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**REPORT TO: PLANNING AND REGULATORY SERVICES COMMITTEE ON  
5 DECEMBER 2017**

**SUBJECT: DEVELOPMENT SERVICES PERFORMANCE REPORT – HALF  
YEAR TO SEPTEMBER 2017**

**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 July 2017 to 30 September 2017.

1.2 This report is submitted to Committee in terms of Section III (A) (4) and Section III (E) (20) 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 September 2017 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](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 The Planning and Regulatory Services Committee at its meeting on 30 May 2017 agreed changes to a small number of performance indicators (paragraph 9 of the Minute refers).

#### 4. **SUMMARY OF PERFORMANCE**

##### **Performance Indicators**

- 4.1 The tables below summarise performance: –

<b>Service</b>	<b>No. of Indicators</b>	<b>Green Performing Well</b>	<b>Amber Close Monitoring</b>	<b>Red Action Required</b>	<b>Annual PI / Data Only</b>
<b>Building Standards</b>	5	1	2	1	1
<b>Development Management</b>	9	1	0	0	8
<b>Economic Development</b>	4	0	0	0	4
<b>Environmental Health</b>	9	1	3	0	5
<b>Planning and Development</b>	6	0	0	0	6
<b>Trading Standards</b>	9	1	0	0	8
<b>Transportation Planning</b>	2	2	0	0	0
<b>Total</b>	44	6	5	1	32
<b>Total quarter 2</b>	<b>12</b>	<b>50%</b>	<b>42%</b>	<b>8%</b>	

- 4.2 Performance at this stage of the year is presented across seven service areas and involves 12 indicators. Six of the indicators are regarded as performing well, five require close monitoring and one requires action if the target is to be met.

## Service Plan

Number of actions in 2017/19 plan	Number of actions due by end of 2017/18	Completed (of due) by end of Q2 2017/18	Incomplete (of due) by end of Q2 2017/18	Cancelled	Completed ahead of time	Total complete by end of Q2 2017/18
60	22	10 (of 22)	11 (of 22)	1 (of 22)	1	11 (of 22)

- 4.3 At the end of the reporting period, of the 60 actions on the 2017/19 plan, 22 actions were due for completion in 2017/18. Out of these 22, 10 have been completed and 11 are overdue and 1 has been cancelled. Overall, and including progress on actions that are not yet complete/not yet due for completion, the 2017/19 plan has made significant progress and is 45% complete at the end of the reporting period.

## Complaints

- 4.4 During the half year to September, Development Services received 10 complaints, 100% of closed complaints were responded to within timescales. Of the 5 frontline complaints closed, none were upheld and 1 was part upheld; and of the 4 investigative complaints closed, none were upheld or part upheld. There were no escalations.

## 5. PERFORMANCE ANALYSIS

### 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](http://www.moray.gov.uk/moray_standard/page_92321.html)

### Performance Indicators

#### Building Standards

- 5.1 The average days to respond to Fast Track applications (Envdv039b) has recovered from 14 days in Q4 of 2016/17 and 15 in Q1 of 2017/18 to 8 days in Q2, despite continuing issues with workload and resources (see “areas for improvement” below).

**Development Management** *(these PIs are reported in line with Scottish Reporting hence being reported one quarter later).*

- 5.2 The average time to deal with local planning applications (SDS2b) was maintained at an average of 6.0 and 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 91% being processed in under 2 months during Q1 and Q2.

## **Economic Development**

- 5.3 Over the last four years (2013/14 to 2016/17) there have been between 120 to 132 (averaging 127) new business start-ups per year through the Business Gateway (ENVDV266). In the first half of 2017/18, there were 70 new business start-ups with 36 in Q1 and 34 in Q2. This is down from 81 in the same period last year when the decline of the Oil and Gas sector boosted numbers. A total of 98 FTE jobs had been either retained or created at the end of Q2 by start-up businesses and business purchasers. 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](http://www.moray.gov.uk/moray_standard/page_59743.html)
- 5.4 In figures recently submitted to Scottish Local Authorities Economic Development (SLAED - ENVDV268) the external funding leverage (against every pound from Council) increased from £2.47 to £4.69 between 2015/16 and 2016/17. Comparator data is available later this year.

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

- 5.5 The percentage of rated registered food premises that are broadly compliant with food law (ENVDV070c) was 89.9% in Q1 and 85% in Q2. This has remained well above target.

## **Trading Standards**

- 5.6 In relation to the Welfare Benefits Clients the estimated benefit gain (Envdv217) was £562k for the first half of this year (with the estimated benefit gain expected to be around £1,100 per annum).
- 5.7 Also in relation to the Welfare Benefits Clients, the percentage of clients with successful appeals (Envdv218b) has remained well above target at 83% in Q1 and 88% in Q2 against a target of 75%. This is in the face of increasing numbers of welfare benefit appeals (with 79 in the first half of 2017/18 compared to 70 in the same period last year).

## **Service Plan**

The following actions show good performance:-

## **Building Standards**

- 5.8 "Continue and Improve Benchmarking with our benchmarking family leading to service improvements - Complete data gathering for benchmarking family 2016/17" (DevS17-19-3.04a) – has been completed. Benchmarking continues but the last of the 2016/17 data has been received and distributed to the relevant areas.

### **Development Management**

- 5.9 “Implement Environmental Impact Assessment (EIA) Regulations 2017” (DevS17-19.2.06) – EIA regulations have been implemented.

### **Economic Development**

- 5.10 “Facilitate community groups to re-establish Doors Open Day during the last weekend of September as a local event and increasingly an event to attract visitors from outside Moray” (DevS17-19.1.10) – Over 1,000 people visited 21 venues. On Saturday 23 September, staff worked with volunteers as part of the national event programme.
- 5.11 “Coordinate Council input to events logistics of Council services for Piping at Forres” (DevS17-19.1.12a) – Over 100 pipe bands and in the region of 20,000 visitors attended the 5th European Pipe Band Championships on June 24. Post event lessons learned will feed into the on-gong discussions for 30 June 2018.
- 5.12 “Coordinate Council input to events logistics of Council services for Findhorn Bay Festival and other events” (DevS17-19.1.12b) – Findhorn Bay Festival takes place every 2 years with the next event scheduled for September 26-30 2018. Support has been given to the Gordon Highlanders for a ceremony to honour WW1 VC recipients held in July in Buckie, and for the temporary installation of an Anchor sculpture on show until the end of October as part of a 20th anniversary celebration across Grampian for the Friends of Anchor Charity (cancer and haematology care). The service will be working with Colours of Cluny light show at Forres, due in November 2017.
- 5.13 “Develop the proposal for future financing of Museums service” (DevS17-19.3.11a) – A report setting out the process was presented to The Moray Council on 27 Sept 2017 (paragraph 16 of the draft Minute refers). Permission was received to develop options to create a sustainable future for the service, including the engagement of auction houses to explore possible sales of items from the collection.

### **Planning and Development**

- 5.14 “Local Development Plan (LDP) - Prepare first stage of next LDP with Housing Need & Demand Assessment - Draft HNDA” (DevS17-19.1.06a) - The preparing of the draft HNDA is complete and was discussed with Homes for Scotland on 30 June 2017.
- 5.15 “Finalise and Adopt masterplan for Elgin South” (DevS17-19.1.07) – The Final Masterplan was presented to the Planning and Regulatory Services Committee on 30 May 2017 (paragraph 6 of the Minute refers).
- 5.16 “Adopt masterplan for Dallas Dhu, Forres” (DevS17-19.1.08) – The masterplan was presented to the Planning and Regulatory Services Committee on 30 May 2017 (paragraph 7 of the Minute refers) and was approved subject to minor changes delegated to the Head of Development

Services and the Committee Chair. (Some outstanding info was to be sorted with the developer with the hope to approve under delegated authority in November 2017).

- 5.17 “Finalise and Adopt guidance on Open Space” (DevS17-19.2.03) – A report was presented to the Planning and Regulatory Services Committee on 15 August 2017 (paragraph 9 of the Minute refers) so is now finalised/ adopted.

### **Trading Standards**

- 5.18 “Renew accreditation of money advice service to the Scottish National Standards for Information and Advice Providers (SNSIAP) and gain accreditation for the welfare benefits service - Self-assessment completed” (DevS17-19.2.01a) – The self-assessment has been completed so progress can now commence on the peer review.

### **Areas of performance identified for improvement**

#### **Performance Indicators**

#### **Building Standards**

- 5.19 Three indicators (detailed below) showed reduced performance in the issuing of building warrants/applications in quarters 1 & 2. There were still teething problems to overcome with the new eBuilding Standards system e.g. issues with the integration of the portal in the back office systems requiring key fixes coming from the Scottish Government which have resulted in having to re-do tasks. This was scheduled for mid-July 2017 but at the end of Q2 this had still not come through from the Scottish Government. A service review was carried out in Q4 2016/17 and the introduction of outcomes is still on-going. This has included work to secure a more permanent solution to workforce /workload issues with a further two retirements (in January) which required the posts to be assessed and advertised. As a result, one new Inspector was recruited and started work in June, a second new Inspector is due to start in November; and a new Building Standards Assistant is due to start in January. However, long-term absence is still an issue. Performance has improved in some areas but has required the use of agency staff since March 2017, and the use of Aberdeen City and Argyll & Bute Councils to differing degrees as additional resources.
- 5.20 These included:
- The percentage of building warrants issued within 20 days (ENVDV212) dropped to 53% in Q3 of 2016/17 against a target of 100%, but has continued to improve through the last 3 quarters and has now recovered to 87% in Q1 and 89.2% in Q2.
  - The mid-range application average response time (ENVDV041b), was above the target (15 days) at 22 days in Q3 of 2016/17 but in Q4 of 2016/17, the average fell to 17 days. In Q1 the average was maintained at 17 days and fell slightly to 16 in Q2, which is just above the target.

- The average days to respond to major applications (ENVDV043b) did rise to a high of 25 days in Q4 of 2016/17 against a target of 15 days. Since then this has improved to 18 days in Q1 and 16 in Q2, which is just above the target.

### **Environmental Health**

- 5.21 The percentage of responses for low-priority pest control services that met the national target (ENVDV087) had fallen to 76% in Q3 of 2016/17 against a target of 90%. This is now being maintained at 88% in Q1 and Q2 with 272 out of 310 responses meeting the national target in the first half of 2017/18 compared to 419 out of 485 in the same period last year.
- 5.22 Although the Category C (18 months EnvDV259a) premises and the Category D (24 months ENVDV410a) premises inspected within time are “data only” indicators, the performance has dropped considerably over the last quarter, from 89.4% and 87.5% in categories C & D respectively in Q4 to 75.9% and 62% in Q1 (reported in line with Scottish Government publication). Category A, B and C take priority on the time available for inspections and all of the 10 inspections that were overdue from these top three categories in Q1 have since been completed (including 7 Category C inspections). Staff continue to inspect the C rated premises that were not part of the cross contamination strategy and as a result are not included in the data collated for inspections completed within the relevant target dates.

### **Service Plan**

- 5.23 At the end of the reporting period, the following 11 Service Plan actions were overdue.

### **Building Standards**

- 5.24 The fallout from the Edinburgh Schools and Grenfell has gathered momentum in relation to the review of standards and regulations and has had a knock on effect to both the complexity of the actions listed below and also to the time available to address the actions (absence/resource issues continue to be an issue), hence some actions are behind.
- 5.25 These included:  
“Ensure that the terms of the Verification Operating Framework are met and/or implemented - Create a record management process and database for training records” (DevS17-19.3.01a) - 5% complete. Discussions about the Training Plan and database are underway and they are currently looking at learn-pro to see if it will meet their requirements.
- 5.26 “Set up and implement random sampling of building warrant and completion certificate decisions” (DevS17-19.3.01b) - 5% complete. The ministerial review (mentioned above) has changed the approach to this in regards of what constitutes random sampling, thus completion of this has been delayed.

