
NORTH AYRSHIRE COUNCIL

22 November 2023

Planning Committee

Title: Planning Performance Framework

Purpose: To report on the feedback from the Scottish Government on the 2022/23 Planning Performance Framework .

Recommendation: It is recommended that the Planning Committee notes the response.

1. Executive Summary

- 1.1 The Planning Performance Framework (PPF) was introduced in 2012, developed by Heads of Planning Scotland in response to the Scottish Government's planning reform agenda. PPF captures key elements of a high-performing planning service, giving a balanced measurement of the overall quality of the service while contributing towards driving continuous improvement.
- 1.2 All planning authorities, strategic development plan authorities and seven key agencies submit a PPF report on an annual basis to Scottish Government. PPFs also report on a set of agreed performance markers on which the Scottish Government provide feedback.
- 1.3 The Scottish Government PPF audit assesses the 15 performance markers through the RAG (red, amber and green) rating and provides commentary on each marker. The Government has given a predominantly green rating for all but one of the relevant markers for North Ayrshire Council. An amber rating was given for a reduced focus on Continuous Improvement attributable to the period without a Chief Planning Officer, following the retirement of Jim Miller.

2. Background

- 2.1 Our latest PPF Report covers the period April 2022 to March 2023. In his letter dated 20th October 2023 (Appendix 1), Joe Fitzpatrick MSP, Minister for Local Government Empowerment and Planning encloses feedback from the Scottish Government audit of our PPF. The PPF outlines case studies that demonstrate we are a high-quality planning service (Part 1); provides a performance update in relation to development management, development planning, planning

enforcement and development land (Part 2); and considers our service improvement actions (Part 3).

- 2.2 The period covered by this PPF saw the Planning Service continuing to operate hybrid working arrangements consistent with those applied Council wide. The PPF highlights how we have adapted to continue to provide exceptional application determination timescales; implement the Local Development Plan and respond to the wider reform of the planning system in Scotland.
- 2.3 Part 1 of the PPF documents the qualitative story of the past year's performance, supported by a number of case studies, across four areas of activity in order to define and measure a high-quality planning service. The areas for performance assessment include 'quality of outcomes', 'quality of service and engagement', 'governance' and 'culture of continuous improvement'. In general terms Scottish Government comment favourably on our continuous improvement of the Service. More specifically favourable recognition is made to service delivery in the following areas;
- faster decisions on planning applications that the Scottish average and improving generally from last year
 - continued free pre-application advice to assist development outcomes
 - positive engagement with communities and developers
 - corporate working to deliver Council wide improved services
- 2.4 Part 2 of the PPF is focused around National Headline Indicators – quantitative indicators which examine all aspects of the planning process, providing data on areas such as planning decision making timescales, the progress of the Local Development Plan, and the level of the housing land supply – and Official Statistics, which together provide an accurate and reliable account of performance over time. The Service determined 550 applications over the 12-month period to 31 March 2023 and excellent decision-making timescales have been maintained. There was an increase in the length of time taken to determine major planning applications from last year however there were decreases in the time taken to determine householder and local planning applications was generally reduced. Determination times for all three categories of development remain significantly faster than the Scottish average.
- 2.5 Part 3 of the PPF reports on the delivery of service improvement actions committed in the previous year and planned service improvements for 2023/24. The focus of the Planning Service continues to be driving improved performance; positioning the Service to promote placemaking; and promoting the plan-led system, while meeting statutory requirements. Of significant importance this year will again be continuing work on North Ayrshire's next Local Development Plan

and aligning this work with the cross Council approach to economic development centred on placemaking and Community Wealth Building.

- 2.6 In the covering letter, the Minister noted that “*Resourcing remains a key priority which I will continue to discuss with the High Level Group on Planning Performance, which I jointly chair with COSLA. I also have asked officials to bring different parties together to talk about resourcing in the autumn, to identify practical solutions. We need options that work for all sectors, and I think it would be really beneficial to discuss a variety of issues including full cost recovery, the local setting of fees, charges for additional services and approaches which could enable authorities to access the skills and expertise at the time they require.*”

3. Proposals

- 3.1 That the Committee notes the content of the latest Planning Performance Framework feedback report (Appendix 1).

4. Implications

Financial

- 4.1 None

Human Resources

- 4.2 None

Legal

- 4.3 None

Equality/Socio-economic

- 4.4 None

Environmental and Sustainability

- 4.5 None

Key Priorities

- 4.6 The Planning Performance Framework report contributes to increasing the levels of accountability and transparency within the Planning Service; promoting the role of the Service and continual improvement. This supports many of the support the Council Plan’s Priorities including ‘effective infrastructure and digital connectivity’ and ‘a sustainable environment’.

Community Wealth Building

- 4.7 None

5. Consultation

5.1 None

Click here to enter text.
Russell McCutcheon
Executive Director – Place

For further information please contact **Allan Finlayson, Chief Planning Officer**, on **01294 324315**.

Background Papers

N/A

Minister for Local Government Empowerment and
Planning
Ministear airson Cumhachdachadh is Dealbhachadh
Riaghaltas Ionadail
Joe FitzPatrick MSP
Joe Mac Giolla Phádraig BPA



Craig Hatton
Chief Executive
North Ayrshire Council

20 October 2023

Dear Craig Hatton,

I am pleased to enclose feedback on your authority's twelfth Planning Performance Framework (PPF) Report, for the period April 2022 to March 2023.

Across the country, performance against the key markers continues to be stable and there has been little variation in the overall total of green, amber and red markings awarded this reporting period compared with previous periods. It is clear that each of you continue to put in considerable effort to ensuring our planning system continues to run efficiently. I have been particularly pleased to see there has been a marked improvement on speed of determination for major applications across some authorities.

Resourcing remains a key priority which I will continue to discuss with the High Level Group on Planning Performance, which I jointly chair with COSLA. I also have asked officials to bring different parties together to talk about resourcing in the autumn, to identify practical solutions. We need options that work for all sectors, and I think it would be really beneficial to discuss a variety of issues including full cost recovery, the local setting of fees, charges for additional services and approaches which could enable authorities to access the skills and expertise at the time they require.

Finally, I am delighted that we have recently announced the appointment of the National Planning Improvement Champion (NPIC), Craig McLaren, who took up this new post in early September. Craig will play a pivotal role in supporting improvement and will also be looking at how we can improve the way we measure and assess the performance of the planning system in the future.

If you would like to discuss any of the markings awarded below, please contact us at chief.planner@gov.scot and a member of the team will be happy to discuss them with you.

Scottish Ministers, special advisers and the Permanent Secretary are covered by the terms of the Lobbying (Scotland) Act 2016. See www.lobbying.scot

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JOE FITZPATRICK

CC: Alastair Gemmel, Head of Planning

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PERFORMANCE MARKERS REPORT 2022-23

