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**REPORT TO: PLANNING AND REGULATORY SERVICES COMMITTEE ON  
17 JANUARY 2016**

**SUBJECT: PLANNING PERFORMANCE FRAMEWORK 2015/16**

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

**1. REASON FOR REPORT**

- 1.1 This report presents the Planning Performance Framework (PPF) for 2015/16, as submitted to the Scottish Government (SG) on 7 July 2016, covering the period 1 April 2015 to 31 March 2016 for Moray Council. The report also summarises the feedback received from the Scottish Government on 25 November 2016 with specific reference to the performance Markers Report and RAG (Red, Amber and Green) ratings for the 2015/16 submission.
- 1.2 This report is submitted to Committee in terms of Section III (D) (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 (PPF) submitted to the Scottish Government on 7 July 2016, as set out in Appendix 1 of the report;**
- (ii) note the feedback report received from the Scottish Government on 25 November 2016, as set out in Appendix 2 of the report;**
- (iii) authorise the Head of Development Services to submit the PPF for 2016/17 to the Scottish Government by the end of July 2017 (or any other date that may be set);**
- (iv) report the PPF 2016/17 to the first available Planning & Regulatory Services Committee following receipt of its feedback; and**
- (v) note that the PPF is to be sent to all developers, external stakeholders, and internal services seeking comments to assist with continuous improvement.**

### **3. BACKGROUND**

- 3.1 The Council has now prepared PPF reports for the last five years with the latest one covering 2015/16 in July this year. 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 2014/15 the Council received the highest number of green awards since the PPF was introduced which was eight, four were amber and one was in the red category. Two of the categories were not relevant to Moray at the time of submission. The red award was due to the Local Development Plan not being adopted. Average decision making timescales for Major Developments were at a level of 13.1 weeks. Local Developments (Non-householder) were at 7.7 weeks and for Householder Developments was at 5.8 weeks.
- 3.3 The PPF submitted for 2015/16 is attached at **Appendix 1** and follows the standard 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.

### **4. FEEDBACK FROM SG ON THE MORAY PPF FOR 2015/16**

- 4.1 Written feedback was received on 25 November 2016 by way of a letter from Kevin Stewart MSP, Minister for Local Government and Housing to the Council's Chief Executive, enclosing a feedback report on a total of fifteen 'performance markers'. The minister makes a number of points that are general to all planning authorities and states that "I am very pleased that the quality of PPF reporting has again improved with many authorities setting out a very clear story of how the service is operating and detailing their priority actions for improvements". However he does point out that "certain authorities, and certain cases, are dragging the statistics down considerably". Moray is not one of these authorities as all its decision making timescales are above the Scottish National average.
- 4.2 The letter goes on to state "that it is an exciting time for planning as the momentum of the independent planning review is continuing and we will be publishing a consultation outlining options in the winter, to inform the future Planning Bill. Mr Stewart makes it clear in his letter that "To achieve the outcomes we all want to see, authorities need to reposition planning to ensure that it sits at the very heart of the authority and has the resources available to it to make sure it provides the best service possible to developers, stakeholders and the authority to which it sits".
- 4.3 A consultation on raising the planning maximum fee in an effort towards cost recovery will be launched shortly as well as further consultation following the planning bill on potential reform of the fee regime. This is the subject of a separate report to this committee.

## **5. PERFORMANCE MARKERS REPORT 2015/16**

- 5.1 There are fifteen performance markers, each one receiving either a red, amber or green RAG rating. Out of the fifteen markers two of the markers are not currently relevant to Moray as they related to Elected Members engagement early (pre-MIR) in development plan preparation and cross sector stakeholders, including industry agencies and Scottish Government, engaged Early (pre-MIR) in development plan preparation. One marker is in the red category, three are amber and nine are green. It is anticipated that the one red marker which relates to Developer Obligations will be turned to green when feedback is received on the next submission as the Developer Obligations Supplementary Guidance has now been adopted since the PPF was submitted in July.
- 5.2 One of the key markers sitting at amber relates to decision-making that requires Local Planning Authorities to demonstrate continuous reduction in average timescales for all development categories. Local (Non-householder) applications have reduced from 8.5 weeks to 7.5 weeks (fourth in Scotland) which is a significant improvement and on its own received a green rating. Householder applications average timescales has risen significantly from 6.3 weeks to 7.5 weeks (ninth in Scotland) but still sit below the Scottish National average and was awarded an amber rating. Major applications also received an amber rating as the average of 20 weeks (eighth in Scotland) was higher than the previous years but also still sits below the Scottish national average. Major applications are important to the Moray economy and the majority are covered by processing agreements which assist in determining them timeously and continue to be the number one priority.
- 5.3 The nine green awards are an increase in one from the previous year and these will continue to be monitored over the next 12 months. Two of the indicators relating to Elected Members engaged early in development plan preparation and cross sector stakeholders were not relevant last year but will be for 2017/18. There is no reason why these won't be a green rating as this work has already commenced with further detail set out in the Development Plan Scheme which is subject to a separate report to this Committee.
- 5.4 The PPF also identifies a number of Service Improvements for 2017/18 to improve quality within the service and these have been incorporated into action programmes for each team to deliver and to be incorporated into subsequent submissions.

## **6. BENCHMARKING**

- 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 attended and Moray has been paired with Cairngorms National Park to exchange specific feedback on the document and to share learning which can be used to improve the service in future years. Attendance at the North of Scotland Development Plans Forum and Cairngorms National Park Protocol meetings are also used as a benchmarking group for best practice.

## 7. **SUMMARY OF IMPLICATIONS**

**(a) Moray 2026: A Plan for the Future and Moray Corporate Plan 2015 – 2017**

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 10 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 risk that this authority will have its planning fees set at a reduced level if it cannot 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**

There are no equalities issues arising from this report.

**(h) Consultations**

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

**8. CONCLUSION**

- 8.1 The PPF submitted in 2015/16 to the Scottish Government and the associated feedback received demonstrates that continuous improvements have been made in decision making timescales (below the Scottish National Average), the Moray LDP 2015 has now been adopted 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.**

Author of Report: Beverly Smith, Manager (Development Management)

Background Papers:

Ref: