,628

Source: Horizon

If performance changes, it will be more quickly apparent by looking at quarterly data than 12 monthly data. And the ambition is to show a fall. So Annex E shows the same percentiles, for decisions in the three months October to December 2022. It seems that the upper percentiles for cases dealt with by Hearing and Inquiry are reducing – but that cases dealt with by written representations are taking longer. There are relatively few hearings and inquiries in each quarter, which means quarterly percentiles for these appeals are susceptible to extreme values - this means they should be viewed with caution. Future publications will provide updates on subsequent quarters.

Figure 4 and Table 3 below show the 50th and 90th percentiles for valid to decision time (in weeks) for the last six quarters, for all decisions. It shows that both measures are rising rather than falling; and that the gap between them is not reducing.

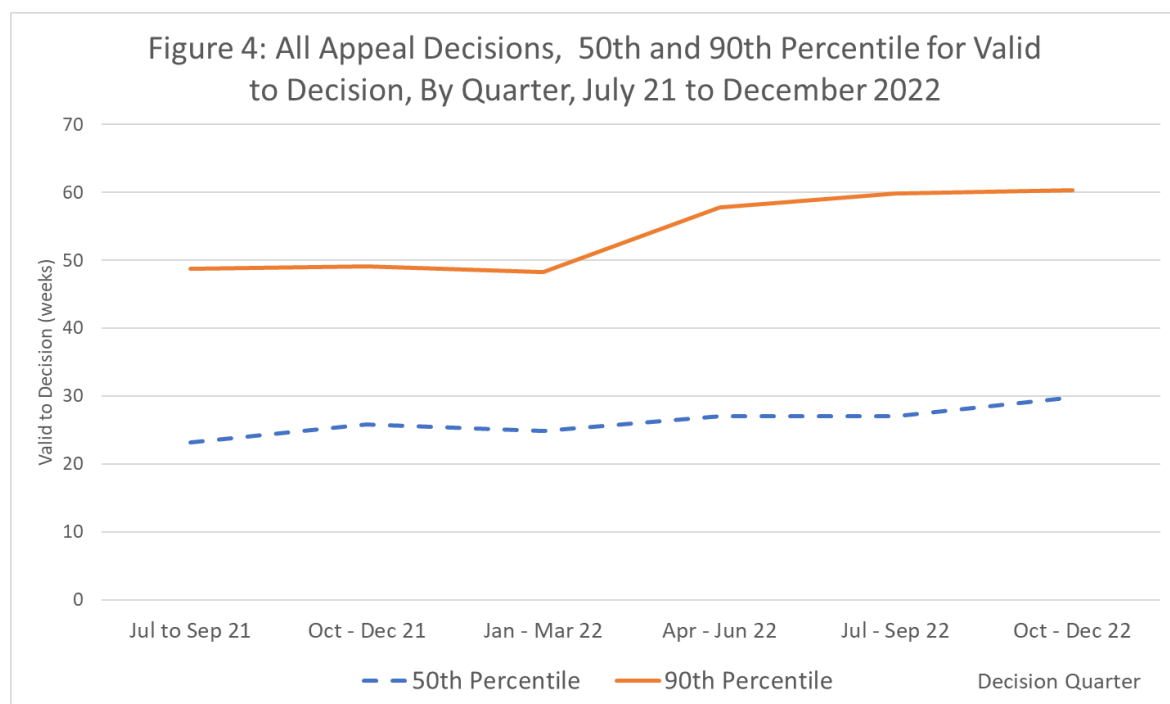


Table 3 - All appeal Decisions, 50th and 90th percentiles of Valid to Decision (weeks), July 2021 to Sep 2022

Decision made:	50 th percentile	90 th percentile	Gap
Jul – Sep 2021	23 weeks	49 weeks	26 weeks
Oct – Dec 2021	26 weeks	49 weeks	23 weeks
Jan – Mar 2022	25 weeks	49 weeks	24 weeks
Apr – Jun 22	27 weeks	58 weeks	31 weeks
Jul – Sep 22	27 weeks	60 weeks	33 weeks
Oct – Dec 22	30 weeks	60 weeks	30 weeks

Source: Horizon

The table above covers all appeal decisions. Annex F gives figures for appeals decided wholly by written representations; wholly or partially through hearings; and wholly or partially through inquiries.

C. Customer Satisfaction

Ambition: Proportion of customers reporting satisfaction with the planning Inspectorate’s services rising annually.

We will be working with the Institute for Customer Service to conduct a satisfaction survey for 2022 and will report the results of this when available.

D. Number of Cases Quality Assured

Ambition: There is no minimum number or percentage ambition on this measure.

During the three months October to December 2022, 1,257 appeal cases were quality assured. These are shown in Table 4 below.

Table 4 - Number of appeal decisions quality assured, October to December 2022

Number	Category	Explanation
39	Inspector Manager team reading	Inspector Managers are expected to review a proportion of their Inspectors’ decisions post-decision. This is to ensure quality standards and to identify learning opportunities and to check for consistency with the relevant quality framework.
122	APOs	Recommendations made by Appeals Planning Officers (APOs) are all reviewed as part of routine quality assurance before a decision is issued by an Inspector
1,096	Inspector in Training – pre-decision	The majority of decisions made by Inspectors in Training (IITs) are all reviewed for teaching purposes. Each review is by an experienced Inspector
1,257	Total Appeal decisions	

Source: MiPINS

To put these totals in context, the 1,257 appeal decisions quality assured constitutes around a quarter (27%) of all decisions (4,578) issued over that period.

Table 5 shows the number of cases quality assured, beyond appeal cases, for the same quarter. These are much larger more complex cases than the average appeal case.

Table 5 - Number of Other Cases Quality Assured, October to December 2022

Number	Category	Explanation
6	Local Plans	All Local Plans are quality assured as part of the examination process. Eleven Local Plan Reports were issued in this quarter; quality assurance for some of these took place before the quarter.
2	Nationally Significant Infrastructure Projects (NSIP)	All NSIP decisions are quality assured as part of the examination process. Two recommendation reports were submitted to the Secretary of State this quarter.

Source: Local Plan and NSIP case records

Annex A - Proportion of Appeals Valid First Time for Selected Appeal Types, Oct - Dec 2022

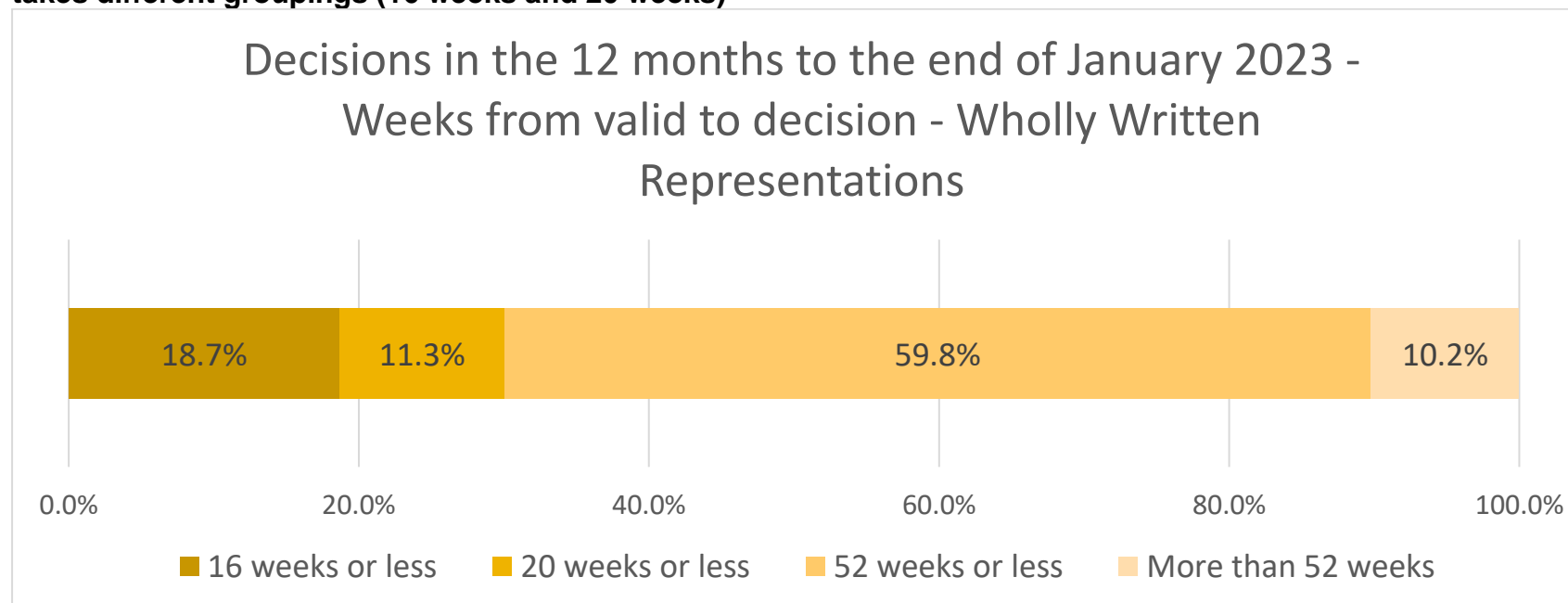
Appeal Type	Proportion valid on first submission	Number of Appeals
Planning Appeal (s78)	73.2%	2654
Householder Appeal Service (HAS)	83.2%	1232
Enforcement Notice	41.1%	621
Lawful Development Certificate	66.5%	161
Commercial Appeal Service (CAS)	92.4%	118
Advertisement Appeal	78.1%	105
Listed Building Consent & Conservation Area Consent Appeal	66.3%	101
Appeal against Enforcement Listed Building Notice	46.2%	13

Source: Horizon

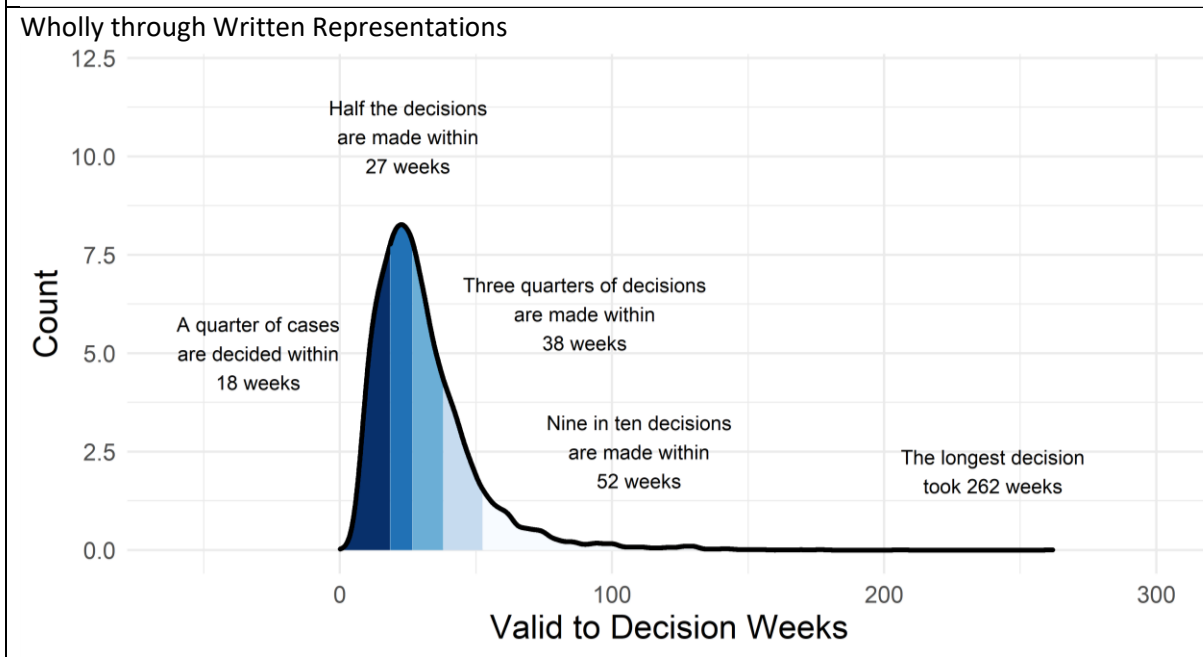
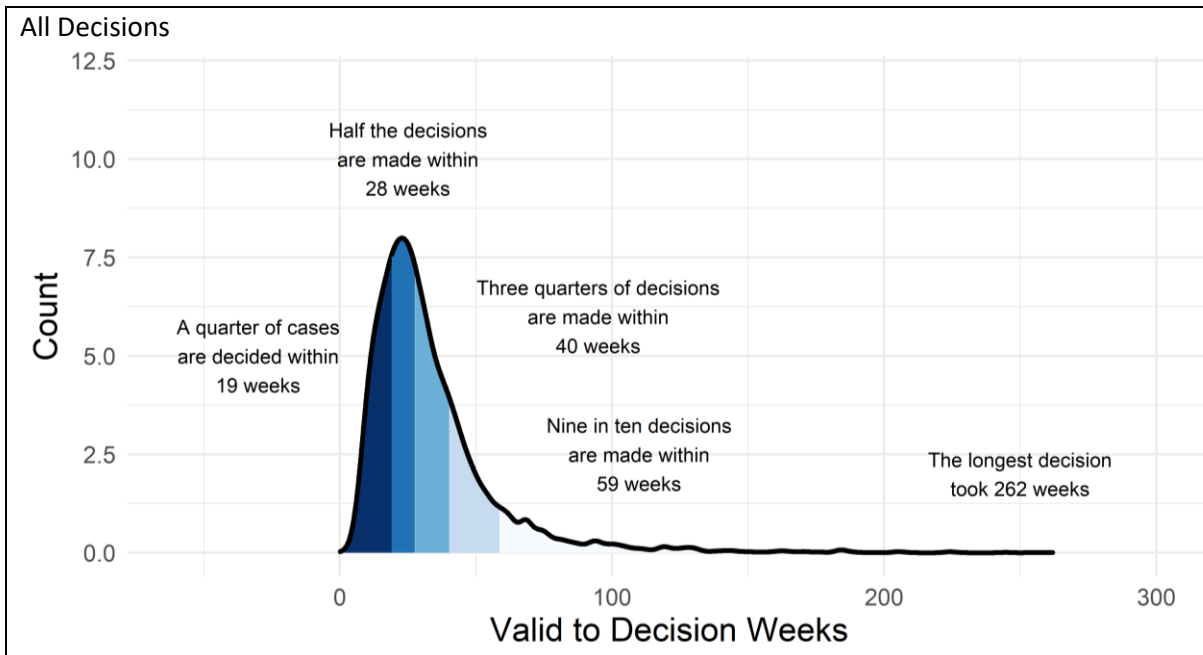
Annex B: Proportion of Appeals decided within 20, 26 and 52 weeks - Decisions Feb 2022 - Jan 2023

