

Cabinet Secretary for Social Justice, Communities and Pensioners' Rights
Alex Neil MSP

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Ms Bernadette Malone
Chief Executive
Perth and Kinross Council

In 2014 Scotland Welcomes the
World



11 December 2014

Dear Ms Malone

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.

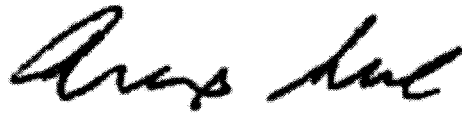
The quality of PPF reporting has significantly improved with many PPF reports setting out a very clear story of how the service is operating and their priority actions for improvement. There is still some inconsistency in planning authority decision making timescales across the country and I look forward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

PLANNING PERFORMANCE FRAMEWORK: 2013-14

FEEDBACK REPORT: Perth & Kinross Council

Date performance report due: 30 September 2014

Date of receipt of report: 30 September 2014

National Headline Indicators

- We are pleased to see that your replacement LDP was adopted in February 2014. Your Development Plan Scheme is on track and you have prepared an Action Programme to support the delivery of the Perth and Kinross LDP.
- Your effective housing land supply figure is well above the 5 year requirement and we note that there has been a change in the calculations used this year.
- There has been a slight decrease in the decision making timescales for householder applications, however these are now above the national average. The percentage determined within 2 months has improved due to workload management, assisted by the addition of a case management mode.
- Both major and local (non-householder) timescales have seen increases, although local (non-householder) timescales remain below the national average. You report that the increase in major application timescales is a consequence of a push to determine legacy applications. The increase in local (non-householder) timescales can be attributed to the clearing of applications which had been previously delayed by legal agreements not being concluded.
- Your average decision making timescale for applications subject to legal agreements has increased, however you report positive steps which have reduced the number of legacy cases and have introduced a protocol for monitoring and auctioning remaining cases.
- While you report that the pre-planning process is used wherever possible and offer guidance on your web-site, you also make use of case conferences for impending major planning applications. However, the percentage of applications subject to pre-application advice has fallen this year (from 22% to 11.8%). We are pleased to see that you intend to review your pre-application advice service and look forward to hearing about your progress.
- Again, none of your major developments decided within the year were subject to a processing agreement and you report that in the majority of cases this was the developer's decision. You continue to offer processing agreements for all major developments and you may also wish to consider using processing agreements for more substantial local developments.
- Your enforcement charter has now been updated and we look forward to future updates completed within the required 2-year cycle.
- Your enforcement figures continue to show a good record of resolving planning breaches, with a significant number of cases being resolved during the period.

Defining and measuring a high-quality planning service

- You describe a new property search facility and customer relationship management system, and a single point of contact plus associated website for investors, as well as other planned initiatives and developments. These indicate that you have an Open for Business approach and highlight your role in delivering sustainable economic growth.
- You report close working relationships with internal and external stakeholders although little detail is included and future reports would benefit from more detailed examples or case studies.
- Your commitment to promoting high quality design is clear and you have introduced a monitoring and reporting system using your UNI-form database to record where you have added value to the planning application process. We welcome the examples of projects and initiatives where you have pro-actively sought to influence the quality of development on the ground.
- You continue to make excellent use of your website in providing advice, information and guidance.
- We are pleased to see that you place a strong emphasis on collaborative working across Council departments and with stakeholders and communities. Your use of case conferences in advance of major planning applications is also noted.
- We note that you have developed customer service questionnaires and look forward to seeing some of the results in your next report. More use of quotes or testimonies would also help to illustrate your engagement and service provision.
- You report that you have effective decision making structures in place to support efficient decision making and this is supported by flexible approaches to workforce to enable you to respond to priorities. Regularly monitoring and reviewing the workload of each team allows for the allocation of new applications where there is spare capacity.
- You have a culture of continuous improvement for staff development and provide training for staff, management and elected members. You hold full staff workshops twice a year which focus on service priorities, culture and continuous improvement. You have recently seen Planning and Regeneration staff trained in project management and the use of associated software.
- We note your involvement in your benchmarking group and your other areas of involvement and liaison aimed at sharing good practice with other authorities and agencies.

Service improvements 2013-14: delivery

- It is pleasing to note that most of your service improvements have been delivered and that your web review has identified areas for improvement which you will address.

Service improvement commitments 2014-15

- You have once again identified a good range of service improvements that are geared towards continuous improvement and reflect the needs identified in your report. We look forward to following progress.
- We are pleased to note that your commitments include actions which should help to improve performance and these include improved and sustained performance in processing Planning Applications and a review of your Pre-Application Advice Service.

