



Planning and Regulatory Services Committee

Tuesday, 21 May 2019

SUPPLEMENTARY AGENDA

The undernoted reports have been added to the Agenda for the meeting of the **Planning and Regulatory Services Committee** to be held at **Council Chambers, Council Office, High Street, Elgin, IV30 1BX** on **Tuesday, 21 May 2019** at **09:30**.

BUSINESS

9a) Development Services Performance Report - Half Year 3 - 14
to March 2019

Report by Corporate Director (Economic Development, Planning and Infrastructure)



**REPORT TO: PLANNING AND REGULATORY SERVICES COMMITTEE ON 21
MAY 2019**

**SUBJECT: DEVELOPMENT SERVICES PERFORMANCE REPORT – HALF
YEAR TO MARCH 2019**

**BY: CORPORATE DIRECTOR (ECONOMIC DEVELOPMENT,
PLANNING & INFRASTRUCTURE)**

1. REASON FOR REPORT

1.1 To inform the Committee of performance of the service for the period from 1 October 2018 to 31 March 2019.

1.2 This report is submitted to Committee in terms of Section III (A) (4) and Section III (E) (19) of the Council's Scheme of Administration relating to contributing to public performance reporting; and developing and monitoring the Council's Performance Management Framework for the Planning and Regulatory Services.

2. RECOMMENDATION

2.1 It is recommended that Committee:

(i) scrutinises performance against Planning and Regulatory performance indicators; Service Plan; and Complaints to the end of March 2019 as outlined;

(ii) welcomes good performance as indicated in the report; and

(iii) notes the actions being taken to improve performance where required.

3. BACKGROUND

3.1 The Policy and Resources Committee, at its meeting on 27 April 2010 (paragraph 12 of the Minute refers), approved the development of a Quarterly Performance Monitoring document which provides supporting information for the Performance Management Framework. The half-yearly performance report refers to this document. The document includes performance indicators, service plan, and complaints data (including codes as referred to in

Section 5 of this report), and can be found at:
http://www.moray.gov.uk/moray_standard/page_92321.html.

- 3.2 The Economic Development and Infrastructure Services Committee at its meeting on 23 October 2012 (paragraph 11 of the Minute refers) asked whether Transportation Planning performance indicators could also be reported to this Committee. To comply with this request the indicators are now reported to both Committees. The responsibility for oversight of the Transportation Planning indicators remains with the Economic Development and Infrastructure Services Committee.
- 3.3 Performance indicators are reviewed annually. Changes to the indicators require approval from this Committee. On 19 June 2018 this Committee agreed changes to a small number of performance indicators (paragraph 11 of the Minute refers).
- 3.4 The Service Plan for 2018-22 was approved by this Committee on 18 September 2018, (paragraph 14 of the Minute refers).

4. SUMMARY OF PERFORMANCE

Performance Indicators

- 4.1 The tables below summarise performance: –

Service	No. of Indicators	Green Performing Well	Amber Close Monitoring	Red Action Required	Annual PI / Data Only
Building Standards	6	3	0	0	3
Development Management	9	1	0	0	8
Economic Development	5	0	0	0	5
Environmental Health	9	3	0	0	6
Planning and Development	6	2	1	0	3
Trading Standards	9	3	0	0	6
Transportation Planning	2	2	0	0	0
Total	46	14	1	0	31
Total Quarter 4	15	93%	7%	0%	

- 4.2 Performance at this stage of the year is presented across seven service areas and involves fifteen indicators with targets. Fourteen of the indicators are regarded as performing well, one requires close monitoring, and none require action for targets to be met.

Service Plan

Number of actions in 2018/22 plan	Number of actions due by end of 2018/19	Completed (of due) by end of Q4 2018/19	Incomplete (of due) by end of Q4 2018/19	Completed ahead of time	Total complete of whole plan
23	18	13 (of 18)	5 (of 18)	1	14 (of 23)

- 4.3 At the end of the reporting period, of the 23 actions on the 2018/22 plan, 18 were due for completion in 2018/19. Out of these 18, 13 have been completed. The remaining 5 that were due to be completed in 2018/19 are underway and some are well advanced. 1 action not yet due to be completed has been completed ahead of time. Overall and including progress on actions that are not yet complete, the 2018/22 plan made significant progress and was 85% complete overall at the end of the reporting period.

Complaints

- 4.4 During the half year to March, Development Services received 16 complaints, and 13 were closed. Of the 8 frontline complaints closed, 5 were partially upheld; and of the 5 investigative complaints closed, 2 were partly upheld, none were escalated and only one was extended. The average time for frontline complaints was 7.25 days against a target of 5 days while the average time for investigative complaints was 18.6 days against a target of 20 days. Of the 13 complaints closed, 61% (8) complaints were closed within the target timescales.

5. PERFORMANCE ANALYSIS

Local Government Benchmarking Framework

- 5.1 On 10 April 2019 Improvement Services released the finalised 2017/18 Local Government Benchmarking Framework (LGBF) performance results showing how all Scottish councils performed in delivering services to local communities, including the cost of services. The table below provides a brief summary of the results relating to Development Services.

Indicator	2016/17	2017/18	Value Change 2016/17-2017/18	Performance Against Comparators / National
Trading Standards				
Cost of Trading Standards per 1,000 population	£4,955	£5,220	£265.58 (up 5.36%)	Moray - Cost of trading standards per 1,000 population – £5,220.30 (Rank 15th) Comparator Benchmarking Group 2: E. Ayrshire – £4,551.42 (Rank 12) East Lothian – £1,316.29 (Rank 1) Fife – £9,660.48 (Rank 28) N. Ayrshire – £3,542.23 (Rank 7) Perth & Kinross – £3,342.16 (Rank 6)

Indicator	2016/17	2017/18	Value Change 2016/17-2017/18	Performance Against Comparators / National
				<p>S. Ayrshire – £6,460.77 (Rank 20) Stirling – £9,744.68 (Rank 29) Comparator Av. (including Moray) – £5,479.79 Comparator Median – £4,885.86 Scotland – £5,889.80</p> <p>NB- Although these indicators are published by LGBF with the two years compared as shown here, this particular indicator cannot always be compared to previous years e.g. the 2013/14 figure included the cost of Citizens Advice Bureau funding and welfare benefits service costs.</p>
Environmental Health				
Cost of Environmental Health per 1,000 population	£15,041	£14,732	-£309.44 (down 2.06%)	<p>Moray - Cost of environmental health per 1,000 population- - £14,731.68 (Rank 20th)</p> <p>Comparator Benchmarking Group 2: E. Ayrshire – £12,538.95 (Rank 12) East Lothian – £10,024.80 (Rank 4) Fife – £12,175.22 (Rank 10) N. Ayrshire – £10,818.18 (Rank 6) Perth & Kinross – £13,712.77 (Rank 17) S. Ayrshire – £12,974.80 (Rank 13) Stirling – £10,095.74 (Rank 5) Comparator Av. (including Moray) – £12,134.02 Comparator Median – £12,357.09 Scotland – £15,495.69</p>
Development Management				
Cost of Planning per Application (Total Planning costs include Gross Expenditure on Building Control, Development Control, Planning Policy and Environmental initiatives)	£3,879	£3,732	-£146.77 (down 3.78%)	<p>Moray – Cost per Planning Application – – £3,732.42 (Rank 8th)</p> <p>Comparator Benchmarking Group 2: E. Ayrshire – 33,009.66 (Rank 32) East Lothian – 2,536.16 (Rank 1) Fife – 3,799.53 (Rank 9) N. Ayrshire – 4,221.49 (Rank 10) Perth & Kinross – 5,054.20 (Rank 24) S. Ayrshire – 3,452.80 (Rank 6) Stirling – 5,195.51 (Rank 25)</p> <p>Comparator Av. (including Moray) – 7,625.22 Comparator Median – 4,010.51 Scotland – 5,086.75</p>
Average Time (Weeks) Per Commercial Planning Application	6.95	6.52	-0.43 (down 6.19%)	<p>Moray - Average Time (Weeks) Per Planning Application – 6.52 (Rank 2nd)</p> <p>Comparator Benchmarking Group 2: E. Ayrshire – 8.25 (Rank 13) East Lothian – 10.71 (Rank 25) Fife – 16.08 (Rank 31) N. Ayrshire – 5.71 (Rank 1) Perth & Kinross – 7.69 (Rank 9) S. Ayrshire – 7.29 (Rank 7) Stirling – 8.76 (Rank 16)</p> <p>Comparator Av. (including Moray) – 8.88 Comparator Median – 7.97 Scotland – 9.34</p>
Economic Development				
No of Business Gateway start-ups per 10,000 population	13.74	13.36	-0.38 (down 2.77%)	<p>Moray - No of business gateway start-ups per 10,000 population - 13.36 (Rank 26th)</p> <p>Comparator Benchmarking Group 2: E. Ayrshire – 19.11 (Rank 15) East Lothian – 19.55 (Rank 12) Fife – 12.63 (Rank 27) N. Ayrshire – 22.39 (Rank 7)</p>