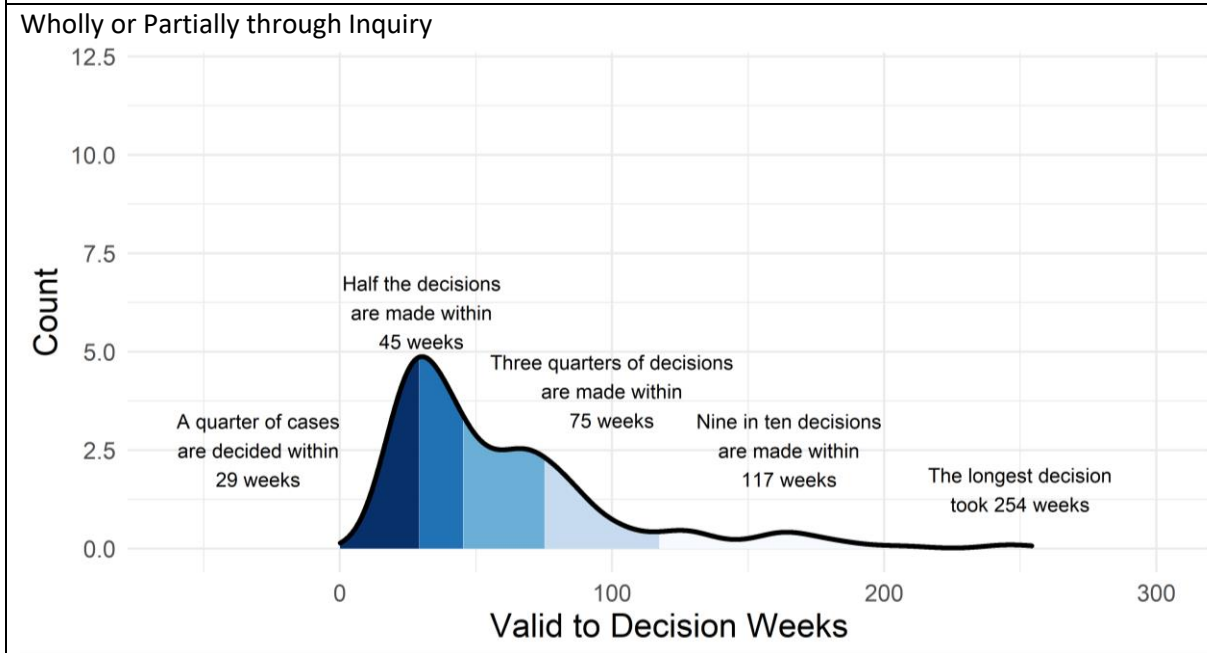
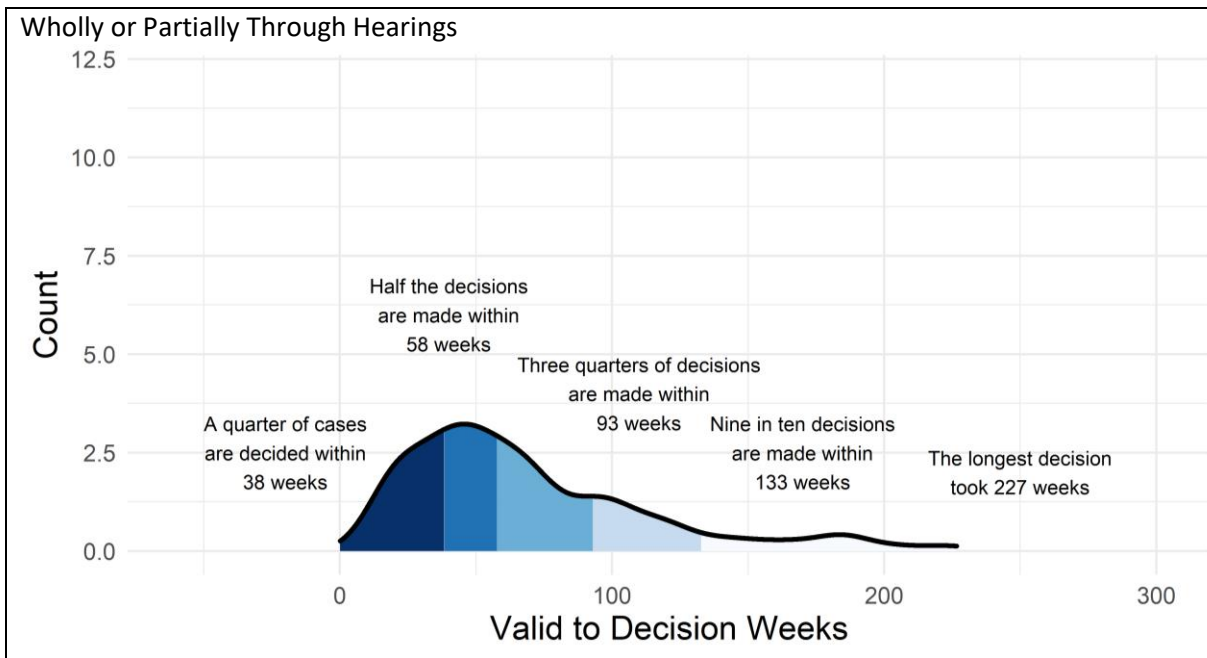
	Within 20 weeks	Within 26 weeks	Within 52 weeks	More than 52 weeks
Wholly Written Reps	30.0%	18.2%	41.6%	10.2%
Wholly or partly Hearings	7.9%	7.3%	28.5%	56.3%
Wholly or partly Inquiries	3.5%	15.7%	36.0%	44.8%

Annex C: Decisions made wholly through written representations - Performance against Ministerial measures – note this takes different groupings (16 weeks and 20 weeks)



Annex D – Variation in Valid to Decisions (weeks) for appeal decisions made February 2022 to January 2023, by procedure





Annex E - Percentiles for Valid to Decision (in weeks) for decisions made October – December 2022 – and number of decisions in that time

Procedure	25 th percentile	50 th percentile	75 th percentile	90 th percentile	100 th percentile	Number of decisions
Written reps	21 weeks	29 weeks	41 weeks	56 weeks	169 weeks	4,171
Hearing	27 weeks	48 weeks	68 weeks	101 weeks	205 weeks	299
Inquiry	28 weeks	39 weeks	46 weeks	101 weeks	209 weeks	108
All	21 weeks	30 weeks	43 weeks	60 weeks	262 weeks	4,578

Source: Horizon

Annex F - Appeal Decisions, 50th and 90th percentiles of Valid to Decision (weeks), April 2021 to Dec 2022 - by procedure

Note: all measurements are in weeks

Wholly by written representations

Decision made:	50 th percentile	90 th percentile	Gap
Apr – Jun 2021	21	40	19
Jul – Sep 2021	22	43	21
Oct – Dec 2021	25	44	19
Jan – Mar 2022	25	45	20
Apr – Jun 2022	26	49	23
Jul – Sep 2022	26	53	27
Oct – Dec 2022	29	56	27

Wholly or partially through Hearings

Decision made:	50 th percentile	90 th percentile	Gap
Apr – Jun 2021	54	88	34
Jul – Sep 2021	46	87	41
Oct – Dec 2021	51	106	55
Jan – Mar 2022	53	134	81
Apr – Jun 2022	91	184	93
Jul – Sep 2022	56	138	82
Oct – Dec 2022	48	101	52

Wholly or partially through Inquiries

Decision made:	50 th percentile	90 th percentile	Gap
Apr – Jun 2021	64	112	48
Jul – Sep 2021	75	137	62
Oct – Dec 2021	54	130	76
Jan – Mar 2022	57	106	49
Apr – Jun 2022	63	117	54
Jul – Sep 2022	69	128	59
Oct – Dec 2022	39	101	62

Source: Horizon