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Mr Roddy Burns
Chief Executive
Moray Council
10 January 2019

Dear Mr Burns

PLANNING PERFORMANCE FRAMEWORK FEEDBACK 2017/18

I am pleased to enclose feedback on your authority's 7th PPF Report for the period April 2017 to March 2018. Considerable progress has been made since the introduction of the Planning Performance Framework and key markers, although performance still remains variable over some authorities and markers.

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, provisions to make training for elected members mandatory, and the existing penalty clause provisions. We expect Stage 3 of the bill process to begin in the new year.

Whatever the outcome of the Planning Bill, I believe now is the time to look again at how we measure the performance of the planning system. The High Level Group on Planning Performance recently met to discuss performance measurement and other improvements. 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 applicants' expectations of an efficient and effective service.

We need to be able to measure performance to provide that crucial evidence to support any increases in fees, to help ensure that authorities are appropriately resourced to deliver on our ambitions. With this in mind, we will continue to liaise with COSLA, SOLACE and Heads of Planning Scotland on matters of the Bill's implementation and planning performance measures going forward.

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.

Kind Regards

KEVIN STEWART

CC: Mr Jim Grant, Head of Development Services

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PERFORMANCE MARKERS REPORT 2017-18

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 16.5 weeks are faster than the previous year and are faster than the Scottish average of 33.6 weeks. RAG = Green</p> <p>Local (Non-Householder) Applications Your timescales of 6.6 weeks are faster than the previous year and are faster than the Scottish average of 10.7 weeks. RAG = Green</p> <p>Householder Applications Your timescales of 5.3 weeks are faster than the previous year and are faster than the Scottish average of 7.3 weeks. 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 applications for all major developments. There was an increase in the number of agreements being entered into. RAG = Green</p> <p>Processing agreement information 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 and by staff engaging with prospective applicants. RAG = Green</p> <p>Your case studies and stated processes demonstrate a commitment to keeping requests for supporting information proportionate. You recently updated your supporting information checklist following a consultation with stakeholders. RAG = Green</p> <p>Overall RAG = Green</p>
4	Legal agreements: conclude (or reconsider) applications after resolving to grant permission	Green	<p>Your average timescales for determining major and local applications with legal agreements are faster than last year and the Scottish average. You aim to resolve S75 legal</p>

	reducing number of live applications more than 6 months after resolution to grant (from last reporting period)		agreements within six months of reaching mind to grant stage by committee.
5	Enforcement charter updated / re-published within last 2 years	Green	Your enforcement charter was 4 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	<p>Your key decision making timescales are faster than last year and your LDP and enforcement charter are both up-to-date. Your timescales, including legal agreements, are faster overall. Elsewhere, you have made progress on maintaining a low number of stalled sites.</p> <p>RAG = Green</p> <p>You have completed 12 out of 14 of your improvement commitments with the remaining to be continued over the next reporting year. You identified a range of tangible improvement commitments for the coming year informed by stakeholder feedback, although some could be considered as part of the daily business functions of the service.</p> <p>RAG = Green</p> <p>Overall RAG = Green</p>
7	Local development plan less than 5 years since adoption	Green	Your LDP was 3 years old at the end of the reporting period.
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	<p>Although you have noted the date for submission to have changed you state that LDP2 is on track for adoption within the five year cycle.</p> <p>RAG = Green</p> <p>Your LDP2 is managed by a fortnightly project meeting which sets deadlines for various parts of the project.</p> <p>RAG = Green</p> <p>Overall RAG = Green</p>
9	Elected members engaged early (pre-MIR) in development plan preparation – <i>if plan has been at pre-MIR stage during reporting year</i>	Green	You engaged with elected members during this reporting year, first with training sessions and seminars then trial consultations for the pre-MIR stage as part of the preparation for the development plan.
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>	Green	You held a series of one to one meetings and workshops with stakeholders. Community partners (including community councils) were similarly engaged through presentations.
11	Regular and proportionate policy advice produced on information required to support applications.	Green	You have produced a number of supplementary guidance documents to aid your application processes. Case studies, including one on the Dallas Dhu masterplan, clearly indicate these to be a proportionate response to customer's needs.
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 provide evidence of building internal partnerships, more efficient processes for service delivery and improving protocols for joined up pre-application advice with Cairngorm National Park. All of which demonstrate you are working to improve services for stakeholders.
13	Sharing good practice, skills and knowledge between authorities	Green	You have worked with Cairngorm National Park in the proposed Gatecheck process, which aims to secure more certainty of a development plan's viability early on in the process. Should this go ahead in the Bill, future reports

			should clarify how you have shared this experience with other local authorities to improve service delivery.
14	Stalled sites / legacy cases: conclusion or withdrawal of old planning applications and reducing number of live applications more than one year old	Amber	You have cleared 1 cases during the reporting year, with 1 cases still awaiting conclusion. Based on this and last year's figures, only 1 site reached legacy status during the reporting year and there has been no decrease in the number of stalled sites in your area.
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	Developer Contributions policy is set out in your LDP and is supported by supplementary guidance. RAG = Green Expectations for developer contributions are clarified in your pre-application discussions. Where pre-application discussions have not occurred officers will make applicants aware of any requirement for contributions at the earliest opportunity. RAG = Green Overall RAG = Green

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 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	
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	2017-18 Scottish Average
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