



**REPORT TO: PLANNING AND REGULATORY SERVICES COMMITTEE ON
19 DECEMBER 2023**

SUBJECT: PLANNING PERFORMANCE FRAMEWORK 2022/23

**BY: DEPUTE CHIEF EXECUTIVE (ECONOMY, ENVIRONMENT AND
FINANCE)**

1. REASON FOR REPORT

- 1.1 To inform the Committee that the Planning Performance Framework (PPF) for 2022/23 was submitted to the Scottish Government (SG) on 27 July 2023, covering the period from 1 April 2022 to 31 March 2023. This report provides a summary of feedback received from the Scottish Government dated 20 October 2023 with specific reference to the Performance Markers Report and Red, Amber, Green (RAG) ratings for the 2022/2023 submission.
- 1.2 This report is submitted to Committee in terms of Section III E (1) of the Council's Scheme of Administration relating to exercising the statutory functions of the Council as Planning Authority.

2. RECOMMENDATION

2.1 It is recommended that the Committee:-

- (i) note the Planning Performance Framework submitted to the Scottish Government on 27 July 2023 (Appendix 1);**
- (ii) note the feedback report received from the Scottish Government on 20 October 2023 (Appendix 2);**
- (iii) authorise the Head of Economic Growth and Development to submit the Planning Performance Framework for 2023/2024 to the Scottish Government by the end of July 2024 (or any other date that may be set);**
- (iv) note that the Planning Performance Framework will be reported to the first available Planning and Regulatory Services Committee following receipt of the feedback; and**
- (v) note the Planning Performance Framework 2022/23 will be circulated to all developers, stakeholders and internal services**

seeking comment/feedback to assist with continuous improvement to be fed back into the PPF for 2023/2024

3. BACKGROUND

- 3.1 The Council has prepared PPF reports for over ten years since the PPF was first introduced with the latest one covering 2022/23 submitted in July 2023. The main purpose of the PPF is to provide Ministers, Councils and the public with a better understanding of how a planning authority is performing and delivering high quality development on the ground.
- 3.2 In 2017/18 the Council received fifteen green awards for the first time and this was followed in subsequent years with a full set of green awards.
- 3.3 The PPF submitted for 2022/23 is attached at **Appendix 1** and follows the updated template issued by the SG with a greater emphasis on the use of case studies to illustrate how key performance markers are met in Moray.
- 3.4 As part of the SG's feedback a summary of performance is included covering the last ten years (tables below). This shows how year on year the number of key markers have been changed to green as well as avoiding slipping back into red. This year two of the key markers have been awarded an amber rating.

[illegible]

13	Sharing good practice, skills and knowledge										
14	Stalled sites/legacy cases										
15	Developer Contributions										

Overall Markings (total numbers for red, amber and green)

2012-13	3	6	6
2013-14	2	5	6
2014-15	1	4	8
2015-16	1	3	9
2016-17	0	1	12
2017-18	0	1	14
2018-19	0	0	13
2019-20	0	0	13
2020-21	0	0	13
2021-22	0	0	13
2022-23	0	2	13

Decision Making Timescales (weeks)

	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23	2022-23 Scottish Average
Major Applications	98.2	13.1	20.0	16.9	16.5	8.9	10.3	21.3	15.1	15.0	39.5
Local (Non-Householder) Applications	13.5	8.5	7.5	7.2	6.6	6.5	6.5	7.1	6.8	6.3	14.4
Householder Applications	7.1	5.8	6.3	5.7	5.3	5.3	5.7	6.7	6.2	6.2	8.9

4. FEEDBACK FROM SCOTTISH GOVERNMENT – PPF 2022/23

- 4.1 Written feedback was received on 20 October 2023 from the Minister for Local Government Empowerment and Planning to the Council's Chief Executive, enclosing a Planning Performance Feedback report on the fifteen 'Performance Markers'.

