
NORTH AYRSHIRE COUNCIL

26 March 2019

Audit & Scrutiny Committee

Title: **Planning Performance Framework**

Purpose: To report on feedback from the Scottish Government on the Planning Performance Framework 7.

Recommendation: To consider and note the feedback from the Scottish Government on PPF 7 contained in Appendix 1.

1. Executive Summary

- 1.1 In June 2018, the Planning Performance Framework 7 (PPF7) was submitted to the Scottish Government. PPF7 sets out the planning service performance for 2017-18.
- 1.2 Feedback on PPF7 from the Scottish Government was received on 10th January 2019. The overall rating was green and the positive feedback reflects the high level of performance and customer service which is delivered by the Planning Service for North Ayrshire, and approved an Action Programme. (see Appendix 1).
- 1.3 The Scottish Government feedback on PPF7 notes a very successful performance from North Ayrshire Council Planning Service and includes feedback points which can be addressed through proposed actions in the next PPF.
- 1.4 The feedback report recognises that the Council's Local Development Plan remains up-to-date with LDP2 on course for adoption during 2019. The report also notes a range of positive achievements in service delivery throughout 2017/18. It recognises that timescales for the determination of Major applications in North Ayrshire was 9.5 weeks in comparison with the national average of 33.6 weeks.
- 1.5 In the category for local (non-householder) applications, North Ayrshire timescales were 5.9 weeks, similar to the previous year but still considerably below the Scottish average of 10.7 weeks.
- 1.6 In the category for householder applications, North Ayrshire Council performed slightly slower than in previous years. However, the average processing time of 4.7 weeks remains faster than the Scottish average of 7.3 weeks against a statutory requirement to reach decisions within 8 weeks.

2. Background

- 2.1 The Planning Performance Framework (PPF) was developed in response to the Scottish Government's reform agenda and an annual return is required from each planning authority. The PPF provides the planning system with a balanced score card approach to

performance, which enables each planning authority to demonstrate its achievements, successes and individuality. The PPF was introduced to provide a broader picture of performance than that offered by the Statutory Performance Indicators (SPI) by Audit Scotland.

- 2.2 By letter dated 10th January 2019, the Minister for Local Government and Housing notes that the Planning Bill has recently passed through the second stage of parliamentary consideration, during which the Local Government and Communities Committee voted to remove the proposed provisions on planning performance. Stage 3 of the process will begin in the near future.
- 2.3 The preparation of the next PPF (PPF8) is underway and could be submitted to the Audit & Scrutiny Committee for consideration in the summer of 2019.
- 2.4 Of the 15 'Performance Markers' the Service has been assessed to have, for the first time, all 13 markers rated as green (2 are not applicable). This performance compares to the previous year's report which had 12 rated as green and 3 as amber. This represents a further improvement on the previous PPF, which again is significant, given that the Service has one of the smallest number of Planning Officers, per head of population, when compared with other Planning Authorities in Scotland.
- 2.5 The 'not applicable markers' related to early engagement of elected members in advance of preparing a Local Development Plan Main Issues Report. However, as North Ayrshire is not at that stage in the plan-making cycle, these two markers were not relevant to PPF7. In effect, this means that every marker covered by PPF7 relevant to North Ayrshire Council was given at the highest possible rating of green. This welcome audit should also be viewed in a year when the Service was yet again the highest performing authority in terms of the determination of planning applications; and received commendation from the housing building industry's representative body, Homes for Scotland, on the approach to housing land audit.
- 2.6 The Report notes that all processing agreements met agreed timescales, and supports the Council's use of such agreements to reduce the need for legal agreements, which generally delay the determination timescales. In addition the report notes that the Council's LDP, Development Scheme and Enforcement Charter are up to date, with LDP2 making progress towards adoption in 2019.
- 2.7 Further improvements to the pre-application advice service was noted, as were the positive results from the customer survey. Interdisciplinary working across Council services, such as ongoing collaboration and engagement with Housing Services, was also noted as being an example of good practice.

3. Proposals

- 3.1 As noted above, the action points arising from the feedback report will be addressed within the next PPF.

3.2 The Audit & Scrutiny Committee is invited to note the welcome feedback contained with Appendix 1.

4. Implications

Financial:	There are no financial implications arising from this report.
Human Resources:	There are no staffing implications arising from this report.
Legal:	There are no legal implications arising from this report.
Equality/Socio-economic Duty:	There are no equality or socio/economic duty implications arising from this report.
Children and Young People:	There are no implications for Children and Young People associated with this report.
Environmental & Sustainability:	There are no environmental implications arising from this report.
Key Priorities:	PPF contributes to the Council core objective for "operating more efficiently and effectively" by increasing the levels of accountability and transparency within Planning Services and by introducing annual service improvement commitments.
Community Benefits:	N/A

5. Consultation

5.1 None required



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Executive Director Economy & Communities

For further information please contact James Miller Senior Manager Planning Services on 01294 324315.

Background Papers

Planning Performance Framework Feedback 2017/18

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Mr Craig Hatton
Chief Executive
North Ayrshire Council
10 January 2019

Dear Mr Hatton

PLANNING PERFORMANCE FRAMEWORK FEEDBACK 2017/18

I am pleased to enclose feedback on your authority's 7th PPF Report for the period April 2017 to March 2018. Considerable progress has been made since the introduction of the Planning Performance Framework and key markers, although performance still remains variable over some authorities and markers.

As you may be aware, the Planning Bill has recently passed through the second stage of parliamentary consideration, during which the Local Government and Communities Committee voted to remove the proposed provisions on planning performance, provisions to make training for elected members mandatory, and the existing penalty clause provisions. We expect Stage 3 of the bill process to begin in the new year.

Whatever the outcome of the Planning Bill, I believe now is the time to look again at how we measure the performance of the planning system. The High Level Group on Planning Performance recently met to discuss performance measurement and other improvements. I very much hope that we can continue to support ongoing improvements in our planning service and further demonstrate the value which the planning system can add to people's lives. Ministers see an important connection between performance and fees and I am aware that any proposals to increase fees will raise applicants' expectations of an efficient and effective service.

We need to be able to measure performance to provide that crucial evidence to support any increases in fees, to help ensure that authorities are appropriately resourced to deliver on our ambitions. With this in mind, we will continue to liaise with COSLA, SOLACE and Heads of Planning Scotland on matters of the Bill's implementation and planning performance measures going forward.

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.

Kind Regards



KEVIN STEWART

CC: Mr James Miller, Senior Planning Manager

PERFORMANCE MARKERS REPORT 2017-18

Name of planning authority: **North Ayrshire 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 9.5 weeks are than the Scottish average of 33.6 weeks. RAG = Green</p> <p>Local (Non-Householder) Applications Your timescales of 5.9 weeks are the same as the previous year and are faster than the Scottish average of 10.7 weeks. RAG = Green</p> <p>Householder Applications Your timescales of 4.7 weeks are slower than the previous year but are faster than the Scottish average of 7.3 weeks. However, this is within the statutory timescale of 8 weeks. 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>While the number of processing agreements dropped from 2016/17, your report notes that they are offered for all major applications, and for complex local applications. RAG = Green</p> <p>Processing agreement information is publicised on 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>Your report contains a number of examples of positive pre-application engagement. It also notes that pre-application discussions are advertised through your website and Twitter. RAG = Green</p> <p>Case studies are used to illustrate examples of clear and proportionate requests for supporting information. RAG = Green</p> <p>Overall RAG = Green</p>
4	Legal agreements: conclude (or reconsider) applications after resolving to grant permission	Green	You processed one major application with a legal agreement which was faster the Scottish average.

	<ul style="list-style-type: none"> reducing number of live applications more than 6 months after resolution to grant (from last reporting period) 		
5	Enforcement charter updated / re-published within last 2 years	Green	Your enforcement charter was 9 months old at the end of the reporting period.
6	Continuous improvement: <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>Your key decision making timescales are faster than last year and your LDP and enforcement charter are both up-to-date. Your timescales, including legal agreements, are faster overall. Elsewhere, you have made progress on maintaining a low number of stalled sites.</p> <p>RAG = Green</p> <p>You have completed all 7 of your service improvement commitments with some to be continued into the next reporting year. You identified a range of tangible improvements commitments.</p> <p>RAG = Green</p> <p>Overall RAG = Green</p>
7	Local development plan less than 5 years since adoption	Green	Your LDP was 3 years and 10 months old at the end of the reporting period.
8	Development plan scheme – next LDP: <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 	Green	<p>Your LDP and your enforcement charter are up-to-date. Local and householder decision making timescales are faster than the national average. Your major decision making timescales are slower than last years but progress has been made elsewhere, including on stalled sites.</p> <p>RAG = Green</p> <p>You have a project plan in place to ensure your replacement remains on track.</p> <p>RAG = Green</p> <p>Overall RAG = Green</p>
9	Elected members engaged early (pre-MIR) in development plan preparation – <i>if plan has been at pre-MIR stage during reporting year</i>	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> <i>*including industry, agencies and Scottish Government</i>	N/A	
11	Regular and proportionate policy advice produced on information required to support applications.	Green	Your report notes that an automatic response email outlining policy, guidance and contacts was implemented in response to our assessment of your 2016/17 report. Case studies also provides examples of proportionate advice offered in practice.
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	Positive results from the customer survey carried out are contained in your report. In addition one of your case studies highlights interdisciplinary working across other North Ayrshire Council services. Ongoing collaboration and engagement with Housing Services is also discussed at various points throughout your report.

13	Sharing good practice, skills and knowledge between authorities	Green	Your report highlights participation in the West of Scotland Planning Benchmarking Group and the topics discussed. Joint training is also highlighted in your report. You shared good practice on digital innovation at the 2017 Scottish Young Planners Conference.
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 2 cases during the reporting year, with 2 cases still awaiting conclusion. Based on this and last year's figures, no cases reached legacy status during the reporting year. This shows a commitment to reducing the number of stalled sites in your area. Your report notes that cases are proactively managed, and that you have resolved stalled cases through actively negotiating with applicants.
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>Your report notes a group was established to consider developer contributions to inform your next LDP. Examples of developer contributions are also included in case studies.</p> <p>RAG = Green</p> <p>A case study highlights where education capacity and infrastructure constraints were discussed at the pre-application stage. However there is no evidence that this practice consistently happens.</p> <p>RAG = Amber</p> <p>Overall RAG = Green</p>

NORTH AYRSHIRE COUNCIL
Performance against Key Markers

Marker		2012-13	2013-14	2014-15	2015-16	2016-17	2017-18
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)

2012-13	3	7	3
2013-14	2	5	6
2014-15	0	3	10
2015-16	2	5	8
2016-17	0	3	12
2017-18	0	0	13

Decision Making Timescales (weeks)

	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2017-18 Scottish Average
Major Development	30.9	21.5	12.6	90.3	-	9.5	33.6
Local (Non-Householder) Development	8.7	6.8	6.2	5.8	5.9	5.9	10.7
Householder Development	6.6	5.7	5.1	4.7	4.6	4.7	7.3