

## Appendix A

Minister for Local Government, Housing and Planning  
Kevin Stewart MSP



Scottish Government  
Riaghaltas na h-Alba  
gov.scot

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

Pippa Milne  
Chief Executive  
Argyll & Bute Council

11 February 2020

Dear Pippa,

### **PLANNING PERFORMANCE FRAMEWORK FEEDBACK 2018-19**

I am pleased to enclose feedback on your authority's 8<sup>th</sup> PPF Report for the period April 2018 to March 2019.

I believe that good progress continues to be made by authorities. Although there has been a small drop in the number of green ratings awarded this year and there remains some variation across some authorities and markers. I have been particularly impressed by the speed of determination of major applications in some authorities.

We are now pressing ahead with our programme of reform. In September 2019 we published "Transforming Planning in Practice" our work programme for implementing the provisions of the Planning (Scotland) Act 2019 and wider planning improvements. We have also just launched our [www.transformingplanning.scot](http://www.transformingplanning.scot) website where you can keep up to date and involved with Scotland's fourth National Planning Framework (NPF4), Digital Planning and the Planning Reform programme.

This is an exciting time for the planning system in Scotland with the preparation of NPF4 underway and the changes to the development planning and management systems to follow. We really value the input of your staff as expert users of the system and welcome their continued support in developing and implementing the planning system that we all want to see.

One of the first things I'm keen to address is planning resources, which is why we are consulting on increasing planning fees, moving them towards covering the full cost of determining applications and extending the range of services which authorities can charge for in exercising their planning functions. The consultation is due to close on 14<sup>th</sup> February and I hope that you will submit your views. I know applicants will expect to see continued improvement in performance and those increased fees invested in the planning service. This is why we are also consulting on how we measure and monitor the performance of the planning system at the same time.

If you would like to discuss any of the markings awarded below, please email [chief.planner@gov.scot](mailto:chief.planner@gov.scot) and a member of the team will be happy to discuss these with you.

Kind Regards



**KEVIN STEWART**

**CC: Peter Bain & Fergus Murray**

## PERFORMANCE MARKERS REPORT 2018-19

Name of planning authority: **Argyll & 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   | <b>Decision-making:</b> continuous reduction of average timescales for all development categories [Q1 - Q4]  | Green      | <p><b>Major Applications</b><br/>Your timescales of 28.3 weeks are faster than the previous year and are faster than the Scottish average of 32.5 weeks.<br/><b>RAG = Green</b></p> <p><b>Local (Non-Householder) Applications</b><br/>Your timescales of 10.8 weeks are faster than the previous year but are slower than the Scottish average of 10.7 weeks.<br/><b>RAG = Amber</b></p> <p><b>Householder Applications</b><br/>Your timescales of 7.1 weeks are faster than the previous year and are faster than the Scottish average of 7.2 weeks.<br/><b>RAG = Green</b></p> <p><b>Overall RAG = Green</b></p> |
| 2   | <b>Processing agreements:</b> <ul style="list-style-type: none"> <li>offer to all prospective applicants for major development planning applications; and</li> <li>availability publicised on website</li> </ul>   | Green      | <p>You encourage processing agreements to applications for all major developments however, applicants seem to be indifferent about entering into them.<br/><b>RAG = Green</b></p> <p>Processing agreement information is available through your website.<br/><b>RAG = Green</b></p> <p><b>Overall RAG = Green</b></p>   |
| 3   | <b>Early collaboration</b> with applicants and consultees <ul style="list-style-type: none"> <li>availability and promotion of pre-application discussions for all prospective applications; and</li> <li>clear and proportionate requests for supporting information</li> </ul> | Green      | <p>You provide a pre-application advice service which is promoted through the website and by staff engaging with prospective applicants.<br/><b>RAG = Green</b></p> <p>You have a proportionate and clear process for requesting supporting information. Your case studies demonstrate the protocol taken to pre-application discussions and how this assists in identifying issues prior to the application being submitted.<br/><b>RAG = Green</b></p> <p><b>Overall RAG = Green</b></p>  |
| 4   | <b>Legal agreements:</b> conclude (or reconsider) applications after resolving to grant permission   | Green      | <p>Applications subject to a legal agreement during the reporting year were determined faster than last year and faster than the Scottish average. You state that applications which are</p>  |

|    |   |       |   |
|----|---|-------|---|
|    | reducing number of live applications more than 6 months after resolution to grant (from last reporting period)  |       | subject to a legal agreement are regularly reviewed to ensure progress and completion within 6 months.  |
| 5  | <b>Enforcement charter</b> updated / re-published within last 2 years   | Green | Your enforcement charter was revised in March 2018.   |
| 6  | <b>Continuous improvement:</b> <ul style="list-style-type: none"> <li>• progress/improvement in relation to PPF National Headline Indicators; and</li> <li>• progress ambitious and relevant service improvement commitments identified through PPF report</li> </ul> | Amber | Your LDP is up-to-date and clear timescales exist for adopting the next LDP. Your decision making timescales, with and without legal agreements, are faster than last years and your enforcement charter is up-to-date. However, the number of legacy cases you have has increased in the past year.<br><b>RAG = Amber</b><br><br>You have completed 4 out of 9 of your improvement commitments with the remaining to be continued over the next reporting year. You have identified a good range of improvement commitments for the coming year.<br><b>RAG = Green</b><br><br><b>Overall RAG = Amber</b> |
| 7  | <b>Local development plan</b> less than 5 years since adoption  | Green | Your development plan was 4 years old at the time of reporting.   |
| 8  | <b>Development plan scheme</b> – next LDP: <ul style="list-style-type: none"> <li>• on course for adoption within 5 years of current plan(s) adoption; and</li> <li>• project planned and expected to be delivered to planned timescale</li> </ul>                    | Amber | Your LDP will not be replaced within the 5 year cycle.<br><b>RAG = Red</b><br><br>There has been some slippage in replacing your LDP. Your project plan for the replacement of the development plan is set out in Development Plan Scheme LDP2.<br><b>RAG = Green</b><br><br><b>Overall RAG = Amber</b>   |
| 9  | <b>Elected members engaged early</b> (pre-MIR) in development plan preparation – <i>if plan has been at pre-MIR stage during reporting year</i>   | N/A   |   |
| 10 | <b>Cross sector stakeholders* engaged early</b> (pre-MIR) in development plan preparation – <i>if plan has been at pre-MIR stage during reporting year *including industry, agencies and Scottish Government</i>  | N/A   |   |
| 11 | <b>Regular and proportionate policy advice</b> produced on information required to support applications.  | Green | You have produced technical working notes relating to HMOs and you have adopted the national validation standards published by HOPS in 2017. Other published documents clearly indicate a proportionate response to customer's needs.   |
| 12 | <b>Corporate working across services</b> to improve outputs and services for customer benefit (for example: protocols; joined-up services; single contact arrangements; joint pre-application advice)   | Green | You provide evidence of building internal partnerships, more efficient processes all of which demonstrate you are working to improve services to respond to the needs of customers.   |
| 13 | <b>Sharing good practice, skills and knowledge</b> between authorities  | Green | You have provided some good examples of sharing good practice and experiences beyond the standard HOPS engagement and benchmarking.   |

|    |   |       |   |
|----|---|-------|---|
| 14 | <p><b>Stalled sites / legacy cases:</b><br/>conclusion or withdrawal of old planning applications and reducing number of live applications more than one year old</p>   | Amber | <p>You have cleared 16 cases during the reporting year, with 34 cases still awaiting conclusion. Based on this and last year's figures, 27 cases reached legacy status during the reporting year.</p>   |
| 15 | <p><b>Developer contributions:</b><br/>clear and proportionate expectations</p> <ul style="list-style-type: none"> <li>• set out in development plan (and/or emerging plan); and</li> <li>• in pre-application discussions</li> </ul> | Green | <p>Your LDP, supported by supplementary guidance, sets out expectations for developer contributions with regards to affordable housing and green/play space and sets out how contributions are proportionate to the scale, nature and impact of the proposed development.</p> <p><b>RAG = Green</b></p> <p>Expectations for developer contributions are clarified in pre-application discussions. Where pre-application discussions have not occurred officers will make applicants aware of any requirement for contributions at the earliest opportunity.</p> <p><b>RAG = Green</b></p> <p><b>Overall RAG = Green</b></p> |

**ARGYLL AND BUTE COUNCIL**  
**Performance against Key Markers**

| Marker |  | 2012-13 | 2013-14 | 2014-15 | 2015-16 | 2016-17 | 2017-18 | 2018-19 |
|--------|--|---------|---------|---------|---------|---------|---------|---------|
| 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     |         |         | N/A     |
| 10     | Stakeholders engaged early (pre-MIR)                     | N/A     | 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> | 0   | 4     | 9     |
| <b>2013-14</b> | 0   | 5     | 8     |
| <b>2014-15</b> | 0   | 2     | 11    |
| <b>2015-16</b> | 0   | 3     | 10    |
| <b>2016-17</b> | 1   | 3     | 11    |
| <b>2017-18</b> | 1   | 3     | 11    |
| <b>2018-19</b> | 0   | 3     | 10    |

**Decision Making Timescales (weeks)**

|                                     | 2012-13 | 2013-14 | 2014-15 | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2018-19 Scottish Average |
|-------------------------------------|---------|---------|---------|---------|---------|---------|---------|--------------------------|
| Major Development                   | 88.2    | 59.1    | 14.1    | 23.3    | 22.1    | 37.9    | 28.3    | 32.5                     |
| Local (Non-Householder) Development | 14.0    | 13.1    | 10.8    | 10.3    | 12.4    | 12.6    | 10.8    | 10.7                     |
| Householder Development             | 8.9     | 7.2     | 6.9     | 7.0     | 7.5     | 7.9     | 7.1     | 7.2                      |