



**REPORT TO: PLANNING AND REGULATORY SERVICES COMMITTEE ON
29 JANUARY 2019**

SUBJECT: PLANNING PERFORMANCE FRAMEWORK 2017/18

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

1. REASON FOR REPORT

- 1.1 This report presents the Planning Performance Framework (PPF) for 2017/18, as submitted to the Scottish Government (SG) on 12 July 2018, covering the period 1 April 2017 to 31 March 2018 for the Moray Council. It summarises the feedback received from the Scottish Government on 10 January 2019 with specific reference to the performance Markers Report and RAG (Red, Amber, Green) ratings for the 2017/18 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 12 July 2018 (Appendix 1);**
- (ii) note the feedback report received from the Scottish Government on 10 January 2019 (Appendix 2);**
- (iii) authorise the Head of Development Services to submit the Planning Performance Framework for 2018/19 to the Scottish Government by the end of July 2019 (or any other date that may be set);**
- (iv) note that the Planning Performance Framework 2018/19 will be reported to the first available Planning & Regulatory Services Committee following receipt of the feedback; and**
- (v) note the Planning Performance Framework 2017/18 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 2018/19.**

3. **BACKGROUND**

- 3.1 The Council has now prepared Planning Performance Framework (PPF) reports for the last seven years with the latest one covering 2017/18 in July 2018. The primary 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 2016/17 the Council received eleven green awards, the highest number since the PPF was introduced and only one was amber. Two of the categories were not relevant to Moray at the time of submission. The amber award was due solely to the report being unclear as to how the replacement Local Development Plan is project managed and for no other reason as the scheme was on course to be delivered to planned timescale. Average decision making timescales for Major Developments were at a level of 16.9 weeks, Local Developments (Non-householder) were at 7.2 weeks and for Householder Developments was at 5.7 weeks.
- 3.3 The PPF submitted for 2017/18 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 six years since the PPF was first introduced (tables below). This clearly shows how the number of key markers changed to green have increased year on year.

MORAY COUNCIL **Performance against Key Markers**

Marker		2012-13	2013-14	2014-15	2015-16	2016-17	2017-18
1	Decision making timescales						
2	Processing arrangements						
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-Main Issues Report (MIR))		N/A	N/A	N/A	N/A	
10	Stakeholders engaged early (pre-MIR)		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

Decision Making Timescales (weeks)

	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	<i>2017-18 Scottish Average</i>
Major Development	55.7	98.2	13.1	20.0	16.9	16.5	37.1
Local (Non-Householder) Development	20.0	13.5	8.5	7.5	7.2	6.6	11.1
Householder Development	10.1	7.1	5.8	6.3	5.7	5.3	7.3

4. FEEDBACK FROM SCOTTISH GOVERNMENT ON THE MORAY PPF FOR 2017/18

- 4.1 Written feedback was received on 10 January 2019 by way of a letter from the Minister for Local Government and Housing to the Council's Chief Executive, enclosing a feedback report on a total of fifteen 'performance markers'.
- 4.2 The letter states "As you may be aware, the Planning Bill has recently passed through the second stage of parliamentary consideration, during which the Local Government and Communities Committee voted to remove the proposed provisions on planning performance, provision to make training for elected members mandatory, and the existing penalty clause provisions. Whatever the outcome of the Planning Bill, I believe now is the right time to look again at how we measure the performance of the planning system. I very much hope that we can continue to support ongoing improvements in our planning service and further demonstrate the value which the planning system can add to people's lives. Ministers see an important connection between performance and fees and I am aware that any proposals to increase fees will raise applicant's expectations of an efficient and effective service. We need to be able to measure performance to provide that crucial evidence to support any increase in fees, to help ensure that authorities are appropriately resourced to deliver on our ambitions".

5. PERFORMANCE MARKERS REPORT 2017/18

- 5.1 There are fifteen performance markers, each one receiving either a red, amber or green RAG rating. Only one marker is in the amber category and this relates to the numbers of legacy cases in the reporting period which was 1 with 1 still awaiting conclusion. This legacy case has now been cleared. All other fourteen categories are green.

- 5.2 One of the key markers relates to decision-making that requires Local Planning Authorities to demonstrate continuous reduction in average timescales for all development categories and is worthy of noting as it is green again. Local (Non-householder) applications have reduced from 7.2 weeks to 6.6 weeks which demonstrates that improvements have been made. Householder applications average timescales have reduced significantly from 5.7 weeks to 5.3 weeks. As for major applications the average has also reduced from 16.9 weeks to 16.5 weeks. All average timescales sit below the Scottish average. It is hoped that this level can be maintained for 2018/19 and if possible improved upon but this is dependent on the numbers of applications received and their complexity. Major applications are important to the Moray economy and the majority are covered by processing agreements to help be determined timeously and continue to be the number one priority.
- 5.3 The fourteen green awards are an increase in the 12 from the previous year (as two categories were previously not relevant due to timing). The one amber rating could be turned green next year if the current application subject of a S.75 legal agreement is issued before the end of March 2019 and if current performance levels can be maintained within the current financial constraints.
- 5.4 The PPF also identifies a number of Service Improvements for 2018/19 to improve quality within the service and these have been incorporated into action programmes for each team to deliver and to be reported into subsequent submissions.

6. BENCHMARKING SOLACE FAMILY GROUP 2

- 6.1 As the feedback from the SG now focusses solely on the 15 key performance markers the wider feedback of the PPF through agreement with the Heads of Planning is being carried out through the benchmarking groups.
- 6.2 A recent benchmarking meeting was hosted by Moray and was attended by representatives from Highland and Aberdeenshire Council and the Cairngorms National Park Authority with Angus and Shetland Council dialling in. Moray has been paired with Orkney Council to exchange specific feedback on the document and to share learning which can be used to improve the service in future years. Shared learning also comes from the other Local Planning and Park Authorities attending the meeting.

7. SUMMARY OF IMPLICATIONS

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

The 10 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. The ten year plan includes a table headed "How long it takes to process planning applications, the target for 2016-17 is 10.4 weeks".

(b) Policy and Legal

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

(c) Financial implications

There are no direct financial implications arising from this current report. However, there are financial risks associated with the PPF in future years with specific emphasis likely to be placed on average timescales for determining planning applications. The Scottish Ministers have powers to vary the planning application fee payable to different planning authorities where the functions of a planning authority are not being met, or have not been, satisfactorily performed.

(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

The preparation of the PPF utilises existing staff resources and there are currently no staffing resource implications arising from this report but close monitoring of performance will be required to ensure adequate staff resources are available to maintain current performance levels and make further improvements. Any significant increases in planning applications would likely impact on performance but would depend on their complexity. Any cut in current staff resources would have a significant impact on the delivery of an efficient, adequately resourced planning service which is a key objective of the SG supporting economic prosperity across Scotland.

(f) Property

None.

(g) Equalities/Socio Economic Impact

There are no equalities issues arising from this report.

(h) Consultations

Corporate Director (Economic Development Planning & Infrastructure), Head of Development Services, Gary Templeton (Principal Planning Officer), Legal Services Manager (Property & Contracts), Paul Connor (Principal Accountant), Caroline Howie, (Committee Services Officer), Equal Opportunities Officer, the Planning & Economic Development Manager, the Transportation Manager and the Environmental Health Manager have been consulted and comments received have been incorporated into the report.

8. CONCLUSION

- 8.1 The Planning Performance Framework submitted to the Scottish Government for 2017/18 and the associated feedback received demonstrates that continuous improvements have been made in decision making timescales (below the Scottish National Average), the Local Development Plan is on track for adoption within the programmed**

timescale and over the last 12 months continuous improvements have been made improving the quality of the planning service that is fundamental to supporting economic growth.

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Background Papers:
Ref: