



Planning Appeals  
Commission



Water Appeals  
Commission

# The Planning and Water Appeals Commissions

**Annual Report of the Chief  
Commissioner 2019/20**

## CONTENTS

Page 2 Chief Commissioner’s Statement

Page 4 SECTION ONE

Introduction and staffing

Page 9 SECTION TWO

Analysis of casework

Performance measures

Page 26 SECTION THREE

Financial Statement

## CHIEF COMMISSIONER'S STATEMENT

This is the Annual Report of the Planning Appeals Commission and the Water Appeals Commission for the year April 2019 to March 2020.

PACWAC has been operating for some time with reduced resources. We have been working in partnership with our sponsor body, the Department of Justice (DoJ), through the Northern Ireland Courts and Tribunals Service (NICTS) to remedy the situation and increase Commissioner numbers to ensure the Commissions are equipped to manage business volumes effectively. As noted in last year's Annual Report, we had anticipated that recruitment schemes would launch early in the following financial year. As it transpired it was late in the calendar year that the schemes launched and it was only in February and March 2020 that some posts were filled. To date we are securing resources which will bring the Commissions back to levels which were in place at point of transfer to the DoJ. We have been working collaboratively with NICTS to progress the case for a proportionate increase in resources to address the anticipated local development plans (LDPs) work stream.

Our efforts to improve our service delivery which were clearly evidenced last year have been affected by the reduced resources available for Hear and Decide work. In 2019/20 due to resourcing pressures we had 8.5 full time equivalent (FTE) Commissioners on Hear and Decide casework. Although we have maintained levels of output it has been at the expense of timeliness and we have therefore not achieved our performance targets. This is disappointing and will take time to rectify given the time it will take for new resources to have an impact. Our recent stakeholder engagement event confirmed that timeliness is an important factor for our customers. We have shown in the past that we can meet our performance measures and we will endeavour to build momentum back up but we must acknowledge that this will be curtailed by the implications of the COVID-19 pandemic.

Business volumes in respect of our Hear and Decide casework have seen a slight increase year on year since 2016/17. In 2019/20 a number of cases came through with environmental statements which increases the time for consideration. In terms of Hear and Report casework the anticipated referrals of Local Development Plans (LDPs) for Independent Examination in 2019/20 have not occurred. Our submissions have to be made to the Department for additional resources to address this aspect of our future work.

Our public engagement has continued in the 2019/20 year. We recently held our stakeholder engagement event. It gave an opportunity to get information on some of the issues faced by participants in the appeal process. Public information sessions on our anticipated role in the LDP Independent Examination process have been delivered in Antrim & Newtownabbey, Mid and East Antrim, Lisburn and Castlereagh, and Derry & Strabane Council areas. Feedback has continued to be positive in relation to these public

engagement sessions and we will facilitate future sessions where requested. As part of our outreach programme, we have also facilitated the Northern Ireland Local Government Association (NILGA) by engaging in their condensed training programme for elected members. Again, feedback was positive.

### **Hear and Decide**

In 2019/20, the Commissions received 327 appeals, an increase on the 323 received last year. We disposed of 309 cases with 277 decisions, and 32 appeals being withdrawn or declared invalid. Success rate at appeal is currently 41%, an increase on last year. The Commission issued 45 costs decisions. Costs were awarded in twelve of the cases.

Whilst we have diverted resources to other areas of work we have continued to focus on improving our delivery times and reducing the number of appeals in the system for long periods of time within our Hear and Decide workstream. Currently we have only three appeals within the system pre-2019.

Accompanied Site Visits have for the first time in recent reporting years overtaken hearings as the main method of processing of appeal case work. They are currently taking 27 weeks to process. While hearings and Written Representations are processed with median times of 28 weeks and 26 weeks respectively. Our median delivery time overall has increased to 26 weeks from 21 weeks last year.

### **Hear and Report**

In 2019/20 we reported on six Hear and Report cases. These included two windfarms (Broughderg and Swatragh), the installation of a hydro-electric turbine and associated installation of a fish pass to an existing weir in Claudy, the report on sand and gravel extraction in Lough Neagh, and a hearing into an EIA determination for a proposed housing development in Derry/Londonderry. Work is ongoing on a number of additional Hear and Report cases including the first Independent Examination into a Local Development Plan. There has been a significant increase in our Hear and Report work in recent years.

### **Conclusion**

It is disappointing that we have not been able to sustain the improvements we had seen last year. However there are business reasons for the drop in performance as outlined in the report. As always we as an organisation strive to do our best with the resources that we have available and we will continue to do so.

## **SECTION ONE**

# **Introduction and staffing**

## **Introduction and staffing**

### **The Commissions**

The Planning Appeals Commission is an independent appellate body established under statute to decide a wide range of appeals and to report various matters under planning and other legislation.

The Water Appeals Commission, while sharing the vision, aims, objectives and core values of the Planning Appeals Commission, is a separate appellate body, exercising a wide range of functions under water, fisheries and drainage legislation.

### **The Commissions' Vision and Values**

The Commissions' aim is to make the best possible appeal decisions and offer the best possible advice and recommendations to public bodies, consistent with the evidential context within which appellate functions are exercised.

As independent appellate bodies, the Commissions attach great importance to the following values in the undertaking of our work:

#### **Delivering our service effectively**

- Providing a high quality service to the public
- Maximising the benefit from available resources and providing value for money
- Aspiring to always improve

#### **Being people-focused**

- Being open, transparent and honest
- Treating everyone with respect and understanding different needs
- Developing and supporting our workforce to make the best use of skills and abilities

#### **Dependability**

- Approaching work with an open mind, without predisposition to any particular view
- Acting with professionalism and integrity

## Accountability

The Commissions are not part of any Government Department. Financial and administrative support is provided by our sponsoring Department, the Department of Justice, through the Northern Ireland Courts and Tribunals Service.

The Commissions are completely autonomous in our decision-making and operation of the appeals, hearing, inquiry and examination processes. We are not answerable to any government Department or any other agency or public body. Our decisions are subject to the supervision of the Courts, reflecting our independent appellate roles in planning and environmental matters.

## Our Work

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.

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 presented to them 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.

## People

Our work is carried out by a number of Commissioners supported by an administrative team. We have had a number of new individuals join the PACWAC team in the last year:

- Mr K Donaghey
- A member of the administrative staff

## Commissioners

### Chief Commissioner

Miss A Kells BA MSc LLB MRTPI

### Deputy Chief Commissioner

Mr T A Rue MA DipTP MRTPI

### Principal Commissioners

Ms P O'Donnell DipTP MRTPI

Mrs M Jones BA BArch ARIBA (from Feb 2020)

### Senior Commissioners

Ms R Daly BSc MSc MRTPI

Ms J De-Courcey BSc MSc LLB MRTPI

Mr A Speirs BSc MRTPI

Mr K Donaghey BSc MRTPI (from 18 March 2020)

### Commissioners

Mrs P Boomer BSc DipTP MRTPI

Mrs H Fitzsimons BSc DipTP MRTPI

Mr D Hannon DipTP MRTPI

Ms D McShane BA MTP MEPPA MRTPI

Dr D O'Neill BSc DipTP PhD MRTPI

Mr M Watson BSc Dip TP MRTPI

Mrs B McGlinchey BSc MEPPA MRTPI



## Administrative Staff

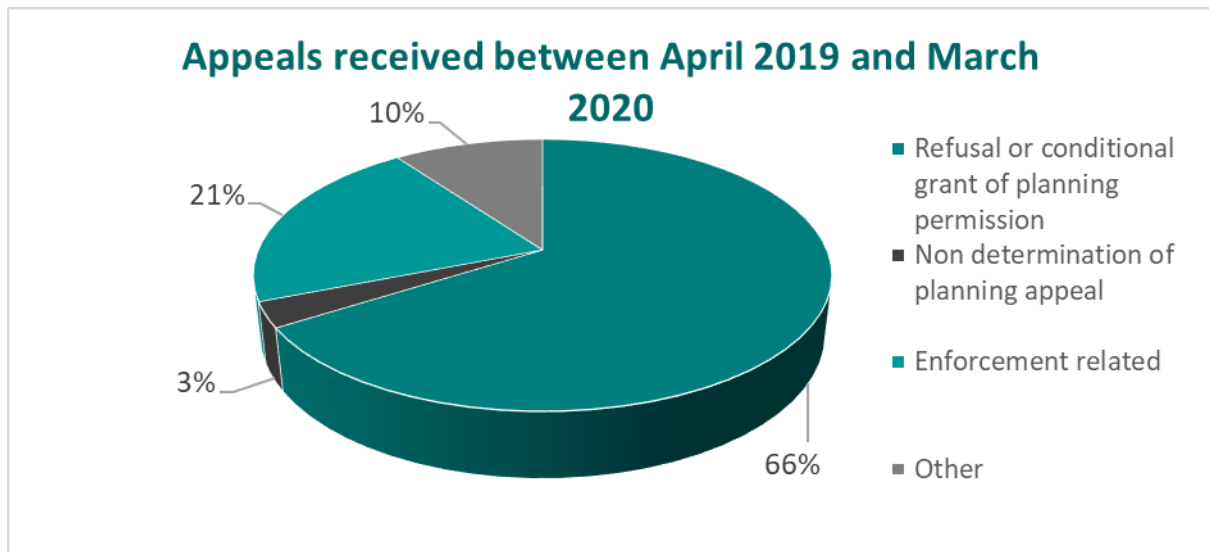
<b>Chief Administrative Officer</b>	Mr C Purvis
<b>Office Manager</b>	Mrs F Campbell
<b>Team Leaders</b>	Mrs J O'Connor
	Mr C Morgan
	Mr B Fegan
<b>Programme Officer</b>	Mr J Bickerstaff
<b>Case Officers</b>	Miss Y Adgey
	Ms J Millar
	Mr J Nelson
	Mrs R Rodgers
	Not disclosed
	Not disclosed (since 17 February 2020)
<b>Administrative Support Officer</b>	Mrs E McShane

## **SECTION TWO**

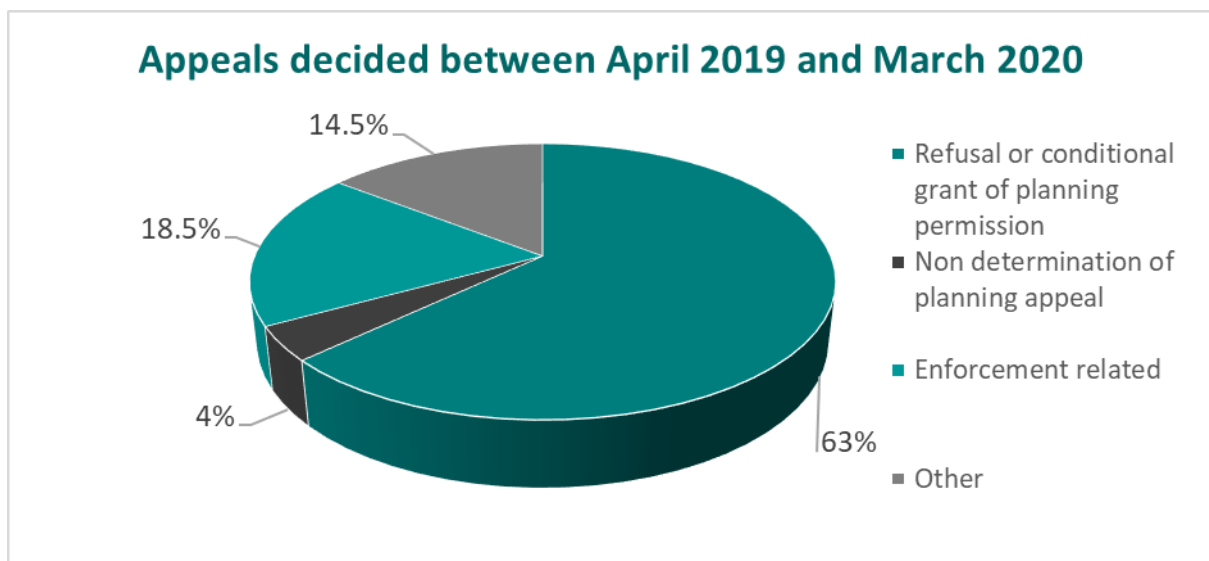
# **Analysis of casework**

## Appeals Overview

Appeals received between April 2019 and March 2020



Appeals decided between April 2019 and March 2020



## Hear and Decide

### Appeals Caseload

The following tables set out detailed information on the volume of casework processed by the Planning Appeals Commission, the means of processing appeals, delivery times achieved and appellants' success rates for each procedure.

**Table 1: Appeals received, by appeal type**

Appeal type	2015/16	2016/17	2017/18	2018/19	2019/20
Refusal or conditional grant of planning permission	224	221	207	204	<b>215</b>
Non determination of planning application	8	4	4	9	<b>9</b>
Enforcement related	58	53	53	67	<b>69</b>
Other *advertisements, roads, listed buildings consent	29	22	45	43	<b>34</b>
<b>TOTAL</b>	<b>319</b>	<b>300</b>	<b>309</b>	<b>323</b>	<b>327</b>

The number of appeals received by the Commission continues to increase year on year, with the previous year's upturn in non-determination of planning applications and enforcement related cases repeated this year.

30 appeals were withdrawn before a decision could be issued. This represents 9% of appeals received and has a significant impact on efficient use of resources. Two invalid appeals were received.

**Table 2: Appeals decided, by appeal type**

Appeal type	2015/16	2016/17	2017/18	2018/19	2019/20
Refusal or conditional grant of planning permission	207	221	198	179	<b>175</b>
Non determination of planning application	24	11	7	1	<b>11</b>
Enforcement related	34	36	44	56	<b>51</b>
Other	29	28	27	42	<b>40</b>
<b>TOTAL</b>	<b>294</b>	<b>296</b>	<b>276</b>	<b>278</b>	<b>277</b>

While the total number of appeals decided remains similar to that of the previous year, this is a positive indicator given the reduction in resources available for this area of our work.

**Table 3: Appeals decided by appeal category, excluding enforcement-related and other types**

Appeal category	Number	%
Single dwelling in the countryside	77	42
Multiple housing	31	17
Agricultural	15	8
Householder	14	7.5
Single dwelling in an urban area	13	7
Industry, business and distribution	9	5
Renewable energy	6	3
Other non-residential	5	2.5
Retail	4	2
Other residential	3	1.5
Recreation	3	1.5
Houses in multiple occupancy	2	1
Mixed use	2	1
Tourist accommodation	1	0.5
Waste	1	0.5
<b>TOTAL</b>	<b>186</b>	<b>100%</b>

Single dwellings in the countryside and multiple housing continue to represent the largest number of appeals decided, with both the numbers decided and percentage of the total increasing for both categories on last year.

**Table 4: Appeals allowed, by appeal type**

Appeal type	Number decided	Number allowed	Success rate %
Refusal or conditional grant of planning permission	175	64	37%
Non determination of planning application	11	7	64%
Enforcement related	51	21	41%
Other	40	22	55%
<b>TOTAL</b>	<b>277</b>	<b>114</b>	<b>41%</b>

**Table 5: Appeals allowed, by procedure**

Procedure		2015/16	2016/17	2017/18	2018/19	2019/20
Hearing	Number	120	128	116	128	<b>99</b>
	Allowed	54	40	31	55	<b>44</b>
	% Allowed	45%	31%	27%	43%	<b>44%</b>
Written representations with accompanied site visit	Number	98	92	101	92	<b>109</b>
	Allowed	31	23	29	26	<b>42</b>
	% Allowed	32%	25%	29%	28%	<b>39%</b>
Written representations with Commissioner site visit	Number	76	76	59	58	<b>69</b>
	Allowed	15	21	12	20	<b>28</b>
	% Allowed	20%	28%	20%	34%	<b>41%</b>

The increase in success rates for appellants has risen across all procedures from the previous year. Accompanied Site Visits have now overtaken hearings as the most requested means of deciding an appeal. Success rates vary from year to year and between different appeal procedures; as each appeal is decided on its own specific facts and individual circumstances, the Commission considers that success rate variations hold no particular significance and that there is no connection between an appeal outcome and the means of processing employed.

For the first time since the transfer of planning powers to Councils we are providing statistics which have been manually collated in relation to the Percentage of appeals against refusals of planning permission that are dismissed. Please note these figures exclude appeals against non-determination, enforcement notices, conditional grant of planning permission and those categorised as 'other' by PAC. We expect these figures will be replicated in the Planning Monitoring Framework which will be published by the Department for Infrastructure.

**Table 6: Percentage of appeals against refusal of planning permission that are dismissed**

<b>Council</b>	<b>Number of appeals against refusals determined**</b>	<b>Number dismissed (i.e., the council's decision was upheld)**</b>	<b>Percentage of decisions upheld</b>
Antrim & Newtownabbey	14	10	71.4%
Ards & North Down	5	4	80%
Armagh City, Banbridge & Craigavon	13	12	92.3%
Belfast City	17	14	82.4%
Causeway Coast & Glens	15	6	40%
Derry City & Strabane	8	2	25%
Fermanagh & Omagh	18	13	72.2%
Lisburn & Castlereagh	12	7	58.3%
Mid & East Antrim	13	9	69.2%
Mid Ulster	1	1	100%
Newry, Mourne & Down	58	29	50%
<b>Northern Ireland</b>	<b>174</b>	<b>107</b>	<b>61.5%</b>

**\*\* These figures exclude appeals against non-determination, enforcement notices, conditional grant of planning permission and those categorised as 'other' by PAC.**

**Table 7: Appeal decisions: median time in weeks**

<b>Procedure</b>	<b>2015/16</b>	<b>2016/17</b>	<b>2017/18</b>	<b>2018/19</b>	<b>2019/20</b>
Hearing	32	29	27	23	<b>28</b>
Written representations with accompanied site visit	25	21	21	19	<b>27</b>
Written representations with Commissioner site visit	29	20	22	20	<b>26</b>
<b>All decisions median weeks</b>	<b>29</b>	<b>23</b>	<b>23</b>	<b>21</b>	<b>27</b>

Unfortunately due to the need to direct our reduced resources to other business areas the improvements in timeliness achieved in 2018/19 have not been maintained. The median time taken to process enforcement-related appeals was 29 weeks.



## Performance Measures: Hear and Decide

### Measure:

To decide 80% of appeals within specified timeframes\* as set out below:

- Informal hearings within 30 weeks;
- Written representations with an accompanied site visit within 28 weeks;
- Written representations with a Commissioner site visit within 26 weeks; and
- Enforcement-related appeals within 34 weeks.

\*excluding cases where delays are caused by the appellant, and developments involving an Environmental Impact Assessment.

### Not achieved.

Overall, the Commission decided on 71.9 % of all appeals within the specified time frames.

**Table 8: Appeals in hand at year end**

Year	Number
2015/16	183
2016/17	142
2017/18	157
2018/19	169
<b>2019/20</b>	<b>201</b>

The number of appeals in hand has increased over the period of the current report due to the reduced availability of Commissioners to undertake this work. This will continue to be the case whilst we secure additional resources. The impact of the COVID-19 situation will inevitably have an adverse impact.

## Quality

**Table 9: Complaints, received and whether justified**

Procedure	2015/16	2016/17	2017/18	2018/19	2019/20
Number of complaints received	13	16	17	15	15
Number of justified complaints	2	2	3	1 plus 1 partially justified	1 plus 2 partially justified

The Commissions' complaints system allows for the investigation of complaints received in line with our Complaints Procedure made by any party involved in proceedings before the Commissions. All complaints are investigated and a relevant response issued to the complainant. Where complaints are found to be justified, an explanation and apology are provided. Of the 15 complaints received by the Commissions in 2019/20, one was found to be justified, and two were found to be partially justified.

**Table 10: Judicial Reviews**

Procedure	2015/16	2016/17	2017/18	2018/19	2019/20
Number of challenges	5	6	4	4	3
Number of successful challenges	3	2	2	1	2

The Commissions' decisions can be challenged by an application to the High Court for judicial review, on a point of law only. In circumstances where the decision is clearly flawed the judicial review application is not contested by the Commissions. In the event of a successful challenge, following receipt of the Court Order the appeal is reheard by a different Commissioner from that which made the original decision and a new decision is issued. In 2019/20 three applications for judicial review were made; two were successful and one remains within the court system.

### Measure:

To ensure that the number of appeal decisions giving rise to a justified complaint or successful judicial review challenge in the previous and current accounting years amounts to no more than 1.5% of the total number of appeal decisions issued in that two-year period.

**Achieved.**

The proportion of appeal decisions which were associated with a justified or partially justified complaint, or successful judicial review challenge, remains constant at 1.2 %. This means that 98.8% of our decisions are free from challenge. The Commissions are committed to providing decisions of the highest quality, and the lessons learned from these cases have been shared with Commissioners and administrative staff to ensure that procedures are followed correctly and a high standard of decision making and customer service are maintained.

## Costs Awards

The Commission is empowered to make Orders as to the costs of the parties involved in planning and other appeals. Costs awards are intended to provide redress where unreasonable behaviour by one party to an appeal has put another party to unnecessary expense. It is on this basis that the Commission assesses claims for costs.

The Commission will normally award costs only where all four of the conditions below have been met:

- A party has made a timely appeal and
- The claim relates to an appeal of the type specified in the Planning Act; and
- The party against whom the award is sought has acted unreasonably; and
- The unreasonable behaviour has caused the party claiming costs to incur unnecessary or wasted expense.

**Table 11: Costs awards**

Type of decision	2015/16	2016/17	2017/18	2018/19	2019/20
No award	4	40	29	20	<b>34</b>
Partial award	2	4	2	7	<b>6</b>
Full award	1	1	10	8	<b>8</b>
<b>TOTAL</b>	<b>7</b>	<b>45</b>	<b>41</b>	<b>35</b>	<b>48</b>

The number of claims for costs increased in 2019/20 compared to the previous year.

For the first time since the transfer of planning powers to Councils we are providing some statistics which have been manually collated in relation to the costs decisions. We expect these figures will be replicated in the Planning Monitoring Framework which will be published by the Department for Infrastructure.

**Table 12: Number of claims for costs received during the period (this may differ from the number of claims awarded during the same period)**

<b>Number of claims for costs received by the PAC</b>		<b>48</b>	
<b>Number of claims for costs received by the PAC (involving planning authority)</b>		<b>43</b>	
	<b>Breakdown of claims for costs received by the PAC (involving planning authority)</b>		
	<b>Costs claims made by the planning authority</b>	<b>Costs claims received against the planning authority</b>	<b>Total number of cost claims received involving planning authority</b>
Antrim & Newtownabbey	0	4	4
Ards & North Down	0	1	1
Armagh City, Banbridge & Craigavon	2	2	4
Belfast City	0	3	3
Causeway Coast & Glens	3	1	4
Derry City & Strabane	0	4	4
Fermanagh & Omagh	1	10	11
Lisburn & Castlereagh	0	1	1
Mid & East Antrim	0	1	1
Mid Ulster	0	2	2
Newry, Mourne & Down	2	6	8
Department for Infrastructure	0	0	0
<b>Northern Ireland</b>	<b>8</b>	<b>35</b>	<b>43</b>

**Table 13: Number of instances where costs were either awarded fully or partially in the planning authority's favour. The indicator measures the number of instances, not the amount of money.**