Indicator	2016/17	2017/18	Value Change 2016/17-2017/18	Performance Against Comparators / National
				Perth & Kinross – 21.24 (Rank 11) S. Ayrshire – 17.84 (Rank 17) Stirling – 24.26 (Rank 3) Comparator Av. (including Moray) – 18.80 Comparator Median – 19.33 Scotland – 16.83
Cost of Economic Development & Tourism per 1,000 Population	£39,940	£48,622	£8,682 (up 21.74%)	Moray – Cost of Economic Development & Tourism per 1,000 Population - £48,621.84 (Rank 11th) Comparator Benchmarking Group 2: E. Ayrshire – £113,408.23 (Rank 25) East Lothian – £59,786.34 (Rank 19) Fife – £44,497.99 (Rank 8) N. Ayrshire – £147,323.07 (Rank 27) Perth & Kinross – £47,736.60 (Rank 10) S. Ayrshire – £50,665.60 (Rank 13) Stirling – £51,000.00 (Rank 14) Comparator Av. (including Moray) – £70,379.96 Comparator Median – £50,832.80 Scotland – £91,799.24 2018/19 data not due until Feb 2020
Planning & Development				
Town Vacancy Rates - % of units vacant	11.91%	9.93%	-1.98% (down 1.98%)	Moray – Town Vacancy Rates - % of units vacant – 9.93% (Rank 12 th) Comparator Benchmarking Group 2: E. Ayrshire – 3.96% (Rank 1) East Lothian – 6.11% (Rank 2) Fife – 14.59% (Rank 22) N. Ayrshire – 9.99% (Rank 14) Perth & Kinross – 7.88% (Rank 5) S. Ayrshire – 19.83% (Rank 25) Stirling – 7.00% (Rank 4) Comparator Av. (including Moray) – 9.91% Comparator Median – 8.91% Scotland – 11.49%
Immediately available employment land as a % of total land allocated for employment purposes	22.41%	22.36%	-0.05% (down 0.05%)	Moray - Immediately available employment land as a % of total land allocated for employment purposes - 22.36% (Rank 22 nd) Comparator Benchmarking Group 2: E. Ayrshire – 16.75% (Rank 23) East Lothian – N/A Fife – 23.85% (Rank 20) N. Ayrshire – 63.03% (Rank 6) Perth & Kinross – 30.30% (Rank 18) S. Ayrshire – 48.25% (Rank 11) Stirling – N/A Comparator Av. (including Moray) – 34.09% Comparator Median – 27.07% Scotland – 40.78%

Areas of Good Performance

Performance indicator references are shown in brackets and refer to the relevant quarterly monitoring statements published on-line:

http://www.moray.gov.uk/moray_standard/page_92321.html

Performance Indicators

Building Standards

- 5.2 The percentage of building warrant and amendment first reports issued within 20 days (ENVDV-BS-KPO1(B)) exceeded the 95% target in Q3 with 98.7% and has risen to 99.5% in Q4, and is the highest quarterly percentage achieved since recording began in 2013/14. The new system, training, and new processes are now well established.
- 5.3 The percentage of building warrants and amendments issued within 10 days of receipt of satisfactory information (ENVDV-BS-KPO2(C)) started out with 81% in Q1 (reflecting the higher number of building warrant applications and amended plans responded to in that quarter) but has since risen to 100% in Q3 exceeding the 90% target and being maintained at 99.1% in Q4.
- 5.4 The number of days taken to respond to amended plans (ENVDV046b) fell well below the target 15 days to 4.6 days in Q3 of 2018/19 and fell again to 3.8 days in Q4 despite the number of amended plans remaining around the 300 mark in each quarter.

Development Management *(these PIs are currently reported in line with quarterly Scottish Government Reporting hence being reported one quarter later. However as Scottish Government Reporting for Development Management has moved to 6 monthly from 2018-19 onwards, performance covering Q1 & Q2 of 2018/19 appears in this end of year report).*

- 5.5 The average time to deal with local planning applications (SDS2b) has been maintained at 6.1 weeks in Q1 and Q2 against a target of 10.4 weeks. In addition, the proportion of applications taking less than two months (Envdv263) continues to perform well with over 95% being processed in under 2 months during Q1 & 2 with only 14 applications determined in more than 2 months out of a total of 299.

Economic Development

- 5.6 There were 62 new business start-ups through the Business Gateway in the second half of 2018/19, which have allowed 78 FTE jobs to be either retained or created by start-up businesses, business purchasers, and growing businesses. This data is collected by Business Gateway Moray as a result of direct Business Gateway interventions. Total enquiries have risen slightly with 439 instances of assistance to small or medium enterprises. More details of Business Gateway's activities are available in the Business Gateway Moray quarterly reports - http://www.moray.gov.uk/moray_standard/page_59743.html

Environmental Health

- 5.7 The percentage of responses for low-priority pest control services which met the national target, was 88% (56 of 64 responses) in Q3 but has recovered to 98% (51 out of 52 responses) in Q4 against the target of 90%.

Environmental Health *(Food Safety PIs are reported quarterly in line with Scottish Government Reporting hence being reported one quarter later).*

- 5.7 The percentage of category A (6 month) premises inspected within time (ENVDV069a) met the target of 100% during the last four quarters following a dip in performance to 89% in Q3 last year. In Q2 & Q3 this included 11 premises inspected as category A.
- 5.8 The percentage of category C (18 month) premises inspected within time (ENVDV259a) having recovered to 90% in Q1 has since risen to over 95% in Q2 & Q3 with a total of 83 of 87 inspected within time. This is the highest proportion since recording of this indicator began in 2015/16.
- 5.9 The percentage of rated registered food premises that are broadly compliant with food law (ENVDV070c) has remained comfortably above the 80% target at 88.3% in Q2 but has risen again to 89.4% in Q3.

Planning and Development

- 5.10 The current Local Development Plan was adopted on 31 July 2015 so the target replacement date is 30 July 2020 (ENVDV247). Development of the Local Development Plan is currently on target to achieve this.
- 5.11 The 2019 Housing Land Audit (draft) indicates that there is a 7.8-year effective land supply, which offers a safe margin above the 5-year target supply (ENVDV248).

Trading Standards

- 5.12 The percentage of clients who were 'very satisfied' or 'fairly satisfied' with the consumer complaint service (Envdv201) achieved its 9th year over the 95% target with 93% 'very satisfied' and 3% 'fairly satisfied'.
- 5.13 Of the welfare benefits clients (Envdv216), 100% were "very satisfied" or "fairly satisfied" with the service received, with 59 of 61 clients saying they were "very satisfied" and 2 who were "fairly satisfied".
- 5.14 Also in relation to the Welfare Benefits Clients, the percentage of clients with successful appeals (Envdv218b) has slipped from 100% in Q3 to 76% in Q4 against a target of 75%. However, the estimated benefit gain (Envdv217) has remained relatively good with £424k in the second half of 2018/19 compared to £429k for the first half of 2018/19 and giving a year-end reconciled total of £931k.
- 5.15 In relation to the Money Advice Clients (Envdv254), there has been an estimated increase in the Council's collection of rent and Council tax of £76,787 in 2017/18 compared to £57,905 in 2016/17 from this client group, an increase of almost 33%. Meanwhile the survey feedback (Envdv255) has been very positive with 97% saying "It's been a great help" and 3% saying "It's helped a bit". The percentage of Money Advice Clients who were 'very satisfied' or 'fairly satisfied' (Envdv300) was 100%. This has reached its 13th year over the target 95%.

Service Plan

The following actions show good performance:-

Building Standards

- 5.16 “Review our customer satisfaction methods & implement new or improved methods to capture relevant data - Building Standards” (DevS18-22.2.02b) – The review has been completed and implementation is well advanced and has included interaction with Springfield in a customer workshop allowing cross-pollination of ideas, consultation, and feedback. Further interactions of this nature with individuals/customers are planned along with Building Standards’ newsletters, which will be implemented in the next few months.
- 5.17 Currently 82% of applications are received online. Of the remaining 18% submitted on paper, half are from the same agent. Given that the process to issue a Building Warrant on paper is now more costly/time-consuming it is the service’s intention to interact with this agent to try and encourage electronic submission by identifying the mutual benefits.
- 5.18 The National survey is complete and the overall satisfaction rating has improved from 7.2 (2017) to 7.6 (2018) out of 10, giving a ‘green’ rating for the first time. Also, this is above the average Scotland-wide rating of 7.0.

Economic Development

- 5.19 “Work to deliver a Growth Deal for Moray (DevS18-22.1.01) – During 2018/19 partners has been developing strategic outline business cases for a number of projects that have formed the basis of initial discussions with both governments. Further workshops have been held with government representatives together with receptions in Edinburgh and London to promote the growth deal; this has enabled partners to continue working to strengthen their business cases.
- 5.20 The commitment to the Moray Growth Deal from both governments is clear, it is anticipated that the quantum of the deal will be announced in June 2019 with Heads of Terms being agreed by September 2019
- 5.21 “Review Moray Economic Strategy with Community Planning Partners (DevS18-22.1.02) – A refresh of the MES has been prepared by HIE with input from key stakeholders. The strategy was launched on 13 December 2018. A working group will now prepare proposals for revisions to the governance structure to oversee implementation of strategy actions.
- 5.22 “Lead and implement the Moray Skills Investment Plan together with partners” (DevS18-22.1.07) – An action plan to amplify the Moray SIP has been prepared with partners and was launched alongside a refresh of the Moray Economic Strategy on 13 December 2018.
- 5.23 “Make 800 instances of advice to small and medium sized enterprises and support 125 business start-ups through Business Gateway” (DevS18-22.1.11) – Business Gateway statistics for the end of the year show that these are slightly above target for the year with 852 instances of advice and 132 business start-ups.

- 5.24 “Assist communities with advice to encourage participation and funding for Community Asset Transfer (CAT) applications” (DevS18-22.2.05) – The Annual Fundraising Seminar was held on 2 October 2018. Over 120 individuals and organisations attended to receive advice.

Environmental Health

- 5.25 “Implement the new Private Water Supply legislation with full cost recovery.” (DevS18-22.1.06) – This new programme has been implemented a year ahead of its target date.

Trading Standards

- 5.26 “Carry out Tobacco/ NVP age restricted integrity checks on 75 premises.” (DevS18-22.1.09) – 75 integrity tests were carried out resulting in 17 sales with no ID requested. The 17 premises were re-visited with young volunteers but no sales were made.
- 5.27 “Investigate care home’s terms and conditions for legal compliance.” (DevS18-22.1.10) – Terms and conditions from 13 care homes in Moray were examined and found to comply with legal requirements.
- 5.28 “Review our customer satisfaction methods & implement new or improved methods to capture relevant data - Trading Standards” (DevS18-22.2.02d) – This action has been completed and the current customer satisfaction methods are found to be effective.

Development Services

- 5.29 “Progress restructure proposals within Development Services to deliver increased value for money and better targeting of resources to priorities - Change Management Plans/Implement” (DevS18-22.2.06) – The Proposals have been implemented and further changes are now taking place as part of the 2019/20 budget proposals and so further change management is being implemented.

Areas of performance identified for improvement

Performance Indicators

- 5.30 No performance indicators require additional action for the targets to be met and only one requires monitoring.

Service Plan

Development Management

- 5.31 “Review our customer satisfaction methods & implement new or improved methods to capture relevant data - Development Management” (DevS18-22.2.02a) – The training sessions with the Community Councils have been

held and feedback will be incorporated into future events and the production of Planning Performance Framework 8. A workshop is to be held with agents in May/June 2019.

Development Management / Planning & Development

- 5.32 “Assess implications of Planning Reform Bill and propose opportunities for an improved Planning System as a result both in consultation and developing our systems” (DevS18-22.1.04) – The Planning (Scotland) Bill is proceeding through the parliamentary processes and stage 2 is now complete. Progress reports will be provided to the Planning & Regulatory Services Committee as further details emerge and follow on Regulations are published to implement the Act. The Local Development Plan 2020 reflects key aspects of the Bill and aspirations of the review, including a greater focus on delivery and taking an infrastructure first approach. There are no further consultations and we are moving into stage 3. However, it is unlikely that the Bill will be in place until summer 2019.

Economic Development

- 5.33 “Develop and consolidate leadership and expertise across partners related to employability and skills to assist in delivering the LOIP and Moray skills Investment Plan with new Employability and Skills group established” (DevS18-22.1.08) – The Employability and Skills group has been established and the Skills Investment Plan is being delivered, monitored and updated where necessary. The Employability Consortium has been established and the partnership agreement committed to.

Environmental Health

- 5.34 “Review our customer satisfaction methods & implement new or improved methods to capture relevant data - Environmental Health” (DevS18-22.2.02c) – The options have been assessed and a preferred option identified. Trials are set to begin in May 2019.

Planning & Development

- 5.35 “Facilitate strategic approaches to infrastructure provision (Schools, Health, Transport, Offices) through the Local Development Plan delivery group and Community Planning Partners to complete a joint appraisal” (DevS18-22.2.01) – Work is ongoing and will be co-ordinated through the LDP/ Infrastructure Delivery Group and through the Developer Obligations Supplementary Guidance, which will be reviewed during 2019. The draft revised Supplementary Guidance will be considered by this Committee at the end of 2019.

6. SUMMARY OF IMPLICATIONS

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

Development Services performance indicators reflect priorities included within the Local Outcomes Improvement Plan (LOIP)) and the Moray Corporate Plan 2017-2022.

(b) Policy and Legal

The Council has a statutory requirement to publish a range of information that will demonstrate that it is securing best value and assist in comparing performance both over time and between authorities where appropriate.

(c) Financial implications

None

(d) Risk Implications

None

(e) Staffing Implications

None

(f) Property

None

(g) Equalities/Socio Economic Impact

An Equality Impact Assessment is not needed because the report is to inform the Committee on performance.

(h) Consultations

Corporate Director (Economic Development Planning & Infrastructure), Head of Development Services, Environmental Health & Trading Standards Manager, Development Management & Building Standards Manager, Gary Templeton (Principal Planning Officer), Principal Officer (Economic Development), Head of Financial Services, Legal Services Manager, Equal Opportunities Officer, the Committee Services Officer have been consulted and their comments have been incorporated into this report.

7. CONCLUSION

7.1 At the end of the reporting period, which is the second half of 2018/19, 93% of the performance indicators showed good performance and the 2018/22 Service Plan was 85% complete.

Author of Report: Catriona Campbell

Background Papers: Held by Catriona Campbell, (Research & Information Officer)

Ref:

