

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



5th October 2015

Dear Mr Barron

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.

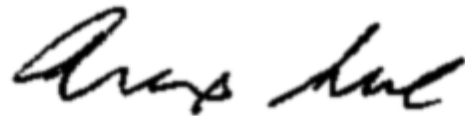
You will note that this year we have only provided feedback on the performance markers. I am encouraged to hear that supported by Heads of Planning Scotland, you will be providing wider feedback to other authorities through your benchmarking groups. I am grateful to HOPS for taking this proactive approach 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', written in a cursive style.

ALEX NEIL

CC: Malcolm MacLeod, Head of Planning

PERFORMANCE MARKERS REPORT 2014-15

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]	Amber	<p>Major Applications</p> <p>Your average timescale of 24.9 weeks is both an improvement on last year and almost twice as quick as the national average of 46.4 weeks.</p> <p>RAG = Green</p> <p>Local (Non-Householder) Applications</p> <p>These have dipped very slightly this year from 12.2 weeks to 12.3 weeks but this is still quicker than the national average of 12.9 weeks.</p> <p>RAG = Amber</p> <p>Householder Applications</p> <p>Again these have dipped very slightly from 7.0 weeks to 7.1 weeks, however this is still better than the national average of 7.5 weeks</p> <p>RAG = Amber</p> <p>TOTAL RAG = Amber</p> <p>The amber rating that has been given for both local and householder has been awarded due to the dip in performance. We do note however, that the increase was very small for both these categories and that both are better than the national average. Whilst we are required to award an amber to ensure consistency of scoring, we recognise that overall decision making performance has been very good.</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>Processing agreements are both offered and publicised on your website.</p> <p>It is good to see the use of a relatively high number of processing agreements being used between the authority and developer and that all were concluded within the agreed timescales.</p> <p>However, the stats you have provided do not match those in the National Planning Performance Statistics published in July 2015. You should ensure that the correct statistics are used within your PPF report.</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>You have provided evidence of early collaboration through your formal major pre-application advice service. However, you have not provided enough evidence of how you offer pre-application for all prospective applications.</p> <p>Case studies provide evidence of how requests are proportionate, particularly taking Proposal of Application Notice to committee to allow Members to identify early on whether there is any further information they require as part of the application.</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) 	Green	<p>We note there is a slight increase to 34.1 weeks for local applications with a legal agreement, however this remains well below the national average of 49.9 weeks. Your timescales for major applications has also increased slightly to 34.1 weeks but remains well below the national average.</p> <p>You have introduced a new system to monitor the use of section 75s and their timescales. We look forward to seeing how this impacts on timescales.</p>
5	<p>Enforcement charter updated / re-published within last 2 years</p>	Green	<p>At the end of the reporting period, the enforcement charter was 1 year and 10 months old. We note that since the end of the reporting period you have published your updated charter.</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>Decision timescales have reduced for major and remained steady for local and householder. Your Highland-Wide Development Plan is less than 5 years old although the other 3 are older than 5 years. Your DPS is on track. Your enforcement charter is up to date.</p> <p>You have made good progress on delivering the service improvements identified in 2014/15. Your improvements identified in this year's report are clear and focussed.</p>
7	<p>Local development plan less than 5 years since adoption</p>	Green	<p>Your Highland Wide Development Plan was adopted in 2012 and is 3 years old.</p>
8	<p>Development plan scheme – next LDP:</p> <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>We note that the DPS for all 4 LDPs is on track, although these replace a number of outdated plans.</p> <p>You should continue to project manage these efficiently to ensure there is no slippage.</p>
9	<p>Elected members engaged early (pre-MIR) in development plan preparation – <i>if plan has been at pre-MIR stage during reporting year</i></p>	Green	<p>Members engaged through Ward Business meetings for CaSplan MIR and policy workshops for HWLDP.</p>
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>	Green	<p>Extensive use of digital engagement platforms and drop in session and workshops resulted in high level of interest and engagement.</p>
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>We note the successful new practice of taking the Proposal of Application Notice to committee to identify any further pre-application requirements they may have.</p> <p>RAG = Green</p> <p>Report lacks evidence of regular and proportionate expectations for 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>Strong evidence of good cross-service working especially around housing and the monitoring of developer contributions. Your pre-application service provides input from across council service areas.</p> <p>We note that you also hold regular Council cross-service meetings.</p>
13	<p>Sharing good practice, skills and knowledge between authorities</p>	Green	<p>Report notes the sharing of skills and knowledge across a number of neighbouring authorities and through benchmarking groups.</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 a very clear procedure in place for the continued clearance/withdrawal of these cases. We note that you had 37 cases remaining at the end of March. We hope that these will be actively managed and that you can report a further overall reduction in your next 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 	Red	<p>There is little evidence provided in the report on either requirements of this marker.</p>

HIGHLAND 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	
10	Stakeholders engaged early (pre-MIR)	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
2012-13	0	4	9
2013-14	1	1	11
2014-15	1	2	12

Decision Making Timescales (weeks)

	2012-13	2013-14	2014-15	2014-15 Scottish Average
Major Development	29.4	31.6	24.9	46.4
Local Householder Development (Non-	15.0	12.2	12.3	12.9
Householder Development	7.4	7.0	7.1	7.5