- 5.27 “Address the actions for improvement set out in the Appointment of Verifiers - Gauge level of customer satisfaction with the verifications – agents focus group, satisfaction survey” (DevS17-19.3.03b) - 25% complete. It has been confirmed that a National survey will be going ahead but work on the focus group is still to be done.
- 5.28 “Continue and Improve Benchmarking with our benchmarking family leading to service improvements - Write Annual report” (DevS17-19.3.04b) - 80% complete. The initial information set and analysis are complete. The report just needs to be finalised and distributed to the various areas.

### **Development Management**

- 5.29 “Review Project Management Approach to Major Planning Applications & Integration of Other Consents” (Devs17-19.1.04) - 10% complete. The project’s trial plan has commenced and a template is being prepared.
- 5.30 “Introduce Standard Validation Guidance & Review Procedure for Validating Applications” (Devs17-19.3.05) - 50% complete. The national validation standards are complete and it is intended to report to Committee in December followed by a workshop with agents.

### **Economic Development**

- 5.31 “Regeneration: Sword Fire and Stone, Elgin” (Devs17-19.2.05f) – This will not be progressed as no funding is available.

### **Environmental Health**

- 5.32 Due to Food Inspection Audit actions taking priority over the past few months, time spent on the Service Improvement Plan actions has been extremely limited hence some actions are behind.
- 5.33 These included:  
“Review Pest Control Service” (DevS17-19.3.06) - 5% complete. Initial calculations for the number and type of jobs have been completed.
- 5.34 “Evaluate Dog Control Service” (DevS17-19.3.07) - 5% complete. The Dog Module has been reviewed within the back office system and use has been initiated. The gathering of all dog control data is now on-going.
- 5.35 “Conduct Section Workload Assessment” (DevS17-19.3.09) - 10% complete. Initial calculations for the number and type of jobs have been completed.

### **Planning and Development**

- 5.36 “Finalise and Adopt guidance on Wind Energy” (DevS17-19.2.04) – The Wind Energy guidance was presented to Committee on 28th February 2017 and the guidance was then sent to the Scottish Government in early June. The Scottish Government have since asked for three time extensions in which to consider their response.



### Trading Standards

- 5.37 “Promote ‘Friends Against Scams’ [www.friendsagainstscams.org.uk](http://www.friendsagainstscams.org.uk) - Council becomes ‘Friends Against Scams’ organisation” (DevS17-19.2.02a) – The Report is on the agenda of the Planning and Regulatory Services Committee – 10 October 2017.
- 5.38 “Take on lead authority role for delivery of animal feed controls in Moray, Highland, Orkney and Comhairle nan Eilean Siar” (DevS17-19.2.07a, b & c)
- a. Legislation enacted to pass enforcement responsibility from Councils to FSS
  - b. Council agrees contract with FSS and Council agrees sub-contract with Highland Council
  - c. Implement delivery arrangements

Although this overall action is under way and not yet due for completion (it originally was due for completion by the end of January 2018), it should be noted that the process and timetable for necessary legislative change is driven by Food Standards Scotland (FSS). The latest estimate from FSS is that the required legislation will be enacted by April 2018 at the earliest and the service will need a 3-month lead in time between enacting legislation and implementing regional delivery. This will inevitably delay the project and target dates will be revised accordingly.

## 6. SUMMARY OF IMPLICATIONS

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

Development Services performance indicators reflect priorities included within the Moray 2026: A Plan for the Future and Moray Corporate Plan 2015-2017.

**(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**

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

**(h) Consultations**

None.

**7. CONCLUSION**

**7.1 At the end of the reporting period, which is the first half of 2017/18, 50% of the performance indicators showed good performance and the Service Plan was 45% complete.**

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

Ref: