

Planning Performance Framework 2022/23

1.0 EXECUTIVE SUMMARY

- 1.1 This report contains recent feedback from the Scottish Government in relation to our Planning Performance Framework (PPF). **Appendix A.**
- 1.2 Our PPF is the principal performance measure for Planning Services (*Development Management and Development Policy – within Planning and Regulatory Services*) and is submitted to the Scottish Government annually for scrutiny and scoring. The Council's 2022/23 PPF was submitted in July 2023 and was independently reviewed by the Scottish Government. A copy of the submitted document was submitted to the PPSL for noting at their meeting of 23rd August 2023.
- 1.3 Overall the feedback report is considered overall to be positive registering ten 'green', zero 'amber' outcomes, and four 'red' outcomes across the fourteen performance indicators assessed. Whilst it is disappointing to have any 'red' markers it is noted that three of these relate to performance measures looking at timeliness of determining planning applications which have been directly impacted by the pandemic and its impact upon workflow, and staff availability (absence and vacancies).
- 1.4 Whilst the Scottish Government have not identified any improvement actions for ABC this year, the service must not be complacent with the focus being year on year continuous improvement.
- 1.5 It is recommended that the Committee consider and note the content of the report and publicise (*press, Twitter, Facebook and website release*) the positive feedback from the Scottish Government.

Planning Performance Framework 2022/23

2.0 INTRODUCTION

- 2.1 This report contains recent feedback from the Scottish Government in relation to our Planning Performance Framework (PPF). **Appendix A.** The Executive Summary (above) provides further background information.

3.0 RECOMMENDATION

It is recommended that the Committee consider and note the content of report and publicise (*press, Twitter, Facebook and website release*) the positive feedback from the Scottish Government.

4.0 DETAIL

What is the Planning Performance Framework?

- 4.1 This was Planning Services 12th Annual Planning Performance Framework (PPF) and is our 'balance scorecard' of performance which all Local Authorities must submit to the Scottish Government for review and scrutiny.
- 4.2 The PPF aims to be a holistic and easy read document that encapsulates statistical performance indicators as well as more qualitative information and case studies of good practice for the previous financial year. The basic structure of the document is stipulated by the Scottish Government but the character, tone, style and content is all shaped by the individual Authority. The Scottish Government has suggested that Authorities use the PPF as more than a means of simply reporting performance but utilise the document as an opportunity to promote their service and local area, to incorporate customer feedback and to provide updated narrative on case study items from previous years. The PPF seeks to focus on the Council being 'open for business' and the positive economic contribution that Planning Services have made within Argyll and Bute. The PPF presents case studies and examples of good practice which demonstrates the ability of the Service to facilitate the delivery of high quality development on the ground, to provide certainty to developers and investors, to consult and engage with customers effectively and to ensure that appropriate management and service delivery structures are in place to work efficiently.

Review and Feedback

- 4.3 The review of the PPF was carried out by the Scottish Government and considered by the Minister for Local Government Empowerment and Planning. Joe Fitzpatrick MSP.
- 4.4 Within our PPF We managed to showcase a variety of good quality projects and initiatives that demonstrate our 'open for business' and service improvement ethos, and have identified a good range of service improvement commitments.
- 4.5 The covering letter and feedback from Joe Fitzpatrick MSP is contained in full at **Appendix A**, however some pertinent points are highlighted below:-

- **PM 1 Decision Making (Red):** This marker was also identified as Red in 2020/21 and 2021/22. Performance in the determination of planning applications remained significantly affected by the impacts of Coronavirus pandemic during a reporting period where the effects of service disruption/recovery have significantly impacted the time taken to determine applications, these include the longer-term impacts of managing a significant backlog of casework that has accrued and reduced staffing resource as a result of absence and difficulties in recruiting to vacancies. During the 2022/23 reporting period the time taken to determine all categories of application increased from the previous period. This position was not unexpected and is reflective of a position where Scottish averages have also increased. It is highlighted that Major applications were determined 3.6 weeks slower than the national average; and Local (non-householder) applications were determined 1.9 weeks slower than the Scottish average. The determination of householder applications remained significantly slower (+3.8 weeks) than the Scottish average however this is indicative of the prioritisation of available resources toward determination of applications that would deliver significant inward investment/employment, or were time critical in relation to grant funding or public health issues.
- **PM 4 Legal Agreements (Red):** This marker was previously identified as Amber in 2021/22. The performance marker seeks to monitor the efficiency with which a planning authority concludes legal agreements after resolving to grant planning permission. During 2022/23 the average time taken to conclude legal agreements increased from 33.6 weeks to 49.5 weeks; the national average for this KPI was 41.1 weeks. It is noted that this performance marker relies on a small body of applications and is readily skewed. It is also recognised however that continuing pressures upon the DM Management staff resulting from long-term vacancies in the Service has reduced the scope to provide regular review and monitoring of outstanding cases awaiting conclusion of legal agreements.
- **PM 5 Enforcement Charter (Green):** This marker has been green for the previous four reporting periods and recognises that the Council's Planning Enforcement Charter has been subject to its statutory bi-annual review. It is noted that the Charter is due to be reviewed again by March 2024.
- **PM 6 Continuous Improvement (Green):** This marker was previously identified as Amber in the previous six reporting periods. The Planning Service received positive feedback for continuing to progress service improvements during 2022/23, these are detailed in Part 3 of the PPF.
- **PM 7 Local Development Plan (Red):** This marker was previously identified as Red in 2020/21 and 2021/22 as the Argyll and Bute Local Development Plan 2015 has not been replaced within the required 5 year period. Despite the current

adopted LDP being more than 5 years old, this policy framework is still considered up to date and relevant, and a more than adequate housing land supply still exists as demonstrated in our annual Housing Land Audit (which has recently been cited by Scottish Government as an example of good practice). It is observed that pLDP2 has been on deposit with the Scottish Government for the duration of the reporting period and as such it has been outwith the control of the Council to deliver an improvement. It is noted that pLDP2 has subsequently progressed and is expected to be adopted during 2023/24.

- **PM 8 Development Plan Scheme (Green):** This marker was previously identified as Amber in the previous four reporting periods. Whilst confirmation that the LDP will not be replaced within the 5 year cycle flags as Red, this is balanced against the fact that the Council had recognised that the project was behind time within an updated Development Plan Scheme and amended the project plan for delivery accordingly. The feedback report notes that PLDP2 had progressed to Examination stage and was expected to be adopted during 2023/24.
- **PM 14 Stalled Sites / Legacy Cases (Red):** This marker was identified as Amber in the previous reporting period. The feedback commentary identifies that whilst 18 legacy cases were cleared during the reporting period the number of remaining legacy cases nearly doubled from 65 in 2021/22 to 125 undetermined applications as of 31st March 2023. The degradation in this measure is directly attributable to the matters identified in PM 1 above in relation to determination timescales, but also a reduction in availability of management resource available to actively progress determination of legacy cases whilst addressing the other significant challenges facing the DM Service during this period. The measure improved from Red to Amber as due to an increase in the volume of legacy cases that were determined during the reporting period.

Focus on Performance / Resources

- 4.6 The cover letter from the Minister for Local Government Empowerment and Planning. Joe Fitzpatrick MSP recognises that “resourcing remains a high priority” and sets out intent to continue to discuss this issue with the High Level Group on Planning Performance. It is identified that a variety of measures to improve resources require to be considered 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”.
- 4.7 The Minister has also highlighted the appointment of the National Planning Improvement Champion (NPIC), Craig McLaren, who has taken up post in September 2023. It is identified that this new role will be pivotal 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”.

5.0 CONCLUSION

- 5.1 Feedback from the Scottish Government is overall considered to be positive and has confirmed that the Planning Service has an ‘open for business’ approach to delivering sustainable economic growth throughout Argyll and Bute, and has set out appropriate service improvement measures to

address the current challenges impacting on performance.

6.0 IMPLICATIONS

6.1 **Policy:** None

6.2 **Financial:** None

6.3 **Legal:** None

6.4 **HR :** None

6.5 **Fairer Scotland Duty:**

6.5.1 **Equalities Protected Characteristics:** None

6.5.2 **Socio-Economic Duty:** None

6.5.3 **Islands:** None

6.6 **Risk:** Reputational of being identified as a poor performing authority if next year's PPF performance is substandard.

6.7 **Customer Service:** The PPF report provides Customers with an overview of the statistical and qualitative performance of the Council as the planning authority in a format that can be benchmarked with other authorities.

6.8 **Climate Change:** None

Executive Director with responsibility for Development and Economic Growth:

Kirsty Flanagan

Policy Lead:- Kieron Green

8th December 2023

For further information contact: Peter Bain – 01546 604204

APPENDICES

Appendix A – Planning Performance Framework 2022/23 Feedback