Claims for costs made by planning authority - awards				
	No award	Partial award	Full award	Total
Antrim & Newtownabbey	0	0	0	0
Ards & North Down	0	0	0	0
Armagh City, Banbridge & Craigavon	2	0	0	2
Belfast City	0	0	0	0
Causeway Coast & Glens	1	1	1	2
Derry City & Strabane	0	0	0	0
Fermanagh & Omagh	0	1	0	1
Lisburn & Castlereagh	0	0	0	0
Mid & East Antrim	0	0	0	0
Mid Ulster	0	0	0	0
Newry, Mourne & Down	0	1	1	2
Department for Infrastructure	0	0	0	0
<b>Northern Ireland</b>	<b>3</b>	<b>3</b>	<b>2</b>	<b>8</b>

**Table 14: Number of instances where costs were either awarded wholly or partially against the planning authority. The indicator measures the number of instances, not the amount of money.**

Claims for costs made against planning authority - awards				
	No award	Partial award	Full award	Total
Antrim & Newtownabbey	2	1	1	4
Ards & North Down	1	0	0	1
Armagh City, Banbridge & Craigavon	1	0	1	2
Belfast City	2	1	0	3
Causeway Coast & Glens	1	0	0	1
Derry City & Strabane	3	0	1	4
Fermanagh & Omagh	10	0	0	10
Lisburn & Castlereagh	1	0	0	1
Mid & East Antrim	1	0	0	1
Mid Ulster	2	0	0	2
Newry, Mourne & Down	4	1	1	6
Department for Infrastructure	0	0	0	0
<b>Northern Ireland</b>	<b>28</b>	<b>3</b>	<b>4</b>	<b>35</b>

## Hear and Report

Hear and Report is an area of work which is less predictable and more resource intensive than Hear and Decide casework. Currently the principal elements are public inquiries and hearings into regionally significant and called in planning applications. In these cases, referrals are made by the Department for Infrastructure to the Commission. The Commissioner will consider the evidence provide to them and report back to the Department, which 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 on the need for Environmental Impact Assessments for planning applications.

2019/20 saw the first Local Development Plan to be referred by the Department to the Commission for an Independent Examination to be conducted.

### Public Inquiries

#### 2017/C004 – Sand and gravel extraction works, Lough Neagh

Having conducted a public inquiry in 2018/19, the Commission presented the report to the Department for Infrastructure in 2019/20.

#### 2018/C007 – Proposed wind farm and associated works, Broughderg

The Commission conducted a public inquiry and presented a report to the Department for Infrastructure in during 2019/20.

#### 2019/D001 – A5 Western Transport Corridor Road Scheme

The Commission conducted a public inquiry in March 2020 with the report due to be presented to the Department for Infrastructure midway through the financial year 2020/21.

### Hearings

#### 2018/C001 and 2018/C002 – Installation of a hydro-electric turbine and associated installation of a fish pass to existing weir, Claudy

The Commission conducted a hearing and presented a report to the Department for Infrastructure during 2019/20.

#### 2018/C006 – Proposed housing development, Lenamore Road, Derry/Londonderry

The Commission conducted a hearing and presented a report on the need for an environmental impact assessment during 2019/20.

#### 2018/C008 – Finaghy Road North, Belfast

This case was withdrawn during 2019/20.

#### 2018/C009 – Proposed wind farm and associated works, Swatragh

The Commission conducted a hearing and presented a report to the Department for Infrastructure during 2019/20.

#### 2019/C001 – Lands at Longlands Road, Claudy

A hearing was requested in relation to the need for an environmental impact assessment on a development which was the subject of an enforcement appeal; the specific grounds of this appeal being lapsed, the Commission was unable to proceed with a hearing to discuss the planning authority's determination.

#### 2019/C002 – Lands at Ballydrain, Comber

A hearing has been requested in relation to the need for an environmental impact assessment and had been programmed to take place in the financial year 2020/21. Arrangements have been suspended due to the COVID-19 pandemic.

#### 2019/C003 – Anaerobic Digester Plant, Bready

A hearing has been requested in relation to the need for an environmental impact assessment and programming will be decided in the financial year 2020/21.

#### 2019/C004 – Proposed solar farm, Castlegore

A hearing has been requested and had been programmed to take place in the financial year 2020/21. Arrangements have been suspended due to the COVID-19 pandemic.

#### 2019/C005 – Slurry lagoon, Claudy

A hearing has been requested in relation to the need for an environmental impact assessment and had been programmed to take place in the financial year 2020/21. Arrangements have been suspended due to the COVID-19 pandemic.



## 2019/C006, 2019/C007 and 2019/C008 – Heritage-led mixed use development and works to listed buildings, Maghera

A hearing has been requested and had been programmed to take place in the financial year 2020/21. Arrangements have been suspended due to the COVID-19 pandemic.

### Local Development Plan Independent Examinations

The Commission has been referred one Development Plan document for Independent Examination. This is the first plan to undergo independent examination under the Planning Act 2011. We have encouraged Councils and the Department to keep us informed regarding changes to their timetable and have actively engaged with Councils on administrative matters in relation to the submission of DPDs for independent examination. We expect to learn many lessons from this new area of work and we will be actively reviewing procedures and practices in dealing with independent examinations to ensure that we are delivering the service that we provide in the most effective way.

We had hoped to be in a position to ensure that a Commissioner resource is available for each plan as it arrives with us but given Commissioner workloads are scheduled approximately three months in advance this has caused difficulties. Given the need for the organisation to make best use of resources slippage, even minor, will result in a Commissioner being allocated to other work streams. As we get a better understanding of timeframes from when a Council submits to the Department we will be able to react within the confines of the resources that we have available. We will continue discussions with our sponsor to secure additional resources to meet existing and future business needs in this area of work.

### Performance Measure – Hear and Report

#### Measure:

- To deliver 100% of reports on all hear-and-report cases to the Department by the indicative date announced at the end of the public proceedings.

**Not Achieved. (2017/C004 – was not delivered within the date announced at the end of public proceedings)**

## Water Appeals Commission

### Appeals caseload

Table 12: Water appeals

	2015/16	2016/17	2017/18	2018/19	2019/20
Water appeals received	5	5	1	3	<b>2</b>
Water appeals withdrawn	1	0	2	2	<b>0</b>
Water appeals decided	1	8	1	0	<b>2</b>

Activity in this area remains at a low level.

## SECTION THREE

# Financial Statement

## Financial Statement

### Running costs

	2018/19		2019/20	
	£	%	£	%
Commissioners' salaries	1,112,866	62.6	<b>1,196,033</b>	<b>66.94</b>
Administrative staff salaries	270,440	15.2	<b>249,997</b>	<b>13.99</b>
Travel & subsistence	14,749	0.82	<b>15,721</b>	<b>0.88</b>
Accommodation charges	120,264	6.76	<b>97,738</b>	<b>5.47</b>
Advertising	37,320	2.1	<b>31,859</b>	<b>1.78</b>
External training	4,685	0.26	<b>5,206</b>	<b>0.29</b>
Legal fees	119,945	6.75	<b>52,498</b>	<b>2.94</b>
Postage & telephone charges	8,728	0.49	<b>52,506</b>	<b>2.94</b>
Electricity	19,821	1.11	<b>14,286</b>	<b>0.8</b>
Library	10,754	0.61	<b>11,606</b>	<b>0.65</b>
Stationery & printing	2,875	0.16	<b>3,784</b>	<b>0.21</b>
Contract cleaning	9,026	0.51	<b>10,230</b>	<b>0.57</b>
Office equipment	1,095	0.06	<b>1,080</b>	<b>0.06</b>
Hospitality	216	0.01	<b>1,768</b>	<b>0.1</b>
Incidental expenses	9,196	0.52	<b>16,663</b>	<b>0.93</b>
Software maintenance contract	22,494	1.27	<b>12,425</b>	<b>0.7</b>
Refund of fees	13,749	0.77	<b>13,352</b>	<b>0.75</b>
<b>TOTAL</b>	<b>1,778,223</b>	<b>100</b>	<b>1,786,752</b>	<b>100</b>

## Receipts

	2018/19	2019/20
	£	£
Appeal fees	53,636	<b>76,423</b>
Photocopying charges	29	<b>0</b>
<b>TOTAL</b>	<b>53,665</b>	<b>76,423</b>