

Cabinet Secretary for Social Justice, Communities and Pensioners' Rights
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Ms Sally Loudon
Chief Executive
Argyll and Bute Council



5th October 2015

Dear Ms Loudon

PLANNING PERFORMANCE FRAMEWORK 2014-15

Thank you for submitting your authority's annual Planning Performance Framework (PPF) report covering the period April 2014 to March 2015.

Please find enclosed your authority's feedback on the 15 performance markers. I intend to share the performance ratings with the High Level Group on Performance when we next meet at the end of October.

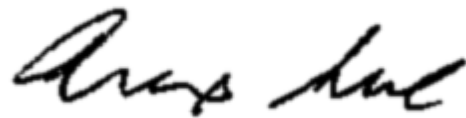
You will note that this year we have only provided feedback on the performance markers. I am encouraged to hear that supported by Heads of Planning Scotland, you will be providing wider feedback to other authorities through your benchmarking groups. I am grateful to HOPS for taking this proactive approach and I very much hope that it will help communication and better support the sharing of practice amongst authorities.

I am pleased to report that Scotland-wide performance is improving and the number of red markings has reduced considerably over the last 3 reporting periods. Overall, I am impressed with the commitment to improvement and the good position that many authorities are now in. There are however, a small number of authorities where progress in delivering the markers has been slower. I will be encouraging COSLA and Heads of Planning Scotland at the next High Level meeting to ensure that those authorities are supported.

I would also like to thank those of you who submitted information on your live applications which are over a year old. The study shows that there are over 1800 legacy cases, dating as far back as 1983. I accept that there are circumstances where applications will take an extended amount of time and that withdrawal or

refusal is not in the best interests of either the applicant or authority. However, it is critical that action is taken to reduce the number of legacy cases and I would again encourage you all to put strategies in place to prevent cases reaching legacy status. I will discuss legacy cases at the next High Level Group and the Chief Planner will also set up a meeting to discuss the situation with HOPS and the development industry.

You will be aware of my recent announcement to hold a review of the planning system. The review will depend on the co-operation, expertise and input of all those with an interest in the planning system. There will be opportunities to provide evidence to the panel and I strongly encourage planning authorities to actively participate. We will communicate further information through our website, e-alerts and twitter feeds as soon as the panel confirm the process and timetable.

A handwritten signature in black ink, appearing to read 'Alex Neil', is positioned above the printed name.

ALEX NEIL

CC: Angus Gilmour, Head of Planning

PERFORMANCE MARKERS REPORT 2014-15

Name of planning authority: **Argyll and Bute 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 Developments</p> <p>You have substantially reduced your decision making timescales from 59.1 weeks last year to 14.1 weeks this year. This is significantly better than the national average of 46.4 weeks.</p> <p>RAG = Green</p> <p>Local (Non-Householder) Developments</p> <p>Average timescales have improved from 13.1 weeks in the previous year to 10.8 weeks this year. This remains better than the 12.9 week national average.</p> <p>RAG = Green</p> <p>Householder Developments</p> <p>Average timescales have improved for this category with an average of 6.9 weeks this year from 7.2 weeks last year. This remains better than the national average of 7.5 weeks.</p> <p>RAG = Green</p> <p>TOTAL 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>The report is clear that processing agreements are both publicised and offered to prospective applicants.</p> <p>We note that you proactively ask for customer feedback on why applicants do not want to enter into processing agreements and note that they are generally content with processing times.</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>The % of applications subject to pre-application advice has increased very slightly.</p> <p>The report is clear on the importance of pre-application discussions, evidenced through the 'Planning for Firm Foundations' service.</p> <p>The cases studies used provide a strong narrative of the Council's policy on supporting information with the guidance on aquaculture developments and Invasive non Native Species particularly strong.</p>
4	Legal agreements: conclude (or reconsider) applications after resolving to grant permission <ul style="list-style-type: none"> reducing number of live applications more than 6 months after resolution to grant (from last reporting period) 	Green	<p>You had no major applications with a legal agreement attached. For local applications you have reduced the timescales for dealing with these substantially from 44.8 weeks to 29.0 weeks.</p> <p>In future your report should set out what steps/procedures have been put in place to deal with this issue.</p>
5	Enforcement charter updated / re-published within last 2 years	Green	Charter published in March 2015.
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 LDP is up to date.</p> <p>Decision making timescales have reduced.</p> <p>Up-to-date enforcement charter is in place.</p> <p>You have made good progress on the delivery of some of your service improvements, with half of those commitments carrying over to 2015/16. Your new commitments relate to issues within your report and are clearly measurable.</p>
7	Local development plan less than 5 years since adoption	Green	You have a newly adopted development plan in place.
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 was recently adopted.</p> <p>Your next report should provide more detail on your new Development Plan Scheme and how this will be project planned.</p>
9	Elected members engaged early (pre-MIR) in development plan		N/A

	preparation – <i>if plan has been at pre-MIR stage during reporting year</i>		
10	<p>Cross sector stakeholders* engaged early (pre-MIR) in development plan preparation – <i>if plan has been at pre-MIR stage during reporting year</i></p> <p><i>*including industry, agencies and Scottish Government</i></p>		N/A
11	<p>Regular and proportionate policy advice produced on:</p> <ul style="list-style-type: none"> information required to support applications; and expected developer contributions 	Amber	<p>Report provides good evidence on proportionality of information requests with the cases studies on validation and biodiversity particularly strong.</p> <p>RAG = Green</p> <p>In terms of developer contributions, the affordable housing evidence is a good example but the report lacks any further evidence in respect to developer contributions.</p> <p>RAG = Amber</p>
12	<p>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)</p>	Green	<p>The user forum provides strong evidence of working closely with stakeholders to ensure better engagement.</p> <p>Despite the dispersal of staff across the Council area, strong links are maintained as well as joint working with external stakeholders, for example the Forestry Commission and the West of Scotland Archaeology Service.</p>
13	<p>Sharing good practice, skills and knowledge between authorities</p>	Green	<p>The joint service you undertake as part of WoSAS is a particularly strong example. Your continued work with HOPS on validation is noted as is the benchmarking you undertake.</p> <p>The report would benefit from a little more detail on how this is undertaken and the benefits the authority gain.</p>
14	<p>Stalled sites / legacy cases: conclusion or withdrawal of old planning applications and reducing number of live applications more than one year old</p>	Green	<p>You have not provided the required information on legacy cases within the NHI table. Please use the HOPS template in future reports.</p> <p>You have adopted a pragmatic approach to this task which has been very successful. You have only 12 cases remaining over 1 year old and we look forward to seeing further reduction in next year's report.</p>

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 	Amber	<p>Your affordable housing policy is a good example of your approach to this issue. It allows the viability of a project to be calculated early in the process and clarity for the developer in terms of expectations. It is not clear from the report whether this is SPG.</p> <p>Last year's feedback sought more evidence on how other types of developer contributions are set out. The report could have provided more detail around other types of infrastructure or obligations the Council require for differing developments.</p> <p>RAG = Amber</p> <p>The report provides little evidence of how developer contributions are clearly set out at the pre-application stage.</p> <p>RAG = Red</p>
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ARGYLL AND BUTE COUNCIL
Performance against Key Markers

Marker		2012-13	2013-14	2014-15
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
10	Stakeholders engaged early (pre-MIR)	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	0	4	9
2013-14	0	5	8
2014-15	0	2	11

Decision Making Timescales (weeks)

	2012-13	2013-14	2014-15	2014-15 Scottish Average
Major Development	88.2	59.1	14.1	46.4
Local (Non-Householder) Development	14.0	13.1	10.8	12.9
Householder Development	8.9	7.2	6.9	7.5