- 4.2 The letters states, “ Across the country, performance against the key markers continues to be stable and there has been little variation in the overall total of green, amber and red markings awarded this reporting period compared with previous periods. It is clear that each of you continue to put in considerable effort to ensuring our planning system continues to run efficiently. I have been particularly pleased to see there has been a marked improvement on speed of determination for major applications across some authorities. Resourcing remains a key priority, which I will continue to discuss with the High Level Group on Planning Performance, which I jointly chair with COSLA. I also have asked officials to bring different parties together to talk about resourcing in the autumn, to identify practical solutions. We need options that work for all sectors, and I think it would be beneficial to discuss a variety of issues including full cost recovery, the local setting of fees, charges for additional services and approaches that could enable authorities to access the skills and expertise at the time they require.
- 4.3 The letter finally states, “I am delighted that we have recently announced the appointment of the National Planning Improvement Champion (NPIC), Craig McLaren, who took up this new post in early September. Craig will play a pivotal role in supporting improvement and will also be looking at how we can improve the way we measure and assess the performance of the planning system in the future”.
- 4.4 The Performance Markers Report 2022/23 sets out the fifteen performance markers, each one receiving either a red, amber or a green RAG rating. Thirteen markers have been given a green rating and two an amber rating.
- 4.5 In relation to key markers three and fifteen relating to Pre-application advice and Developer Contributions the feedback states “You have not explained in your PPF how you set out clear and proportionate requests for supporting information and how Developer Contributions are set out during pre-application discussions”. This is an unfortunate outcome given that the Council’s approach to these issues is set out in adopted guidance published on the Council’s website.
- 4.6 One of the key markers relates to decision-making and the continuous reduction of average timescales for all development categories. This marker has been awarded a green status. Householder application determination rates have stayed steady at an average of 6.2 weeks where local applications (Non-householder) have dropped slightly from 6.8 weeks to 6.3 weeks. Major planning application average timescales was recorded at 15.0 weeks similar to the previous year. Major applications are important to the Moray economy and the majority are covered by processing agreements which assist in determining them timeously and continue to be the number one priority along with fast tracking development proposals in town centres. All three development types for decision-making timescales are below the Scottish average.
- 4.7 One of the other key markers worthy of highlighting relates to the Development plan scheme, which identifies that the LDP 2020 was adopted within the 5 years of the current plan adoption and within the required timescale of the scheme. Having an up to date Local Development Plan is essential to Moray’s economy. Early engagement with Members and

Stakeholders has commenced in relation to the Evidence Report for the next Local Development Plan.

- 4.8 As a National Planning Improvement Champion has now been appointed it is anticipated that the template for the Planning Performance Framework for 2023/24 will be in a revised format.

5. SUMMARY OF IMPLICATIONS

(a) Corporate Plan and 10 Year Plan (Local Outcomes Improvement Plan (LOIP))

The ten year plan's top priority is a growing, diverse and sustainable economy. It covers business, employment, infrastructure, public services and developing sustainable communities. The PPF is a vital aspect of supporting and facilitating the Council's priority for economic growth and supports the Service Plan to deliver service improvements.

(b) Policy and Legal

Preparation of the PPF is a statutory responsibility for all Local Planning Authorities and preparation has to follow a strict template and timescale for submission.

(c) Financial implications

There are no direct financial implications arising from this report.

(d) Risk Implications

There is a reputational risk if this authority doesn't continue to demonstrate that continuous improvement is being made in all areas of the planning service.

(e) Staffing Implications

Officers with Development Management and Strategic Planning & Development prepare the Planning Performance Framework. The continuous improvement that is demonstrated is due to close working with other services including Legal, Transportation, Consultancy and Environmental Health.

(f) Property

None.

(g) Equalities/Socio Economic Impact

There are no equalities issues arising from this report.

(h) Consultations

Head of Economic Growth and Development, Strategic Planning and Development Manager, the Legal Services Manager, Lissa Rowan (Committee Services Officer), Equal Opportunities Officer, Paul Connor (Principal Accountant), the Senior Engineer Transportation and Environmental Health and Trading Standards Manager have been consulted and comments received have been incorporated into the report.

6. CONCLUSION

- 6.1 The Planning Performance Framework submitted to the Scottish Government for 2022/23, the associated feedback received demonstrates that decision-making timescales are below the Scottish National Average, the Moray Local Development Plan continues to be supported by up to date, and proportionate guidance as well as starting the formal review process involving extensive engagement with stakeholders and elected members.**

Author of Report:	Beverly Smith Development Management & Building Standards Manager
Background Papers: Ref:	Appendix 1 Planning Performance Framework 2022/23 Appendix 2 Feedback letter dated 20 October 2023 from Minister for Local Government Empowerment and Planning