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Roddy Burns
Chief Executive
Moray Council

22 December 2022

Dear Roddy Burns

I am pleased to enclose feedback on your authority's eleventh Planning Performance Framework (PPF) Report, for the period April 2021 to March 2022.

The reporting period which these reports cover has continued to present challenges for people working within planning, in the development sector and across Scotland's communities.

Ensuring the system is appropriately resourced is key to improving the performance of planning, which is why in April I implemented the biggest change to planning fees in 8 years, with fees for most types of development increasing by between 25% and 50%. At the time I said I would expect to see this additional money invested in delivering improvements in Planning Services. It is too early to know whether that has occurred, however, I have heard positive feedback from some authorities who have managed to recruit or retain staff as a result of the additional income. I also committed to working with Heads of Planning and COSLA to identify how we could move planning fees closer to covering the full cost of their determination. That work is ongoing and I expect to receive some conclusions/recommendations early in the new year.

I am also encouraged to see the fees for applications made under the Electricity Act also increasing on 13th December and the voluntary contribution of 50% of the fee, for certain types of application, being passed to planning authorities being maintained.

However, I recognise that resourcing is about more than just money and having a pipeline of knowledgeable and skilled planners is essential to delivering on our ambitions set out in NPF4. This is why I supported the RTP1 and Heads of Planning Scotland's Future Planners Project which looked at proposals to help increase the numbers of people entering the planning profession. We recognise the importance of delivering on this vision and the resourcing and skills challenges for planning authorities, which we are taking steps to address.

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Work is also progressing on

- the introduction of mandatory training for elected members in the planning system;
- the implementation of statutory annual reports by planning authorities; and
- the appointment of a Planning Improvement Coordinator for Scotland.

Turning to the 2021-22 PPF reporting year, although, as expected, there have been some minor 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 challenging 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.



TOM ARTHUR

CC: Jim Grant, Head of Development Services

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PERFORMANCE MARKERS REPORT 2021-22

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 15.1 weeks is faster than the previous year and is also faster than the Scottish average of 44.6 weeks. RAG = Green</p> <p>Local (Non-Householder) Applications Your timescales of 6.8 weeks is faster than last year and faster than the Scottish average of 13.5 weeks. RAG = Green</p> <p>Householder Applications Your timescales of 6.2 weeks is faster than the previous year and remains faster than the Scottish average of 8.7 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 3.5 weeks which is faster than last year and faster than the Scottish average of 33.2 weeks. 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 reviewed and republished on March 2022.

6	Continuous improvement: <ul style="list-style-type: none"> progress ambitious and relevant service improvement commitments identified through PPF report 	Green	You have completed 8 out of 13 service improvement commitments with a further 3 ongoing and rolled into next year. 2 commitments have not progressed. You have identified a range of commitments for the following year, with some carried on from this year.
7	Local development plan less than 5 years since adoption	Green	Your LDP was adopted in July 2020 and is within the 5-years of the current plan adoption.
8	Development plan scheme – next LDP: <ul style="list-style-type: none"> project planned and expected to be delivered to planned timescale 	Green	Development Plan Scheme was approved January 2022 which sets out indicative timescales for the new LDP process, Work has begun on the Evidence Report.
9 & 10	LDP Engagement: <ul style="list-style-type: none"> stakeholders including Elected Members, industry, agencies, the public and Scottish Government are engaged appropriately through all key stages of development plan preparation. 	N/A	LDP is in the very early stages of preparations and therefore no evidence was provided regarding engagement with stakeholders.
11	Policy Advice <ul style="list-style-type: none"> Production of relevant and up to date policy advice 	Green	A design brief for Dallas Dhu, Forres has been produced. Your case study 7 also provides examples of additional policy guidance following on from the completion of Elgin Masterplan, undertaking a consultation on Town Centre Improvement Plans.
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 fourth 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	<p>You have adopted new supplementary guidance to support your new LDP. RAG = Green</p> <p>Expectations for developer contributions are clarified in your pre-application discussions. RAG = Green</p> <p>Overall RAG = Green</p>

MORAY COUNCIL

Performance against Key Markers

Marker		13-14	14-15	15-16	16-17	17-18	18-19	19-20	20-21	21-22
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 & 10	LDP Engagement	N/A	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
2021-22	0	0	13

Decision Making Timescales (weeks)

	13-14	14-15	15-16	16-17	17-18	18-19	19-20	20-21	21-22	2021-22 Scottish Average
Major Development	98.2	13.1	20.0	16.9	16.5	8.9	10.3	21.3	15.1	44.6
Local (Non-Householder) Development	13.5	8.5	7.5	7.2	6.6	6.5	6.5	7.1	6.8	13.5
Householder Development	7.1	5.8	6.3	5.7	5.3	5.3	5.7	6.7	6.2	8.7