

ITEM: 14
APPENDIX 2

Minister for Local Government and Housing
Kevin Stewart MSP



Scottish Government
Riaghaltas na h-Alba
gov.scot

T: 0300 244 4000
E: scottish.ministers@gov.scot

Mr Roddy Burns
Chief Executive
Moray Council

21 December 2017

Dear Mr Burns

PLANNING PERFORMANCE FRAMEWORK FEEDBACK 2016/17

Please find attached feedback on your planning performance framework report for the period April 2016 to March 2017.

You will be aware that we recently introduced the Planning Bill to the Scottish Parliament. The Bill aims to support effective performance across a range of planning functions. It includes specific provisions to strengthen and improve performance monitoring; to appoint a national performance co-ordinator to provide advice and recommendations; and powers to conduct assessments and if necessary require improvements to be made. This structured approach is essential to improving the reputation of the system across the country. It aims to provide better support to authorities, whilst recognising that other factors and stakeholders, impact on your performance.

I appreciate that resourcing is a critical issue for you, and the Bill includes provisions for discretionary charging to allow greater local flexibility. Following the Bill, we will consult on revising the fee regime to better reflect the developments which are being brought forward.

We will continue to liaise with COSLA, SOLACE and Heads of Planning Scotland as the Bill progresses through the Parliamentary process. I would like to take this opportunity to encourage you all to actively engage - this is a fantastic opportunity to make our system work better to enable planners to deliver the high-quality development our communities need, and it is important that voices from all viewpoints are heard. You can monitor the progress of the Bill on the Parliament website at: www.parliament.scot/parliamentarybusiness/Bills/106768.aspx

Kind Regards

KEVIN STEWART

CC: Jim Grant, Head of Development Services

St Andrew's House, Regent Road, Edinburgh EH1 3DG
www.gov.scot



PERFORMANCE MARKERS REPORT 2016/17

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 16.9 weeks have improved since the previous year and are faster than the Scottish average of 37.1 weeks. RAG = Green</p> <p>Local Non-Householder Applications Your timescales of 7.2 weeks have improved since the previous year and are faster than the Scottish average of 11.1 weeks. RAG = Green</p> <p>Householder Applications Your timescales of 5.7 weeks have improved since the previous year and are faster than Scottish average of 7.3 weeks. RAG = Green</p> <p>Overall RAG = Green</p>
2	<p>Processing agreements:</p> <ul style="list-style-type: none"> offer to all prospective applicants for major development planning applications; and availability publicised on website 	Green	<p>Processing agreements are offered to all applicants for both major and local applications. RAG = Green</p> <p>Availability of processing agreements is publicised on your website. RAG = Green</p> <p>Overall RAG = Green</p>

3	<p>Early collaboration with applicants and consultees</p> <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>Your case study demonstrates your commitment to delivering pre-application advice to applicants with a focus on adding value to ensure that officer time is utilised effectively as the service is provided free of charge. Pre-enquiry forms are provided online to help prospective applicants provide the right level of detail. RAG = Green</p> <p>Joint pre-application meetings are held with internal and external stakeholders and written advice is provided post meeting. This along with the range of supplementary guidance you have in place ensures requests for supporting information are clear and proportionate. RAG = Green</p> <p>Overall RAG = Green</p>
4	<p>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)</p>	Green	<p>There were no applications with legal agreements attached. You retain the target for applications with a legal agreements attached to be decided within 4 months from the date the instructions issued to legal.</p>
5	<p>Enforcement charter updated / re-published within last 2 years</p>	Green	<p>Your enforcement charter was 16 months old at the time of reporting.</p>
6	<p>Continuous improvement:</p> <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>You have reduced all your decision making timescales and these are all faster than the Scottish average. Your LDP and enforcement charter are up to date and the number of processing agreements you have entered into is increasing. RAG = Green</p> <p>You have completed 5 out of your 7 improvement commitments during the reporting year and you have identified a good range of improvements to take forward which are evidenced and referred to within your report. RAG = Green</p> <p>Overall RAG = Green</p>
7	<p>Local development plan less than 5 years since adoption</p>	Green	<p>Your LDP was 2 years old at the time of reporting.</p>
8	<p>Development plan scheme – next LDP:</p> <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 	Amber	<p>Your LPD is on course to be replaced within the 5 year timescale with no change to the proposed date for adoption within your development plan scheme. RAG = Green</p> <p>Other than producing your development plan scheme it is unclear from your report how you project manage the replacement of your LDP. RAG = Amber</p> <p>Overall RAG = Amber</p>
9	<p>Elected members engaged early (pre-MIR) in development plan preparation – <i>if plan has been at pre-MIR stage during reporting year</i></p>	N/A	

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>	N/A	
11	Regular and proportionate policy advice produced on information required to support applications.	Green	Your supplementary guidance remains fit for purpose and you have guidance on open space and onshore wind forthcoming. You have also produced guidance on the replacement of windows in conservation areas for use by duty officers and applicants.
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 a protocol in place with Cairgorms National Park, provide joined up pre-application advice which includes publicising scheduled meetings throughout the year so that stakeholders are aware of when meetings are to take place and ensure they can attend. You also ensure that a single officer is allocated to a case from the beginning of the process through to decision.
13	Sharing good practice, skills and knowledge between authorities	Green	You participate in a number of Heads of Planning Scotland sub committees and participate in benchmarking. You have outlined the range of CPD activities which officers have undertaken throughout the year and identified future training priorities.
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 cleared 1 case and have 1 case remaining. You have focussed on ensuring cases don't reach legacy status by monitoring progress with the signing of any legal agreements post minded to grant stage.
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	Supplementary guidance on developer contributions has been produced. RAG = Green You note that pre-application advice is available. This does not explicitly mention developer contributions, but this is proportionate given that very few are dealt with. RAG = Green Overall RAG = Green

MORAY COUNCIL
Performance against Key Markers

Marker		2012-13	2013-14	2014-15	2015-16	2016-17
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)

	Red	Amber	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

Decision Making Timescales (weeks)

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