



Corporate Plan

2024-27

September 2024

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FOREWORD BY THE CHIEF COMMISSIONER

This Corporate Plan sets out the strategic direction and priorities of the Planning and Water Appeals Commission (PACWAC) for the period 2024-27.

The Commission, as an independent appellate body is in a unique position within the field of planning in Northern Ireland. We respond to an appellant's perceived need to access justice and act as an independent arbitrator in respect of hearings, inquiries and independent examinations. All our decisions and recommendations are based on the evidence presented before us. We recognise the important role we play in the economic, social and environmental well-being of Northern Ireland as a whole.

I have developed this plan in light of the changes the Commission has undergone in recent years. Within the lifetime of the last corporate plan, a significant number of individuals retired from the Commission and with that, both knowledge and experience were lost across our administrative and professional teams. Three quarters of the Commissioner cohort is presently new to their roles. This has had a significant impact on our capacity to deliver across all our workstreams. We have also relocated our office and introduced a new IT system enabling remote hearings and electronic working. Against this backdrop, which helps to explain the drop in performance, the Commission is now moving forward and we are currently at the point whereby the investment in our resources is making a difference with yearly improvements in the number of decisions delivered.

To inform this plan we have engaged extensively with internal and external stakeholders. As a result of this engagement, the plan has an emphasis on performance and looking to the future.

The Commission will endeavour to embed the new ways of working introduced and build on the improvement to our output while still staying true to our core principles of openness, fairness and impartiality. We continue to strive to deliver a high-quality service. In looking to the future, we hope to enhance the understanding of our role.

At present PACWAC continues to operate with reduced resources but we expect to be at full Commissioner complement within the 2024-25 financial year. Whilst the Commission aims to provide the highest quality service, we can only do that with the resources available. This plan sets out how we intend to focus our resources to deliver more effectively.

Andrea Kells
Chief Commissioner
September 2024

What We Do

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.

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 one is submitted.

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 (DfI) to the Commission. The Commission will consider the evidence and report back to the Department who will make the final decision.

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.

PACWAC is currently operating below complement both professionally and administratively. Work is ongoing to recruit 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.

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).

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.

Corporate Aims and Values

Our Mission

The Commissions' aim to make the best possible appeal decisions and offer the best possible recommendations in a timely fashion, consistent with the evidential context within which appellate functions are exercised.

Our Values

Independence

We are an independent organisation which is free from external influence. We are a key democratic safeguard where citizens can access justice and challenge decisions in front of an independent body. Commissioners act and take decisions impartially, fairly and on merit, based on the evidence and without predisposition towards any party's case.

Quality

We deliver quality decisions and recommendations based on the evidence that is presented to us with high levels of professionalism and accountability. We act in an open and transparent manner. We appreciate the role and purpose of the Commissions.

Continuous Improvement

We have a focus on continuous learning and improvement whilst managing customer expectations. We treat people with respect and recognise individual experience and knowledge. We value the views of our stakeholders.

Priorities

There will be two key business priorities over the lifetime of this Corporate Plan:

- A focus on performance;
- A looking forward to the future.

Focus on Performance

We recognise that as an appellant tribunal, meeting the needs of those seeking access to justice is not a straightforward exercise. We appreciate that we have relationships with a number of different stakeholders who have different needs. Our stakeholder engagement has confirmed that customers want quality decisions in a timely fashion. We are also conscious that engagement and training sessions have been to be found extremely beneficial to stakeholders and we aim to continue this work.

We know that our performance is not where it needs to be for the reasons outlined in many of our publications. We are, however, improving at an organisation level and we intend to build on this. We appreciate the patience of many of our customers as we address the significant number of cases that we still have in the system. We will attempt to communicate better with customers and the wider planning community in order that informed decisions can be made by parties to the process. We intend to make best use of current processes to ensure case management is handled effectively and introduce improvements as necessary.

We will:

- Regularly engage with stakeholders to improve the understanding of the role and evidential context of the work of the Commissions;
- Ensure our suite of publications are up to date, informative and reflect customer needs;
- Continue to invest in the training and development of our workforce to enhance skill sets and to ensure effective contributions to the organisation;
- Continue to ensure that the quality of decisions is maintained;
- Develop new performance measures to ensure they are reflective of customer needs and expectations; and
- Reduce the backlog of cases which have been within the system for long periods of time.

Looking Forward

We need to address existing challenges in terms of resourcing and to respond to external factors which affect performance within the Commission.

We will:

- Take steps to formally review the structures and funding of the Commission to ensure that as we move out of this period of transition, we can plan for future demands;
- Continue to work alongside our Sponsor Body to ensure we are sufficiently resourced to address existing and pending work commitments;
- Review the impact of technology on the way we work and introduce improvements where they are identified;
- Use data and trends from our work to help drive wider improvements at an individual and organisational level; and
- Take steps to identify and develop training opportunities ensure that all those involved in the process fully understand the requirements in relation to the evidential context and what is expected during proceedings.

Annex A - Business Plan 2024-25

Priority 1 Focus on Performance

- Develop and implement an action plan to identify and respond to cases which have lingered in the system;
- Continue to focus on increasing the quantum of cases disposed of with the aim of addressing timeliness issues in future years;
- Reallocate cases when a resource become available if it is likely to lead to more timely decision making and address individual performance issues accordingly; and
- Continue to ensure that the quality of decisions is maintained.

Priority 2 Looking Forward

In order to ensure that the organisation is placed in the best position to deal with future challenges, we will:

- Continue with customer engagement exercises to ensure that we direct our efforts at doing the right things;
- Aim to be at full complement within the financial year;
- Continue to invest in the training and development of our workforce to enhance skill sets and to ensure effective contributions to the organisation;
- Update the Remote Hearings Protocol;
- Implement changes to the complaints process to align with customer needs;
- Continue discussions with our sponsor body regarding funding and structures;
- Identify opportunities to ensure that other organisations gain a full understanding in relation to what it means to operate within an evidential context; and
- Ensure our keyword search facility is enhanced.