Conclusion

- We welcome the adoption of your replacement LDP and look forward to hearing your progress under this Plan.
- You have presented a well-structured report with hyperlinks to your sources. Your report addresses the steps you are taking to continue to improve performance, service delivery and staff development.
- You have given reasons for the increase in timescales for major and for local (non-householder) developments and outlined the steps being taken to deliver improvements and we look forward to seeing your progress in the next report. The promotion and use of processing agreements and protocols could also contribute towards improved performance.
- Future reports would benefit from more examples and case studies and we also hope to see results from your new customer service questionnaires.

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: **Perth and Kinross 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] | | <ul style="list-style-type: none"> Major Developments Average timescales have increased significantly from last year from 37.5 weeks to 55.4 weeks which is worse than the national average of 53.8 weeks. It is noted that this increase is primarily as a consequence of a push to determine legacy applications. RAG = Red Local (Non-Householder) Developments Average timescales have increased slightly since last year from 12 weeks to 12.5 weeks. However, this is better than the national average of 14.3 weeks. RAG =Amber Householder Developments Average timescales have improved slightly since last year from 8.1 weeks to 7.8 weeks but this is worse than the national average of 7.7 weeks. RAG = Amber <p>TOTAL RAG = Red</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>Processing agreements offered for all major developments. No processing agreements to date; this has been the developers choice.</p> <p>Guidance on processing agreements published on website and template available.</p> |

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| 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>Pre-application service offered. Planning application checklist provided on website which provides information on what to submit alongside application.</p> <p>You note that the potential requirement for developer contributions is always highlighted as a part of the pre-application response.</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>Average decision making timescales for applications subject to legal agreements have risen from 64.9 weeks to 66.6 weeks. This is attributed to the clearing of legacy cases.</p> <p>Based upon the Planning Authority Performance Statistics for 'all applications' in 2013/14:</p> <ul style="list-style-type: none"> • Timescale for major applications has increased from 83.3 weeks to 107.8 weeks, which is worse than the Scottish average of 87.5 weeks. • Timescale for ^{local?} major applications has decreased slightly from 62.7 weeks to 60.9 weeks, which is better than the Scottish average of 66.1. |
| 5 | <p>Enforcement charter updated / re-published within last 2 years</p> | Green | <p>Revised charter has been published.</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 | Amber | <p>Progress made on reducing decision making timescales for householder applications but other timescales have risen.</p> <p>Good activity on a wide range of improvement actions through the year.</p> <p>Local Development Plan has been adopted and Enforcement Charter updated.</p> |
| 7 | <p>Local development plan less than 5 years since adoption</p> | Green | <p>LDP adopted in February 2014</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>Development Plan Scheme on track with a published action plan to support the delivery of the Perth and Kinross LDP.</p> |

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| 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 | <i>Member tiring session</i> |
| 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 | <p>Regular and proportionate policy advice produced on:</p> <ul style="list-style-type: none"> Information required to support applications Guidance produced for applicants on what information to submit alongside a planning application. RAG = Amber Expected developer contributions There is comprehensive guidance on developer contributions on the website but this was published outwith the reporting period (August 2014). RAG = Amber <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; case conferences, community consultation and close working relationships working across numerous departments within the Council and key stakeholders.</p> <p>More detail and case studies could be included to illustrate how this has contributed to improved outputs and customer services.</p> |
| 13 | Sharing good practice, skills and knowledge between authorities | Green | <p>Involvement with benchmarking group, participation with Scottish Government on planning reform projects.</p> <p>Benchmarking has commenced with other councils, including with Angus Council on Customer Service Excellence.</p> <p>Active involvement in conference to share good practice and liaison with authorities and charities. Subsequent liaison with other planning authorities to assist in production of guidance for Shelter on affordable housing.</p> |

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| 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> | Amber | <p>There has been a push to reduce the number of legacy cases and this is ongoing. It is noted that the number of legacy cases was reduced from 55 to 33 during the reporting period.</p> <p>Timescales for applications subject to planning/legal agreements have increased from 64.9 weeks to 66.6 weeks.</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 the development plan (and/or emerging plan); <p>Adopted LDP indicates requirements for developer contributions and sets out the areas of Supplementary Guidance which provide further detail.</p> <p>There is comprehensive guidance on developer contributions on the website but this was published outwith the reporting period (August 2014).</p> <p>RAG = Amber</p> <ul style="list-style-type: none"> • in pre-application discussions <p>Report indicates the promotion of pre-application discussion but little detail is included.</p> <p>RAG = Amber</p> <p>TOTAL RAG - Amber</p> |

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