

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

In 2014 Scotland Welcomes the
World



11 December 2014

Dear Ms Loudon

PLANNING PERFORMANCE FRAMEWORK 2013/14

Thank you for submitting your authority's annual Planning Performance Framework (PPF) report covering the period April 2013 to March 2014.

I am delighted to have planning within my portfolio and I am pleased to see that continued progress is generally being made across the country to improve planning performance.

Please find enclosed feedback on your 2013/14 PPF, which has been prepared by a Scottish Government contractor, and is based on the evidence provided within your report. Contact details for my officials are available in the feedback report should you wish to clarify any element of the contractors commentary. We will be publishing an Annual Performance Report in the new year which will summarise performance across the country against the key markers of performance.

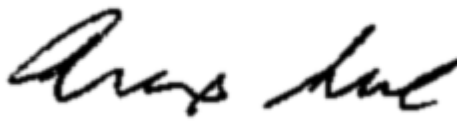
The quality of PPF reporting has significantly improved with many PPF reports setting out a very clear story of how the service is operating and their priority actions for improvement. There is still some inconsistency in planning authority decision making timescales across the country and I look forward to seeing progress in the next set of performance statistics.

You will be aware that Section 55 of the Regulatory Reform (Scotland) Act commenced on 30 June 2014. It provides Scottish Ministers with powers to vary the planning application fee payable to different planning authorities where the functions of a planning authority are not being, or have not been, satisfactorily performed. The High Level Group on Performance has been considering the process which would be used to determine if any authorities have not satisfactorily performed. It is hoped to

finalise that process at our next meeting in February 2015. Please note that following the last meeting, the preferred option was to base the process on decision making statistics alone using the annual statistics for the period 2014/15. I shall write again to planning authority Heads of Planning in February to update them on discussions at the High Level meeting. COSLA, HOPS, SOLACE, SOLAR, the RTPi and key agencies are all represented on this group.

I am determined to keep up the momentum with the performance agenda, maintaining continual improvement and enhancing the reputation of our planning service. I look forward to working with you to achieve this shared goal.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Alex Neil', written in a cursive style.

ALEX NEIL

Cc: Angus Gilmour, Head of Planning and Regulatory Services

PLANNING PERFORMANCE FRAMEWORK: 2013-14

FEEDBACK REPORT: Argyll and Bute Council

Date performance report due: 30 September 2014

Date of receipt of report: 26 September 2014

National Headline Indicators

- We welcome confirmation that your next LDP is on track for adoption within the statutory 5-year cycle. Your work on Supplementary Planning Guidance and the engagement with your partners for delivery of the LDP demonstrates a clear understanding by your Council of the importance of adopted plans and guidance.
- You have demonstrated the importance of working with other partners for the delivery of the wider Council objectives as part of the development plan.
- Your expansion of your pre-application service, as shown in the case studies, continues to grow bringing real benefits in application handling and we support the increased and on-going take-up of this service.
- The successful introduction and use of Processing Agreement and the recognition of their value and benefit are welcomed. We look forward to a continuing expansion of this service, including publication on the web.
- Again, approval and delegation rates have been a few percentage points above national levels this year. These can contribute towards confidence and a degree of certainty in your development management service.
- We welcome, again, the improvements in your average decision-making timescales across the categories. Your major applications team has been successful in reducing the average timescales which is now not significantly above the Scottish average. The time taken to decide your local applications is now less than the national average. Care should be taken in the use of the correct figures from the “all applications” data set.
- The average time to decide major developments and local applications subject to legal agreements has improved despite the clearing of the legacy cases; this is very welcome as is the internal audit in respect of planning obligations.
- We note your enforcement charter is currently under review. You demonstrate a commitment to positive rather than reactive monitoring of development which is very welcome. A sharing and discussion of your progress with this work may be very beneficial to other authorities and services.

Defining and measuring a high-quality planning service

- Again this section of your report is very well structured, giving a clear indication under each of the headings about the culture and objectives within the authority, helpfully supported by a good range of case studies and illustrations to demonstrate how this has been put into practice.

- Your Open for Business approach is clearly demonstrated, your commitment to working closely with others is commended particularly your Council's link between the LDP, action plans and the single outcome agreement.
- Your case studies demonstrate how your planning service works closely in partnership with business and public sector stakeholders to deliver economic development. We were pleased to see the case study showing that your pre-application service and the proactive management of cases by your planning staff demonstrate your Council's commitment to enabling development. Your report has illustrated a clear understanding of role of the planning service in delivering high quality development. You show that the LDP, design guides, supplementary guidance, policies and master plans have delivered not only quality design for individual proposals but also for existing settlements. The involvement of the Committee with review site visits and your work with other bodies will enhance this further.
- Certainty for economic development is central to delivering a high quality planning service, this you have again demonstrated. Your up-to-date development plan and emerging LDP and supplementary planning guidance is of benefit and we were pleased to see this illustrated by a case study.
- Your high approval rates, higher than average appeal successes and good early engagement can all contribute to a level of certainty and confidence in reliable, consistent decision-making. You have provided a case study noting the benefits of Processing Agreements and how you have been offering them to prospective applicants. Your intention to publicise the benefits of processing agreements is noted, this should also include advice on your website.
- We are pleased to see that you are committed to all of your customers and seek to publicise this with your Communication Team. Your commitment to Customer Service whereby you encourage customer feedback, hold user forums and staff training demonstrates your commitment.
- Your proactive engagement with town centre groups prior to enforcement demonstrates a positive approach and you have provided a case study that indicates its success.
- We note your on-going approach to efficient and effective decisions, particularly your scheme of delegation review and the virtual site visit described in your case study. In future the figures used should be based on the 'all applications' figures rather than those decided since August 2009. Continual improvement is clear as demonstrated in your review of the Validation Standards with HoPS.
- It is interesting to note the online delivery of team meeting and case conferences. You have demonstrated that you have management structures in place to the benefit of your customers and staff whilst delivering a competent planning service.
- We also welcome your wide availability of learning opportunities and programmes offered to staff and elected members to continue their individual development of relevant skills and knowledge.

Service improvements 2013-14: delivery

- We welcome the completion of most of your committed improvement actions during the year, with some work continuing and reflected in your commitments for the year ahead.

Service improvement commitments 2014-15

- You have again committed to a good range of activities geared towards continuous improvement.

Conclusion

- You have produced a very thorough, positive and well-written report, with very good use of case studies as an evidence base for the performance and service standards you have achieved. This has shown you to be working well with the performance and customer service culture whilst developing the experience of your elected members and staff alike.
- From the information detailed you are on course to successfully replace your current LDP before the five year period has expired, this is especially welcome and your efforts are commended.
- Whilst your Enforcement Charter at the time of the report was more than two years old, your approach to reviewing the whole process is welcomed.
- We are encouraged by your outgoing approach to improving the delivery of the planning service and commitment to improving Scottish planning services. It is clear that you are committed to improving all areas of your service each year and that you wish to be at the forefront in introducing new working practices, this is welcome and we look forward to seeing it continue.

The feedback in this report is based solely on the information provided within your Planning Performance Framework Report covering the period April 2013 to March 2014.

If you need to clarify any aspect of the report please contact us on 0131 244 7148 or email Chief.Planner@scotland.gsi.gov.uk

Please note that Planning Performance Framework Reports covering the period April 2014 to March 2015 are due to be submitted to the Scottish Government by 31 July 2015.

PERFORMANCE MARKERS REPORT 2013-14

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	<ul style="list-style-type: none"> Major Developments Average timescales have improved slightly from last year going from 88.2 weeks to 59.1 weeks. However this still remains worse than the national average of 53.8 weeks. We note that the timescales are due to the clearing of legacy cases. RAG = Amber Local (Non-Householder) Developments Average timescales have slightly improved since last year going from 14.0 weeks to 13.1 weeks. This remains better than the national average of 14.3 weeks. RAG = Green Householder Developments Average timescales have improved since last year from 8.3 weeks to 7.2 weeks which is better than the national average of 7.7 weeks. RAG = Green We note that there have been reductions in timescales for householder and non-householder applications.

			<p>We also note a considerable reduction in timescales for applications subject to legal agreements.</p> <p>TOTAL RAG = Green</p> <p>Some of the figures included in the National Headline Indicators, report and official statistics refer to the post 2009 data rather than “all data”.</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 	Amber	<p>5 applications with processing agreements were decided during the year within the agreed time period.</p> <p>No evidence submitted to show the availability is publicised on your website.</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 	Amber	<p>Continued progress in pre-application advice, last year there were 18.4% of applications, this year 19.4%.</p> <p>The report and case studies submitted demonstrate a commitment to early engagement through ‘Firm Foundations’ approach. The commitment to a prompt response time of 20 days is welcomed.</p> <p>No evidence in respect of a proportionate approach to requests for supporting information</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) 	Amber	<p>No details were submitted on the numbers of live applications and how they have been reduced</p> <p>Based upon the annual planning authority performance statistics for ‘all applications’ 2013/14:</p> <p>Average timescale for the two major applications subject to legal agreements is worse at 110 weeks than the national average of 87.5 weeks but is attributed to a specific case as detailed.</p> <p>The average time for Local applications is better at 44.8 weeks than the national average of 66.1 weeks and is welcomed.</p>

5	Enforcement charter updated / re-published within last 2 years	Green	We note your enforcement charter is currently under review. It was published in August 2012, which makes it 1 year and 7 months old at the end of the reporting year, not 2 years old as reported in the National Headline Indicators.
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	Progress made across NHIs, including LDP reaching adoption stage, introduction of “Firm Foundations” and faster than Scottish average in decision-making. Scope for continued progress and improvement next year particularly in production of Enforcement Charter. Identified service improvements completed; some underway and some on-going.
7	Local development plan less than 5 years since adoption	Green	Local plan 4 years since adoption.
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	Development Plan Scheme notes on track to deliver LDP within the 5-year cycle.
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: <ul style="list-style-type: none"> • information required to support applications; and • expected developer contributions 	Amber	Regular and proportionate policy advice produced on: <ul style="list-style-type: none"> • information required to support applications The introduction of your pre-application service “Planning for Firm Foundations” has provided advice for Major applications, and advice and guidance for business and industry development. The case studies demonstrate that the advice is proportionate and has helped improve certainty. RAG = Green

			<ul style="list-style-type: none"> Expected developer contributions <p>Advised that the consolidated developer contributions advice is now complete but no evidence provided in report apart from one case study.</p> <p>RAG = Red</p> <p>TOTAL RAG = Amber</p>
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	<p>Good evidence of corporate working, both in terms of general practice such as case conferences and working groups and also in case studies demonstrating practical examples of partnership working to deliver objectives.</p>
13	Sharing good practice, skills and knowledge between authorities	Green	<p>Involvement in benchmarking groups with other authorities and actively within HOPS in relation to validation.</p> <p>Sharing of financial information with your benchmarking club is noted as is your annual two day meeting with Highlands and Islands planning authorities.</p>
14	Stalled sites / legacy cases: conclusion or withdrawal of old planning applications and reducing number of live applications more than one year old	Green	<p>Very good evidence of a successful project such that only 8 remained at the start of the year 2013/14</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>Developer contributions: clear and proportionate expectations</p> <ul style="list-style-type: none"> set out in development plan (and/or emerging plan); and <p>Case study example on affordable housing commuted payment guidance demonstrates that non statutory Supplementary Guidance has led to a more standardised approach for the delivery of affordable housing.</p> <p>No reference in the report to how other types of developer contributions are set out in the development plan. If none are proposed this should be explained in future reports.</p> <p>RAG = Amber</p>

			<ul style="list-style-type: none">• in pre-application discussions <p>No evidence in case studies as to the type and level of contribution agreed at the pre application stage or as part of a processing agreement.</p> <p>RAG = Amber</p> <p>TOTAL RAG = Amber</p>
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