

Cabinet Secretary for Social Justice, Communities and Pensioners' Rights
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Mr Steve Barron
Chief Executive
Highland Council

In 2014 Scotland Welcomes the
World



11 December 2014

Dear Mr Barron

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.

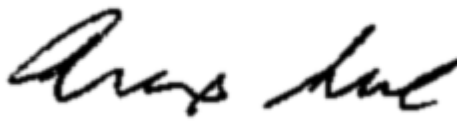
The quality of PPF reporting has significantly improved with many PPF reports setting out a very clear story of how the service is operating and their priority actions for improvement. There is still some inconsistency in planning authority decision making timescales across the country and I look forward 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: Malcolm MacLeod, Head of Planning and Building Standards

PLANNING PERFORMANCE FRAMEWORK: 2013-14

FEEDBACK REPORT: Highland Council

Date performance report due: 30 September 2014

Date of receipt of report: 29 August 2014

National Headline Indicators

- You have an up to date Local Development Plan (LDP) and your development plan scheme is on track.
- There has been a further increase in the number of pre-application discussions from 19.9% last year to 27.1% this year, and you continue to offer this to all major and local applications. Your regular monitoring and development of this aspect of your planning service shows a commitment to providing a good quality service and we note that the service features in your planning performance targets for the coming years. We look forward to hearing of your progress.
- Your average decision-making timescales for major developments have worsened slightly this year, moving from 29.4 weeks to 31.6 weeks, albeit this relates to only those major applications (generally older ones) that did not have processing agreements. This is significantly better than the Scottish average figure of 53.8 weeks.
- You have made further progress in reducing the average decision-making timescales for local (non-householder) developments from 15.0 to 12.2 weeks. And for householder developments there has been a slight improvement from 7.4 to 7.0 weeks. Again, both of these figures are better than the Scottish average decision-making timescales.
- You have also made further progress in clearing legacy cases this year and you are closely monitoring the remaining 58 legacy cases that are more than one year old. However, this is a significant number outstanding, although we note your comments that given the overall number of planning applications dealt with on an annual basis, it is manageable. It would be helpful if you provided more information on the actions taken to reduce the number of legacy cases and we also hope to see a further reduction in their numbers in your next report.
- It is encouraging that you offer processing agreements for all major developments and that these have been implemented for a majority of major applications this year (18). It is also good to see that 95% of these met the agreed timescales. Given the success of these for major developments, we would also suggest that there may be value in giving consideration to offering processing agreements for more substantial or complex local developments.
- You have identified 249 breaches, of which 120 have been resolved. It would be good to see a higher proportion of resolution in your next report.
- Your enforcement charter has been reviewed in the past year and this is complemented by a central Enforcement Team taking a more pro-active and structured approach to enforcement than previously in order to deliver a more efficient service.

Defining and measuring a high-quality planning service

- Your report is very well structured and provides clear information supplemented by descriptions of progress made during the reporting year, case studies and feedback from customers which all helps to demonstrate your ongoing commitment to a service culture and continuous improvement.
- You have again provided evidence of a positive approach to regeneration and economic development.
- You continue to demonstrate that you have an Open for Business approach through your customer service charters, dedicated customer service officer, updated website and provision of a comprehensive pre-application advice service.
- You have again provided good evidence of your pre-application advice service which ensures that supporting information requests for future planning applications are clear and proportionate through written advice and validation checklists. The provision of feedback and case studies also helps demonstrate the value of this service.
- You have provided good evidence of strong working relationships and you are committed to collaborative working through a focus group with agents, training for community councils and regular liaison meetings with other Council Services and key agencies. From the information you have provided, your service improvement on processing agreements appears to have helped to improve this further.
- Your pro-active approach to improving the quality of development through guidance, training, initiatives and involvement in a range of projects is welcomed. It was useful to see examples of where design improvements have been achieved through the planning process.
- We are pleased to see that you continue to recognise the value of public engagement and involvement in placemaking by providing a range of opportunities for people and communities to be involved in the planning process. You have utilised a good range of approaches including public exhibitions, mini-charrettes and focus groups, and then used information gathered to further enhance your service delivery.
- Proportionality in seeking developer contributions continues to be a focus and the inclusion of a case study was welcomed.
- This year has seen a 20% decrease in the number of complaints, which point to the benefits of having a dedicated Customer Services Officer and a two-stage corporate complaints procedure. We are encouraged that you use feedback from customer complaints to change policy or procedure and / or deliver training to your staff.
- You have management structures and internal processes in place to monitor workload and ensure effective service delivery making use of flexibility and hot desking to ensure that you maintain an efficient service and level of decision making.
- You use tailored training to ensure staff and elected members continue their individual development.

- It is good to see that you work closely with other organisations such as Cairngorms National Park Authority, neighbouring local authorities, the North of Scotland Development Plans Forum, SEPA, SNH and so on to share your planning knowledge, experience, best practice and to deliver training. You also hold regular meetings with your benchmarking family and share working documents.

Service improvements 2013-14: delivery

- You have made good progress on delivering previously identified service improvements, and we look forward to information on your comprehensive customer survey next year.
- We note that some improvements remain outstanding and these have been carried forward.

Service improvement commitments 2014-15

- You have again committed to a good range of activities that should help contribute towards your continuing delivery of good performance, collaborative working and a positive customer service.
- We look forward to hearing the results from the comprehensive customer surveys.

Conclusion

- Again, you have produced a well-structured, informative and positive report that provides good evidence of the improvements you have delivered in the reporting period.
- While your average decision-making timescales for major developments have worsened slightly this year you have made further progress in reducing the average decision-making timescales for local (non-householder) and for householder developments and all of your figures are better than the Scottish average decision-making timescales.
- You have also made further progress in clearing legacy cases.

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.

APPENDIX

PERFORMANCE MARKERS REPORT 2013-14

Name of planning authority: **Highland 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 increased slightly from last year from 29.4 weeks to 31.6 weeks, but this is better than the national average of 53.8 weeks. RAG = Amber Local (non-householder) Developments Average timescales have improved since last year from 15.0 weeks to 12.2 weeks. This is better than the national average of 14.3 weeks. RAG = Green Householder Developments Average timescales have improved slightly since last year from 7.4 weeks to 7.0 weeks which is better than the national average of 7.7 weeks. RAG = Green <p>TOTAL RAG = Green</p>
2	Processing agreements: <ul style="list-style-type: none"> offer to all prospective applicants for major development planning applications; and availability publicised on website 	Green	<p>Authority offers processing agreements for all major developments and implemented for majority this year.</p> <p>Availability publicised on 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 	Green	<p>Comprehensive and formal pre-application service in place.</p> <p>Report provides good evidence of how early collaboration ensures that requests for supporting information are clear and proportionate.</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>Authority still implementing procedures to ensure legal agreements are concluded within 4 months following minded to grant decision. Report outlining new procedures has been agreed by the PED Committee although the process is still being implemented.</p> <p>Based on the annual Planning Authority Performance Statistics for 'all applications' during 2013/14:</p> <p>Increase in average timescale to decide major applications with legal agreements from 22.8 to 78.9 weeks. This is attributed to the clearing of legacy cases and remains better than the Scottish average of 87.5 weeks.</p> <p>Slight decrease in average timescale to decide local applications with legal agreements from 32.2 to 29.9 weeks. This is better than the Scottish average of 66.1 weeks.</p>
5	<p>Enforcement charter updated / re-published within last 2 years</p>	Green	<p>Enforcement charter updated within 2yr timescale.</p>
6	<p>Continuous improvement:</p> <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>Up to date LDP and development plan scheme is on track.</p> <p>Positive progress made on reducing decision-making timescales for local developments (non-householder) and householder developments, which are below the national average.</p> <p>Good activity on many improvement actions through the year.</p>

7	Local development plan less than 5 years since adoption	Green	LDP adopted 2012.
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	On course for adoption within 5 years of current plan Project planned and expected to be delivered to planned timescale
9	Elected members engaged early (pre-MIR) in development plan preparation – <i>if plan has been at pre-MIR stage during reporting year</i>	NA	
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>	NA	
11	Regular and proportionate policy advice produced on: <ul style="list-style-type: none"> information required to support applications; and expected developer contributions 	Green	Regular and proportionate policy advice produced on: <ul style="list-style-type: none"> information required to support applications Pre-application advice service in place. Planning guidance and advice published on a variety of development types to support applications. RAG = Green expected developer contributions Supplementary planning guidance on developer contributions available, setting out expected development contributions. Further improvements made this year including a validation checklist. RAG = Green TOTAL RAG = Green
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	Evidence of joint working between Council departments. Clear and effective management structures in place and examples given of joint working.

13	<p>Sharing good practice, skills and knowledge between authorities</p>	Green	<p>Currently sharing good practice with other authorities through development plan forums.</p> <p>Benchmarking with other planning authorities and participated in benchmarking exercise with HOPS.</p> <p>Information provided on how and what good practice, skills and knowledge is shared between authorities.</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>	Red	<p>Report states that 58 cases remain that are more than one year old. This is an increase on the figure provided in last year's report (29 cases).</p> <p>More progress required to reduce this number further.</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 	Green	<p>Developer contributions: clear and proportionate expectations</p> <ul style="list-style-type: none"> • set out in development plan (and/or emerging plan) <p>Developer contributions set out in development plan.</p> <p>RAG = Green</p> <ul style="list-style-type: none"> • in pre-application discussions <p>Supplementary planning guidance on developer contributions published.</p> <p>Comprehensive pre-application advice service in place, with written responses setting out requirements.</p> <p>RAG = Green</p> <p>TOTAL RAG = Green</p>