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**REPORT TO: PLANNING AND REGULATORY SERVICES COMMITTEE ON  
27 FEBRUARY 2018**

**SUBJECT: PLANNING PERFORMANCE FRAMEWORK 2016/17**

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

### **1. REASON FOR REPORT**

- 1.1 This report presents the Planning Performance Framework (PPF) for 2016/17, as submitted to the Scottish Government (SG) on 31 July 2017, covering the period 1 April 2016 to 31 March 2017 for the Moray Council. It summarises the feedback received from the Scottish Government on 21 December 2017 with specific reference to the performance Markers Report and RAG (Red, Amber, and Green) ratings for the 2016/17 submission.
- 1.2 This report is submitted to Committee in terms of Section III (A) (4) of the Council's Scheme of Administration contributing to public performance reporting.

### **2. RECOMMENDATION**

#### **2.1 It is recommended that the Committee:-**

- (i) note the PPF submitted to the Scottish Government on 31 July 2017 as set out in Appendix 1;**
- (ii) note the feedback report received from the Scottish Government on 21 December 2017 as set out in Appendix 2;**
- (iii) circulate the PPF to all developers, stakeholders, and internal services seeking comment/feedback to assist with continuous improvement to be fed back into the PPF for 2017/18;**
- (iv) authorise the Head of Development Services to submit the PPF for 2017/18 to the Scottish Government by the end of July 2018 (or any other date that may be set) and**
- (v) report the PPF 2017/18 to the first available Planning & Regulatory Services Committee following receipt of the feedback.**

### **3. BACKGROUND**

- 3.1 The Council has now prepared PPF reports for the last six years with the latest one covering 2016/17 completed in July 2017. 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 2015/16 the Council received the highest number of green awards since the PPF was introduced which was nine, three were amber and one received a red rating. Two of the categories were not relevant to Moray at the time of submission. The red award was due to Developer Obligations Supplementary Guidance not being adopted. Average decision making timescales for Major Developments were at a level of 20.0 weeks; Local Developments (Non-householder) were at 7.5 weeks and Householder Developments was at 6.3 weeks.
- 3.3 The PPF submitted for 2016/17 is attached at **Appendix 1** and follows the updated 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.
- 3.4 As part of the SG's feedback a summary of performance is included covering the last five years since the PPF was first introduced (tables below). This clearly shows how the number of key markers changed to green have increased year on year.

#### **MORAY COUNCIL**

##### **Performance against Key Markers**

<b>Marker</b>		<b>2012-13</b>	<b>2013-14</b>	<b>2014-15</b>	<b>2015-16</b>	<b>2016-17</b>
1	Decision making timescales					
2	Processing arrangements					
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
<b>2012-13</b>	3	6	6
<b>2013-14</b>	2	5	6
<b>2014-15</b>	1	4	8
<b>2015-16</b>	1	3	9
<b>2016-17</b>	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

**4. Feedback from Scottish Government on the Moray PPF for 2016/17**

- 4.1 Written feedback was received on 21 December 2017 by way of a letter from the Minister for Local Government and Housing to the Council's Chief Executive, enclosing a feedback report on a total of fifteen 'performance markers'.
- 4.2 The letter states "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 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".
- 4.3 The letter also acknowledges 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".

## **5. PERFORMANCE MARKERS REPORT 2016/17**

- 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 relate to Elected Members engagement early (pre-MIR) in development plan preparation and Stakeholders engaged early (pre-MIR) in development plan preparation however they are relevant for the 2017/18 PPF submission . Only one marker is in the amber category and this relates to the report not being clear as to how replacement of Local Development Plan is project managed despite having a development plan scheme and it being on course to be replaced within the five year timescale. All other fourteen categories are green.
- 5.2 One of the key markers 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 7.5 weeks to 7.2 weeks which demonstrates that improvements have been made. Householder applications average timescales have reduced significantly from 6.3 weeks to 5.7 weeks. As for major applications the average has also reduced from 20.0 weeks to 16.9 weeks. To receive a green in this category for all three types of developments demonstrates that all cases are dealt with efficiently. All average timescales sit below the Scottish average. It is hoped that this level can be maintained and if possible improved upon but this is dependent on the numbers of applications received and their complexity. Major applications are important to the Moray economy and the majority are covered by processing agreements to help be determined timeously and continue to be the number one priority.
- 5.3 The twelve green awards are an increase from nine to twelve 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 been completed. The one amber rating can be turned green next year by detailing how the local development plan is project managed beyond the development plan scheme.
- 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 reported in subsequent submissions.

## **6. BENCHMARKING SOLACE FAMILY GROUP 2**

- 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 Aberdeenshire Council to exchange specific feedback on the document and to share learning which can be used to improve the service in future years. Shared learning also comes from the other 7 Local Planning Authorities attending the meeting.

## 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 ten year plan includes a table headed "How long it takes to process planning applications, the target for 2016- 17 is 10.4 weeks". The Local Development Plan has a key role to play in prevention planning with good design encouraging social interaction, active healthy lifestyles and crime reduction. The LDP also supports Moray 2026 by identifying land for housing and employment purposes to encourage population growth, create high quality jobs and support our ageing population.

(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. The letter from the Minister for Local Government and Housing makes it clear that to meet the aspirations of the planning bill and deliver quality development, link community planning with spatial planning and co-ordinate infrastructure provision will all have resource implications and are outlined in a separate report to this Committee.

**(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, Gary Templeton (Principal Planning Officer), Legal Services Manager (Property & Contracts), Paul Connor (Principal Accountant), Lissa Rowan, (Committee Services Officer), Don Toonen (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 2016/17 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 Supplementary Guidance for Developer Obligations 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.**

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Background Papers:

Ref: