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Roddy Burns
Chief Executive
Moray Council

17 December 2020

Dear Roddy,

PLANNING PERFORMANCE FRAMEWORK FEEDBACK 2019-20

I am pleased to enclose feedback on your authority's ninth Planning Performance Framework (PPF) Report, for the period April 2019 to March 2020.

Firstly, I would like to take this opportunity to thank you and your staff for enabling planning services to continue to operate during the Covid-19 pandemic. This has been a difficult year for so many, and our planning system has a vital role to play in Scotland's green recovery. The impact which the pandemic has had, has demonstrated how valuable planning is from ensuring that businesses can operate flexibly to the contribution that it can make to the Places that are so important for our communities in terms of having access to the services they need, to greenspace and other areas where families can walk, wheel and cycle safely.

Turning to the 2019-20 PPF reporting year, I believe that good progress continues to be made by Scotland's planning authorities. Overall, there has been an increase in the number of green ratings awarded this year, with a subsequent reduction in red ratings, however, there remains some variation across some authorities and markers. I have been particularly pleased to see improvements in the speed of determination of major planning applications in some authorities.

When I wrote about performance reporting last year, I indicated that a consultation on Planning Performance and Fees was underway, including preparations for the new performance arrangements being introduced through the Planning (Scotland) Act 2019; with our intention at that time being that the proposed changes would be implemented in Summer 2020. However, the Covid-19 pandemic has required a rethink about the timing and a wider reprioritisation of our work programme.
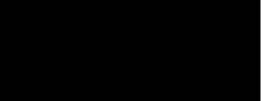
I would like to reassure you that, while we have paused the changes to the fees and performance legislation, I am committed to ensuring that planning authorities are properly resourced and that planning fee levels are proportionate. We will pick this up again when the timing is more appropriate.

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Finally, although the Covid-19 pandemic will have impacted on the tail end of the 2019-20 reporting year, I appreciate the impacts on service delivery will show through more in the 2020-21 reporting year. The Planning statistics for the first 6 months of the reporting year are due to be published in January, which will provide the first indications of how the pandemic has affected the ability of authorities to determine applications. I would like to reassure you that I will consider, in liaison with the High Level Group on Planning Performance, how next year's reports will be assessed, so that authorities are not unfairly criticised due to circumstances outwith their control. It could also provide an opportunity to recognise the vital actions taken by planning authorities to maintain the planning system and its contribution to recovery.

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 sincerely

KEVIN STEWART

CC: Jim Grant

PERFORMANCE MARKERS REPORT 2019-20

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	**Major Applications** Your timescales of 10.3 weeks is slower than the previous year but is faster than the Scottish average of 33.5 weeks and the statutory timescale. **RAG = Green** **Local (Non-Householder) Applications** Your timescales of 6.5 weeks is the same as the previous year and is faster than the Scottish average of 10.9 weeks. **RAG = Green** **Householder Applications** Your timescales of 5.7 weeks is slower than the previous year but remains faster than the Scottish average of 7.3 weeks and the statutory timescale. **RAG = Green** **Overall RAG = Green**
2	**Processing agreements**: • offer to all prospective applicants for major development planning applications; and • availability publicised on website	Green	You encourage processing agreements to applicants. **RAG = Green** Processing agreement template and guidance is available through your website. **RAG = Green** **Overall RAG = Green**
3	**Early collaboration** with applicants and consultees • availability and promotion of pre-application discussions for all prospective applications; and • clear and proportionate requests for supporting information	Green	You provide a pre-application advice service which is promoted through the website with standard form, guidance and charges. **RAG = Green** 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** **Overall RAG = Green**
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 more than half the Scottish average.

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5	**Enforcement charter** updated / re-published within last 2 years	Green	Your enforcement charter was 1 month old at the end of the reporting year.
6	**Continuous improvement**: • 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 faster than last year and 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 COvid19. We would expect that the remaining ones to be continued over the next reporting year. You have identified a good range of improvement commitments for the coming year. **RAG = Amber** **Overall RAG = Green**
7	**Local development plan** less than 5 years since adoption	Green	Your LDP was less than 5 years old at the end of the reporting period.
8	**Development plan scheme** – next LDP: • 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 27th July 2020 which was within 5 years of the current plan adoption. **RAG = Green** You LDP was replaced within the required timescale and your DPS was approved in February 2020. **RAG = Green** **Overall RAG = Green**
9	**Elected members engaged early** (pre-MIR) in development plan preparation – *if plan has been at pre-MIR stage during reporting year*	N/A	
10	**Cross sector stakeholders* engaged early** (pre-MIR) in development plan preparation – *if plan has been at pre-MIR stage during reporting year*	N/A	
11	**Regular and proportionate policy advice** produced on information required to support applications.	Green	You have updated SPG on developer obligations, flood risk and drainage. Kinloss Golf Course Masterplan was agreed and you have worked in partnership with stakeholders on the Elgin City Centre Masterplan.
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 second year running.

15	**Developer contributions**: clear and proportionate expectations • set out in development plan (and/or emerging plan); and • in pre-application discussions	Green	Developer Contributions policy is set out in your LDP and will be supported by supplementary guidance which is currently with Scottish Ministers. **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	12-13	13-14	14-15	15-16	16-17	17-18	18-19	19-20
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
10	Stakeholders engaged early (pre-MIR)		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

Decision Making Timescales (weeks)

	12-13	13-14	14-15	15-16	16-17	17-18	18-19	19-20	*2019-20 Scottish Average*
Major Development	55.7	98.2	13.1	20.0	16.9	16.5	8.9	10.3	*33.5*
Local (Non-Householder) Development	20.0	13.5	8.5	7.5	7.2	6.6	6.5	6.5	*10.9*
Householder Development	10.1	7.1	5.8	6.3	5.7	5.3	5.3	5.7	*7.3*

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