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	<p>Decision-making: continuous reduction of average timescales for all development categories [Q1 - Q4]</p>	Green	<p>Major Applications The average timescale is 14.1 weeks which is slower than the previous year but faster than the Scottish average of 39.5 weeks and the statutory timescale. RAG = Green</p> <p>Local (Non-Householder) Applications The average timescale is 6.1 weeks which is faster than the previous year and faster than the Scottish average of 14.4 weeks and the statutory timescale. RAG = Green</p> <p>Householder Applications The average timescale is 5.4 weeks which is faster than the previous year and faster than the Scottish average of 8.9 weeks and the statutory timescale. 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>You continue to offer processing agreements for all prospective major applications and complex local applications. RAG = Green</p> <p>You publicise processing agreements on your website and have highlighted the relevant section of your website in your PPF. 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>You have outlined how you provide pre-application advice and guidance on all prospective applications and have indicated that at present you do not charge for this service. You have provided evidence in your case studies of the positive impact your pre-application service has had on development outcomes. RAG = Green</p> <p>You have set out in your case studies and on your website, how you ensure that 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</p> <ul style="list-style-type: none"> reducing number of live applications more than 6 months after resolution to grant (from last reporting period) 	Green	You did not determine any applications with legal agreement not subject to processing agreements during the reporting period. It is noted that you continue to seek to avoid the need for legal agreements.
5	Enforcement charter updated / re-published within last 2 years	Green	Your enforcement charter was updated in March 2021 which was within the last 2 years.
6	<p>Continuous improvement:</p> <ul style="list-style-type: none"> progress ambitious and relevant service improvement commitments identified through PPF report 	Amber	You have completed 5 out of 5 of your improvement commitments during the reporting period. You have explained that due to your Chief Planning Officer leaving post at the end of the reporting period, specific improvement commitments for the coming year have not yet been identified. You have however stated that your focus is on preparing your new LDP and maintaining an effective Development Management Service.
7	Local development plan less than 5 years since adoption	Green	Your Local Development Plan was 3 years and 4 months old at the end of the reporting period which is within 5 years since adoption.
8	Development plan scheme – next LDP project planned and expected to be delivered to planned timescale	Green	You updated your Development Plan Scheme during the reporting period in October 2022. You have set out that you anticipate the adoption of your new LDP by Summer 2026.
9 & 10	<p>LDP Engagement:</p> <ul style="list-style-type: none"> stakeholders including Elected Members, industry, agencies, the public and Scottish Government are engaged appropriately through all key stages of development plan preparation. 	Green	You have undertaken early engagement with various stakeholders such as developers, communities and young people. You undertook approximately 40 stakeholder meetings during the reporting period and have held training sessions for all elected members.
11	<p>Policy Advice:</p> <ul style="list-style-type: none"> Production of relevant and up to date policy advice 	Green	It is noted that you paused work on updating policy advice for the majority of the reporting period until the adoption of NPF4. You have however indicated that since the publication of NPF4 you have prepared a draft Development Brief for allocated housing sites.
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 provided a range of evidence of corporate working. Case Study 3 evidences how you have worked closely with Council Housing Services and Protective Services to help bring privately owned residences back in use.
13	Sharing good practice, skills and knowledge between authorities	Green	You are actively involved in various HOPS committees and meetings, including hosting the annual HOPS event during the reporting period. You share good practice by engaging in the Knowledge Hub and Fife LDP Peer Review Group.
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 stated that you have one legacy case which was granted planning permission in January 2023 and will be processed and finalised during the next reporting period.

15	<p>Developer contributions: clear and proportionate expectations</p> <ul style="list-style-type: none"> • set out in development plan (and/or emerging plan); and • in pre-application discussions 	Green	<p>You have outlined information relating to developer contributions in the current LDP which sets out the need for relevant assessments for each development site. It is noted that you do not routinely ask for developer contributions as your current LDP encourages new development in places where infrastructure and services are currently in place. RAG = Green</p> <p>You meet regularly with the Education Service to monitor the impact of housing development on school capacity and are able to advise developers at the pre-application stage where a contribution may be required. RAG = Green</p> <p>Overall RAG = Green</p>
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NORTH AYRSHIRE COUNCIL
Performance against Key Markers

Marker		13-14	14-15	15-16	16-17	17-18	18-19	19-20	20-21	21-22	22-23
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&10	LDP engagement	N/A	N/A			N/A	N/A	N/A	N/A		
11	Policy Advice										
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	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
2018-19	0	1	12
2019-20	0	0	13
2020-21	0	0	13
2021-22	0	0	14
2022-23	0	1	13

Decision Making Timescales (weeks)

	13-14	14-15	15-16	16-17	17-18	18-19	19-20	20-21	21-22	22-23	22-23 Scottish Average
Major Development	21.5	12.6	90.3	-	9.5	10.2	10.3	11.1	9.4	14.1	39.5
Local (Non-Householder) Development	6.8	6.2	5.8	5.9	5.9	5.9	6.5	5.9	6.2	6.1	14.4
Householder Development	5.7	5.1	4.7	4.6	4.7	4.3	5.7	5.4	5.7	5.4	8.9