

Minister for Public Finance, Planning and Community
Wealth
Tom Arthur MSP



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Roddy Burns
Moray Council

29 November 2021

Dear Roddy

I am pleased to enclose feedback on your authority's tenth Planning Performance Framework (PPF) Report, for the period April 2020 to March 2021.

This is the first time I have written to you individually in my capacity as Planning Minister since my appointment earlier this year. I am very grateful for the support and welcome I have received and look forward to working with you.

This year has continued to present challenges for people working within planning, in the development sector and across Scotland's communities. We know people are doing the best they can to engage and operate, sometimes in ways and circumstances that may not be ideal, and with many still predominantly working from home. I appreciate that many of you will have had to make difficult choices in what work is prioritised, in much the same way the Government and Planning and Architecture Division has had to. However, we should all be very proud of how planning has responded to the coronavirus pandemic, adjusting as necessary to keep going and supporting recovery. I want to take this opportunity to thank you and your staff for all the work that has been done during the pandemic and to support our ongoing recovery.

When my predecessor wrote to you last year he indicated that the pandemic had required a rethink about the timing and prioritisation of our planning work programme. A number of our workstreams were paused or delayed as a result, including the review of the planning performance and fee regimes, which had been the subject of a detailed consultation that concluded in early 2020. However, in October 2021 we published a revised planning implementation programme (<https://www.gov.scot/publications/transforming-planning-practice-updated-planning->

[reform-implementation-programme/](#)). You will note that we have now recommenced our planning performance and fees review, which reflects the importance Scottish Government attaches to this work. We are currently finalising proposals and intend to lay regulations before the end of the year to introduce increased fees, providing a boost to planning authorities' resources. We also intend to commence the recruitment of the National Planning Improvement Coordinator early in 2022.

Turning to the 2020-21 PPF reporting year, although, as expected, there have been some small changes overall in the markings awarded, the figures indicate that performance has remained relatively stable. This is a testament to the hard work and flexibility of authorities during these very difficult times and I believe that overall good progress continues to be made by Scotland's planning authorities.

If you would like to discuss any of the markings awarded below, please email chief.planner@gov.scot and a member of the team will be happy to discuss these with you.

Yours faithfully



Tom Arthur

Minister for Public Finance, Planning and Community Wealth

CC: Jim Grant

PERFORMANCE MARKERS REPORT 2020-21

Name of planning authority: **Moray Council**

The High Level Group on Performance agreed a set of performance markers. We have assessed your report against those markers to give an indication of priority areas for improvement action. The high level group will monitor and evaluate how the key markers have been reported and the value which they have added.

The Red, Amber, Green ratings are based on the evidence provided within the PPF reports. Where no information or insufficient evidence has been provided, a 'red' marking has been allocated.

No.	Performance Marker	RAG rating	Comments
1	Decision-making: continuous reduction of average timescales for all development categories [Q1 - Q4]	Green	<p>Major Applications Your timescales of 21.3 weeks is slower than the previous year but is faster than the Scottish average of 41.3 weeks. RAG = Amber</p> <p>Local (Non-Householder) Applications Your timescales of 7.1 weeks slower than last year but is faster than the Scottish average of 12.4 weeks. However, this remains faster than the statutory timescale. RAG = Green</p> <p>Householder Applications Your timescales of 6.7 weeks is slower than the previous year but remains faster than the Scottish average of 8.1 weeks and the statutory timescale. RAG = Green</p> <p>Overall RAG = Green</p>
2	Processing agreements: <ul style="list-style-type: none"> offer to all prospective applicants for major development planning applications; and availability publicised on website 	Green	<p>You encourage processing agreements to applicants. RAG = Green</p> <p>Processing agreement template and guidance is available through your website. RAG = Green</p> <p>Overall RAG = Green</p>
3	Early collaboration with applicants and consultees <ul style="list-style-type: none"> availability and promotion of pre-application discussions for all prospective applications; and clear and proportionate requests for supporting information 	Green	<p>You provide a pre-application advice service which is promoted through the website with standard form, guidance and charges. RAG = Green</p> <p>Your case studies and stated processes demonstrate a commitment to keeping requests for supporting information proportionate and how they lead to improved applications RAG = Green</p> <p>Overall RAG = Green</p>
4	Legal agreements: conclude (or reconsider) applications after resolving to grant permission reducing number of live applications more than 6 months after resolution to grant (from last reporting period)	Green	Your average timescales for determining applications with legal agreements is slower than last year but is half the Scottish average. It is clear that the processes you have in place are minimising delays in concluding legal agreements.

5	Enforcement charter updated / re-published within last 2 years	Green	Your enforcement charter was 13 months old at the end of the reporting year.
6	Continuous improvement: <ul style="list-style-type: none"> • progress/improvement in relation to PPF National Headline Indicators; and • progress ambitious and relevant service improvement commitments identified through PPF report 	Green	Your decision making timescales are slower than last year, however, local applications are faster than the Scottish average and the statutory timescale. Your LDP and enforcement charter are both up-to-date. Elsewhere, you have 0 legacy cases. RAG = Green You have completed 8 out of 15 of your improvement commitments with some delayed due to Covid-19. You have identified a good range of improvement commitments for the coming year. RAG = Green Overall RAG = Green
7	Local development plan less than 5 years since adoption	Green	Your LDP adopted during the reporting year.
8	Development plan scheme – next LDP: <ul style="list-style-type: none"> • on course for adoption within 5 years of current plan(s) adoption; and • project planned and expected to be delivered to planned timescale 	Green	LDP2 was adopted on 27 th July 2020 which was within 5 years of the current plan adoption. RAG = Green Your LDP was replaced within the required timescale and your DPS was approved in March 2021. Work has commenced on identifying what information will be required for the evidence report. RAG = Green Overall RAG = Green
9	Elected members engaged early (pre-MIR) in development plan preparation – <i>if plan has been at pre-MIR stage during reporting year</i>	N/A	
10	Cross sector stakeholders* engaged early (pre-MIR) in development plan preparation – <i>if plan has been at pre-MIR stage during reporting year</i>	N/A	
11	Regular and proportionate policy advice produced on information required to support applications.	Green	The Elgin South Masterplan has been subject to review and will be approved in the current reporting year. Other policy guidance and masterplans have been updated to ensure consistency with the LDP. Your case study also provides examples of additional policy guidance which has been produced to support implementation of your LDP.
12	Corporate working across services to improve outputs and services for customer benefit (for example: protocols; joined-up services; single contact arrangements; joint pre-application advice)	Green	You have protocols in place with Cairngorms National Park, a Service level agreement with Aberdeenshire for Archaeology Advice and you provide a single point of contact for pre-application advice which involves all internal and external consultees.
13	Sharing good practice, skills and knowledge between authorities	Green	You participate in HOPS sub committees, peer review of PPF with neighbouring authorities, annual meetings/training with SEPA and SNH. You also hold liaison meetings and training on forestry and tree management.

14	Stalled sites / legacy cases: conclusion or withdrawal of old planning applications and reducing number of live applications more than one year old	Green	You have no legacy cases for the third year running.
15	Developer contributions: clear and proportionate expectations <ul style="list-style-type: none"> • set out in development plan (and/or emerging plan); and • in pre-application discussions 	Green	You have adopted new supplementary guidance to support your new LDP. RAG = Green Expectations for developer contributions are clarified in your pre-application discussions. RAG = Green Overall RAG = Green

MORAY COUNCIL

Performance against Key Markers

Marker		13-14	14-15	15-16	16-17	17-18	18-19	19-20	20-21
1	Decision making timescales								
2	Processing agreements								
3	Early collaboration								
4	Legal agreements								
5	Enforcement charter								
6	Continuous improvement								
7	Local development plan								
8	Development plan scheme								
9	Elected members engaged early (pre-MIR)	N/A	N/A	N/A	N/A		N/A	N/A	N/A
10	Stakeholders engaged early (pre-MIR)	N/A	N/A	N/A	N/A		N/A	N/A	N/A
11	Regular and proportionate advice to support applications								
12	Corporate working across services								
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

Decision Making Timescales (weeks)

	13-14	14-15	15-16	16-17	17-18	18-19	19-20	20-21	20-21 Scottish Average
Major Development	98.2	13.1	20.0	16.9	16.5	8.9	10.3	21.3	41.3
Local (Non-Householder) Development	13.5	8.5	7.5	7.2	6.6	6.5	6.5	7.1	12.4
Householder Development	7.1	5.8	6.3	5.7	5.3	5.3	5.7	6.7	8.1