



The Planning Inspectorate
Yr Arolygiaeth Gynllunio

Ministerial Measures - Experimental Statistics

1st June 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 measure A this report covers the twelve months January to December 2022. Information on how long appeal decisions take from valid receipt to decision (measure B) covers the 12 months from May 2022 to April 2023. No information is available on measure C. Measure D covers the three months January to March 2023.

This is the fourth time such information has been produced, and work is still in development. Following a review, this series continues with the status of "Experimental", with updates provided every three months. The next publication will be in August 2023.

The review of these statistics highlighted an issue in the measure of appeals valid on first submission. This has resulted in changes to the way this is calculated and presented. More detail is given in the section below and in the accompanying Background Quality Report.

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

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, 64.4% were valid first time¹. Table 1 shows the proportion valid on first submission over the year. The proportion valid at first submission appears to be stable at around 63% to 65%.²

Data Note

After reviewing the statistics, we found many appeals lacking necessary validity information, even several weeks after receipt. As a result, information on cases valid first time for Jan to Mar cannot be reliably estimated and so have been excluded from this publication while this is investigated.

These values for valid on first submission should be treated as provisional. Further investigation is required to help understand the causes and the impact of cases with incomplete information. See the Background Quality Report for more information.

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

Table 1 - Proportion of Appeals Valid on First Submission, By Quarter, for Appeals Received Oct 21 - Dec 2022 (Provisional)

Appeals Received	Oct – Dec 2021	Jan – Mar 2022	Apr – Jun 2022	Jul -Sep 2022	Oct – Dec 2022
% Valid First Time	64.6%	64.5%	64.1%	62.5%	64.4%

Source: Horizon

Figure 1 below shows how the proportion valid first-time varied for a selection of appeal types, for appeals received during 2023. Note that previous publications gave this breakdown for the most recent quarter – but due to the unreliability of recent data, it is more appropriate to give less recent data.

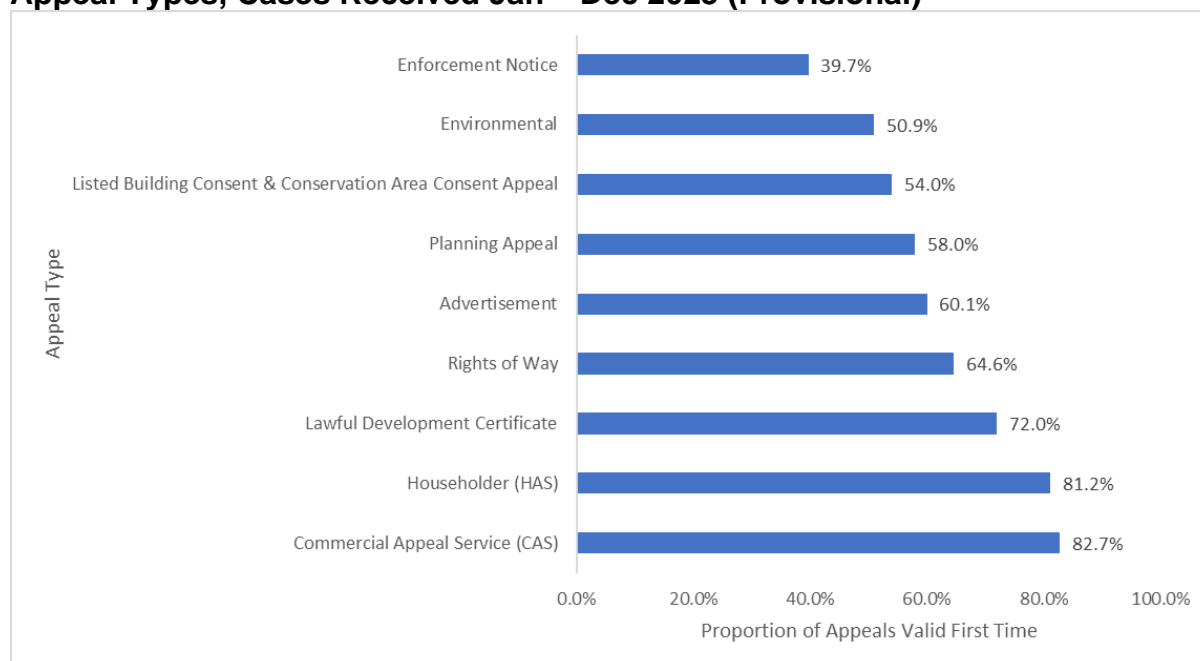
¹ Please note that this is calculated using a proxy: included are those cases where the date that the appeal had been validly received, is the same as the date that the case was first received. Additionally, be aware that the date for ‘validly received’ is the date on which the information was received, even if is assessed as being valid on a later date.

² The figures in Table 1 differ from those published in February, which are given here for transparency: particularly the large difference for Oct – Dec 22.

Oct – Dec 21	Jan – Mar 22	Apr – Jun 22	Jul – Sep 22	Oct – Dec 22
64.9%	64.7%	64.6%	63.3%	72.5%

This difference is thought to be caused by the issue with lack of validity information from recent cases.

Figure 1 – Proportion of Appeals Valid on First Submission for Selected Appeal Types, Cases Received Jan – Dec 2023 (Provisional)



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, May 2022 to April 2023). Complementary statistics for the same period can be found in our monthly Official Statistics publication³.

Figure 2 below shows the proportion of cases decided:

- within 20 weeks⁴;
- within 26 weeks (but more than 20 weeks);
- within 52 weeks (but more than 26 weeks); and
- more than 52 weeks.

³ 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.

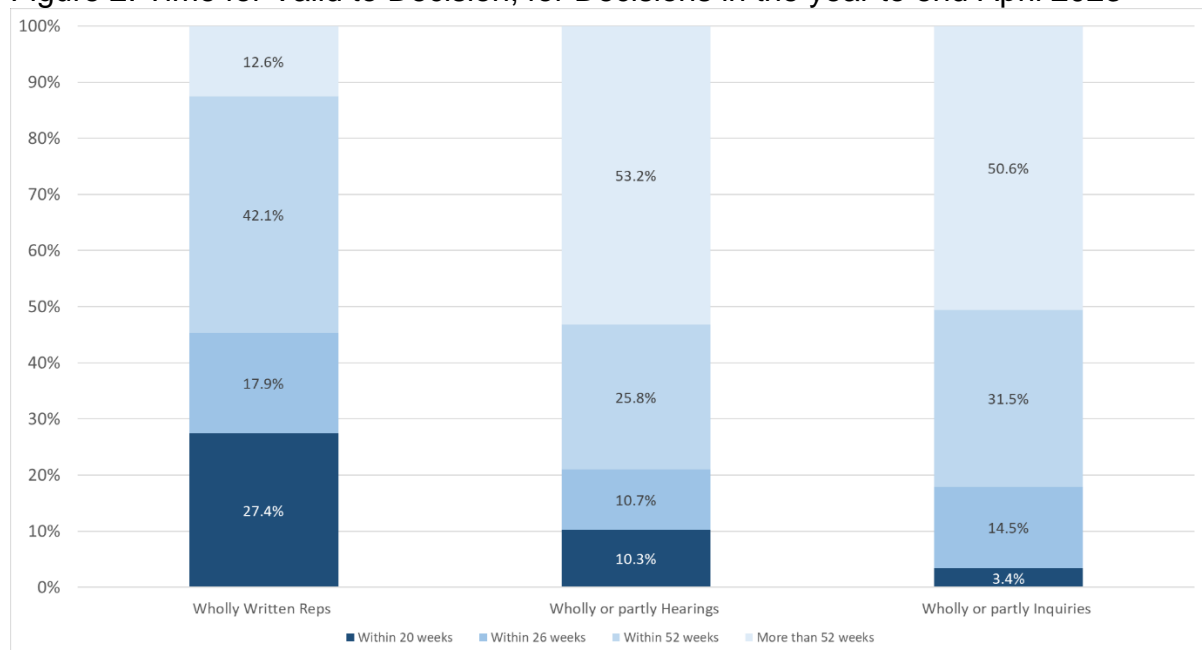
⁴ The count of measures “within” a given number weeks, includes cases which took that number of weeks to decide. For example, cases that took 20 weeks are included in the “within 20 weeks” count.

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

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 (13%) of cases decided by written representations take more than a year than those decided by Hearings (53%) or Inquiries (51%).

It also shows that a greater proportion of cases decided by written representations are decided within 20 weeks (28%) than those decided by Hearings (10%) or Inquiries (3%).

Figure 2: Time for Valid to Decision, for Decisions in the year to end April 2023



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 cases far outside the accepted range. It shows all cases decided in the 12 months to the end of April 2023; and a breakdown by the decision procedure. Larger pictures are available at Annex D.

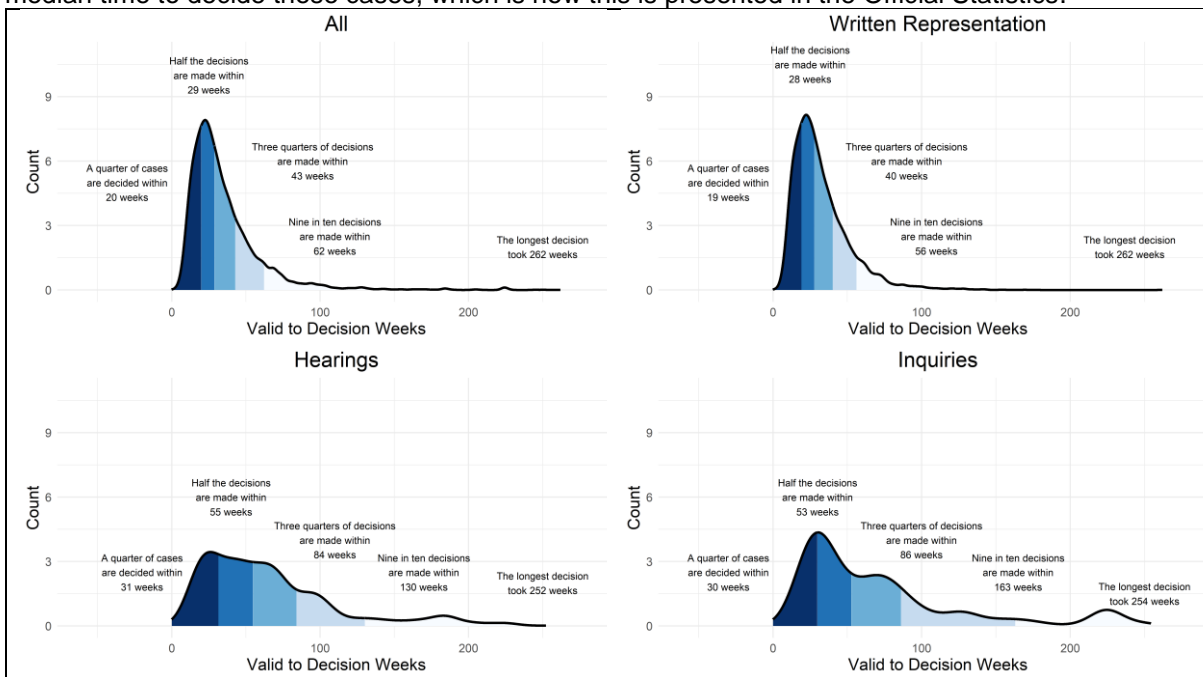
Figure 3 shows:

- 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 (15,981/17,394) 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) – one decided through written representations, forty-one through inquiries, 18 through hearings.
- Three quarters of cases decided wholly by written representations are decided within 40 weeks. The corresponding time for three quarters of cases decided wholly or partly by Hearings is 84 weeks and for those wholly or partly by Inquiries is 86 weeks – in each case, more than twice as long.
- 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 (130 weeks) and Inquiries (163 weeks), is more than twice as long.

Figure 3 – Spread of time taken to decide cases (in weeks), for cases decided May 22 – April 23

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 measure⁵ requires information on how long appeal decisions take from valid receipt to decision⁶, 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.

⁵ 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.

⁶ 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

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.

Table 2 below shows the 25th, 50th, 75th and 90th percentiles for valid to decision, in weeks, for the decisions made from May 2022 to April 2023. 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 May 2022 – April 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	19 weeks	28 weeks	40 weeks	56 weeks	262 weeks	15,981
Hearing	31 weeks	55 weeks	84 weeks	130 weeks	252 weeks	889
Inquiry	30 weeks	53 weeks	86 weeks	163 weeks	254 weeks	524
All	20 weeks	29 weeks	43 weeks	62 weeks	262 weeks	17,394

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 January to March 2023. There are relatively few hearings and inquiries in each quarter, which means quarterly percentiles for these appeals are susceptible to extreme values - so 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.

Figure 4: All Appeal Decisions, 50th and 90th Percentile for Valid to Decision, By Quarter, Oct 21 – April 23

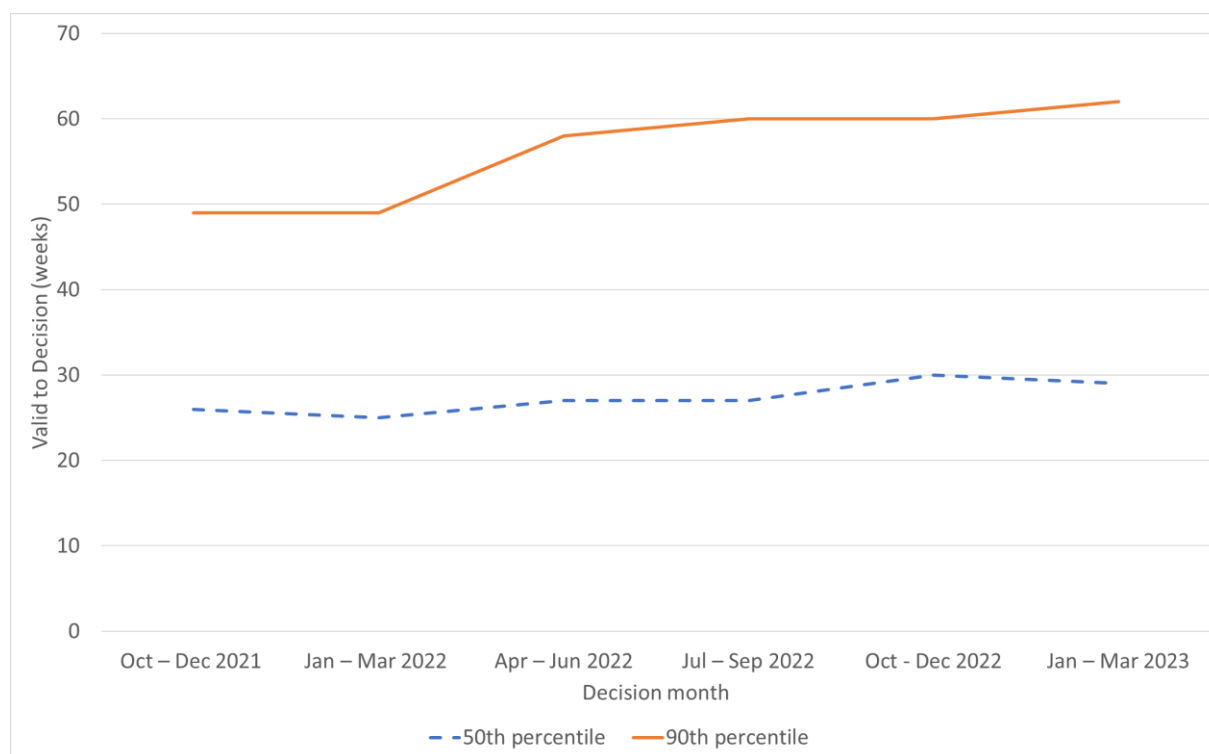


Table 3 - All appeal Decisions, 50th and 90th percentiles of Valid to Decision (weeks), October 2021 to March 2023

Decision made:	50 th percentile	90 th percentile	Gap
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
Jan – Mar 22	29 weeks	62 weeks	33 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.

The Planning Inspectorate are working with the Institute for Customer Service to conduct a satisfaction survey. The data capture phase was carried out in April and early May 2023. The results will be reported when available.

D. Number of Cases Quality Assured

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

During the three months January to March 2023, 1,099 appeal cases were quality assured. These are shown in Table 4 below.

Table 4 - Number of appeal decisions quality assured, January to March 2023

Number	Category	Explanation
69	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.
81	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
949	Inspector in Training – pre-decision	The majority of decisions made by Inspectors in Training (IITs) are reviewed for teaching purposes. Each review is by an experienced Inspector
1,099	Total Appeal decisions	

Source: MiPINS

To put these totals in context, the 1,099 appeal decisions quality assured constitutes between a fifth a quarter (23%) of all decisions (4,766) 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, January to March 2023

Number	Category	Explanation
8	Local Plans	All Local Plans are quality assured as part of the examination process. Ten Local Plan Reports were issued in this quarter; quality assurance for some of these took place before the quarter.
1	Nationally Significant Infrastructure Projects (NSIP)	All NSIP decisions are quality assured as part of the examination process. One recommendation report was 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, Appeals Received Jan – Dec 2022 (Provisional)

Appeal Type	Proportion valid on first submission	Number of Appeals
Planning Appeal (s78)	58.0%	10,725
Householder Appeal Service (HAS)	81.2%	5,015
Enforcement Notice	39.7%	2,446
Lawful Development Certificate	72.0%	638
Commercial Appeal Service (CAS)	82.7%	474
Listed Building Consent & Conservation Area Consent Appeal	54.0%	424
Advertisement Appeal	60.1%	310
Rights of Way	64.6%	136
Environmental	50.9%	104

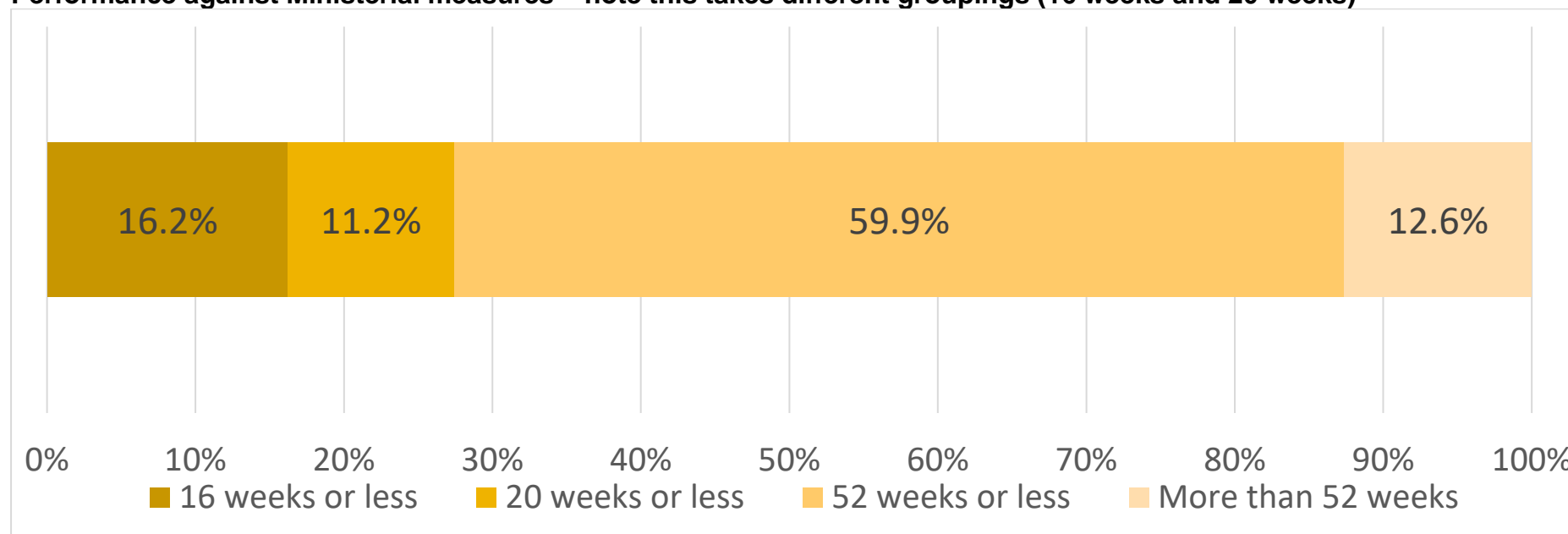
Source: Horizon

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

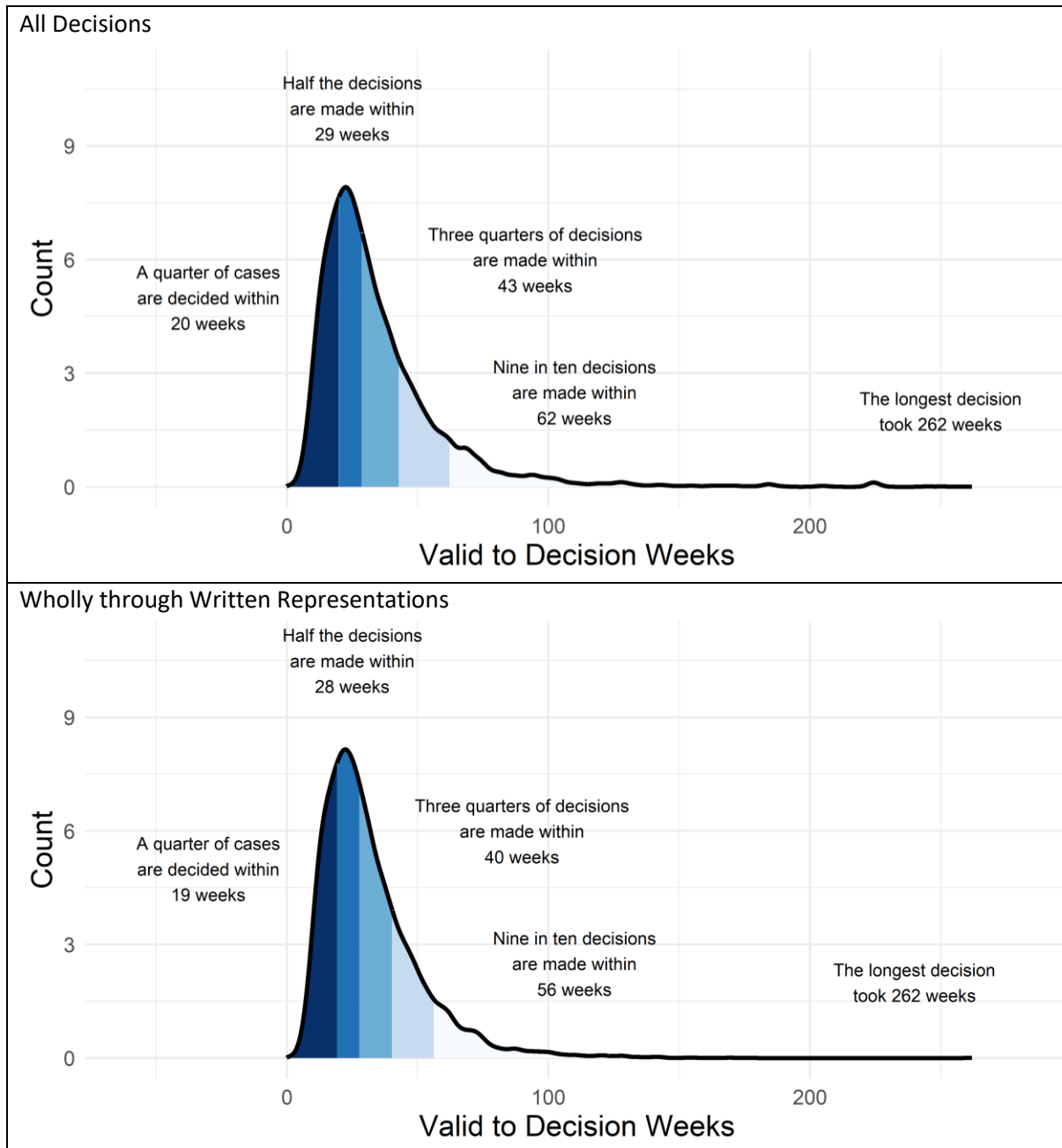
	Within 20 weeks	Within 26 weeks	Within 52 weeks	More than 52 weeks
Wholly Written Reps	27.4%	17.9%	42.1%	12.6%
Wholly or partly Hearings	10.3%	10.7%	25.8%	53.2%
Wholly or partly Inquiries	3.4%	14.5%	31.5%	50.6%

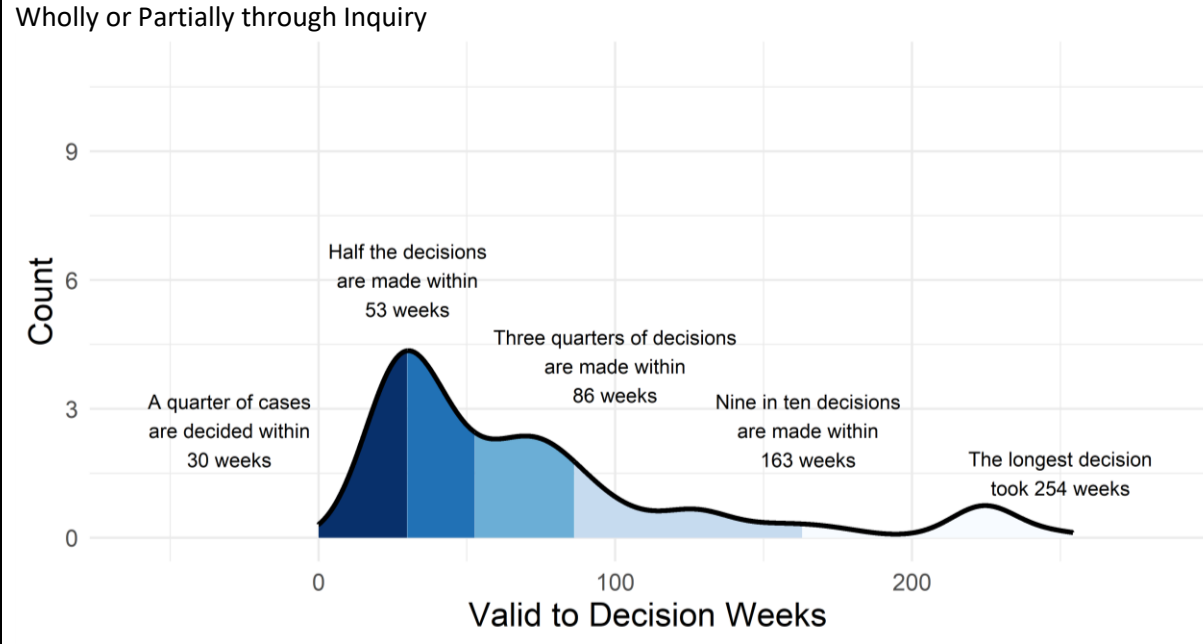
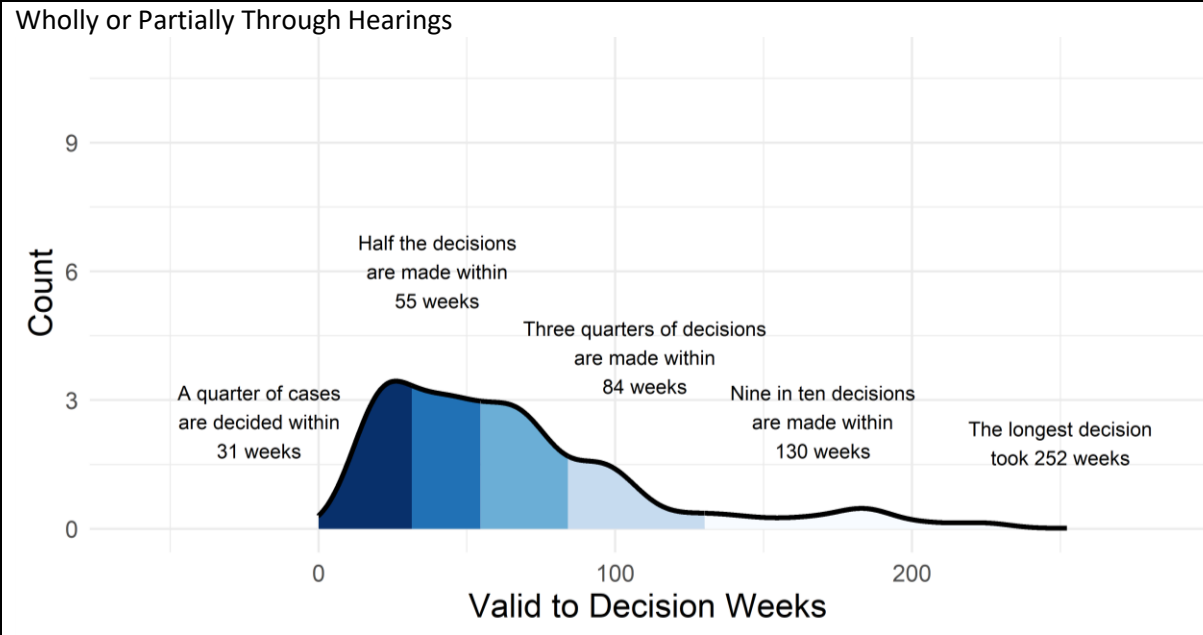
Annex C: Decisions made wholly through written representations – Decisions in the 12 months to the end of April 2023 - Weeks from valid to Decision

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 May 2022 to April 2023, by procedure





Annex E - Percentiles for Valid to Decision (in weeks) for decisions made May 2022 – April 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	19 weeks	29 weeks	42 weeks	59 weeks	135 weeks	4,354
Hearing	24 weeks	49 weeks	76 weeks	102 weeks	252 weeks	223
Inquiry	37 weeks	78 weeks	131 weeks	224 weeks	254 weeks	189
All	20 weeks	30 weeks	45 weeks	65 weeks	254 weeks	4,766

Source: Horizon

Annex F - Appeal Decisions, 50th and 90th percentiles of Valid to Decision (weeks), July 2021 to March 2023 - by procedure

Note: all measurements are in weeks

Wholly by written representations

Decision made:	50 th percentile	90 th percentile	Gap
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
Jan – Mar 2023	28	56	26

Wholly or partially through Hearings

Decision made:	50 th percentile	90 th percentile	Gap
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
Jan – Mar 2023	55	130	75

Wholly or partially through Inquiries

Decision made:	50 th percentile	90 th percentile	Gap
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
Jan – Mar 2023	53	163	110

Source: Horizon