

THE HIGHLAND COUNCIL

PLANNING, ENVIRONMENT & DEVELOPMENT COMMITTEE

12 FEBRUARY 2014

Agenda Item	6
Report No	PED 8/14

PLANNING PERFORMANCE FRAMEWORK AND QUARTER 3 PERFORMANCE REVIEW

Report by Director of Planning and Development

Summary

This report advises Members on the delivery of the Development Management, Building Standards and the Development Plan services for the 3rd Quarter of 2013/2014. The report also updates Committee on feedback received from Scottish Government on the Council's Planning Performance Framework.

1. Introduction

1.1 Key performance indicator information is reported to committee every Quarter and the outturn figures for the third Quarter of 2013/14 are now available.

2. Development Management

2.1 The total number of applications received during Quarter 3 was 1072. Fee income was £613k.

2.2 It is encouraging that the performance continues to build on the improved performance demonstrated last year, and the targets set out in the Service Improvement Plan are currently being met. The figures set out in Appendix 1 demonstrate that 69% of all planning applications were determined within 2 months. The Year to Date figure stands at 71%, against the Service Improvement Plan target for 2013/14 of 68%.

2.3 The use of Processing Agreements for major developments has been one of the key improvements that has been put in place this year, a point picked up by Scottish Government in their feedback letter referred to earlier. Decisions on 7 major planning applications were taken during Q3, including the Fort William schools and the Kishorn Yard. It is noteworthy that these were delivered within the timescales set out within the Processing Agreements.

2.4 The pre-application advice service for local and major planning applications has continued to operate well over the last three months. The major developments pre-application advice service continues to deliver 100% of packs within four weeks. The local pre-applications advice service is however still operating below the target figure of 80% within 6 weeks. Quarter 3 performance stood at 67%,

which was a slight improvement from Quarter 2.

- 2.5 Focus Groups were held throughout the area during December, and the outcomes and any improvements required will feed into the Service Improvement Plan for 14/15. Community Council training events were also held and these highlighted a number of ways in which the Service can better engage – as a result a regular newsletter on relevant planning matters will be prepared, and changes in how the Service formats and distributes weekly lists is also being considered.
- 2.6 Enforcement information is shown in Appendix 2. For Quarter 3, 61 enforcement complaints were received. 33 of these were taken up, with 9 cases being resolved through negotiation. Work is continuing on improving enforcement procedures.

3. Building Standards

- 3.1 Performance continues to improve across all six KPIs (3 external and 3 internal) delivering an average 94%, where the targets for each vary between 80 - 85%. This builds on the performance of last quarter and last year.
- 3.2 Appendix 3 sets out the key performance data for Building Standards. The number of building warrant applications received during Q3 was 664, an increase of 15 (2.3%) when compared with 12/13. The number of building warrant applications determined during Q3 was 782, an increase of 140 (18%) when compared with 12/13. The number of completion certificates accepted during Q3 was 586. The value of work submitted for building warrant during Q3 was £46m. This was a drop of £9m (16%) when compared to last year.
- 3.3 Building Warrant fee income was £378k, a drop in income of £64k (16%) from last year.
- 3.4 Seven applications for building warrant were received during Q3 where the value of work was in excess of £1m. Two are for distillery buildings at Muir of Ord and Teaninich distilleries; a new hangar building at Inverness Airport; a retail warehouse; the erection of 24 housing units in Nairn; refurbishment of Inverness Leisure and the refurbishment of a care home for the Council.
- 3.5 Throughout February Focus Group meetings are being held with customers in each area seeking feedback, comments and suggestion of how we can improve performance, customer care and availability of staff. Technical workshops will also be available for agents where advice on the recent changes to the regulations will be given.

4. Development Plans

- 4.1 Following publication of a review of Scotland's Town Centres in the summer, and the Scottish Government's subsequent Town Centre Action Plan in November, there was a particular focus on the importance of our city and town centres in the last quarter of 2013. In October the City of Inverness Area Committee approved

a project to work with stakeholders in the City to examine the land use and transport priorities for Inverness City Centre and identify the development projects that would best increase footfall and visitor numbers.

- 4.2 Before the Christmas break the Scottish Government confirmed that the Highland Council had been successful in securing funding through the Charrette Mainstreaming Programme to run three events in Tain, Fort William and Nairn. The focus of these events will be to identify the best ways of delivering town centre regeneration, and to create the conditions for increasing footfall and encouraging investment.
- 4.3 Following approval of the Inner Moray Firth Proposed Local Development Plan in September a 6 week consultation was carried out up to 13th December. This included writing to over 15,000 addresses adjacent to sites allocated in the Proposed Plan to inform them of nearby sites and to raise awareness of the consultation. Information events were held across the plan area and were well attended. The Proposed Plan was specially designed to be read online where consultation comments could also be submitted. With 80% of the 1,000 comments submitted online this represents a big step forward in the Service's target to make development plans more easily accessible to the public, and is hoped to streamline the administration and analysis of comments.
- 4.4 The Caithness and Sutherland Local Development Plan is also under preparation and the Team is meeting a wide range of partner organisations and colleagues to agree the shared priorities and outcomes to be addressed through the Plan. The overall aim is for the Plan to reflect the outcomes set out in the Highland Community Planning Partnership's Single Outcome Agreement 3 (SOA).

5. Planning Performance Framework – Feedback

- 5.1 In December 2013, feedback was received from Scottish Government on the Planning Performance Framework submitted by the Service in September. A copy of the feedback is attached to this report for information (Appendix 4).
- 5.2 The feedback contained within it is generally very positive, particularly in respect of reducing average timescales for major developments. The appendix to the feedback report shows Highland Council's rating against 15 performance markers. Whilst the majority of these are "green", a number of "ambers" are recorded and these remain the focus of our improvement work.
- 5.3 The Planning Performance Framework for 2013/14 will be reported to the next PED Committee, along with the Service Improvement Plan for 2014/15.

6. Implications

- 6.1 There are no direct Resource, Legal, Equalities, Climate Change/Carbon Clever or Risk Implications arising from this report.

Recommendation

That the Committee notes the performance updates across the Development Management, Building Standards and the Development Plans teams as well as the feedback received from Scottish Government on the Planning Performance Framework.

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Date: 27 January 2014

APPENDIX 1

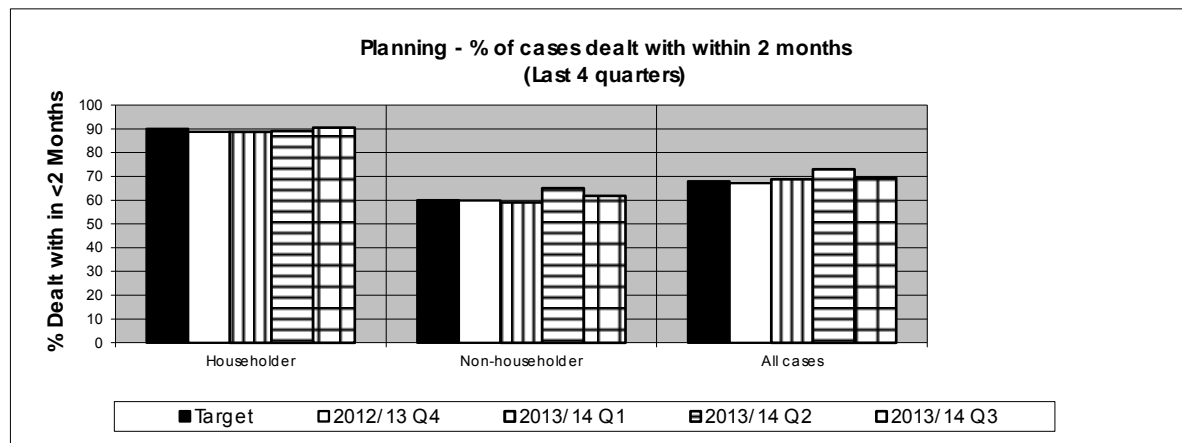
Development Management Performance QUARTER 3 2013/14

i) **Development Management Volumes and Income (Last four Quarters)**

	2012/13 Q4	2013/14 Q1	2013/14 Q2	2013/14 Q3
Applications	1119	1216	1161	1072
Income (£000)	510	591	670	613

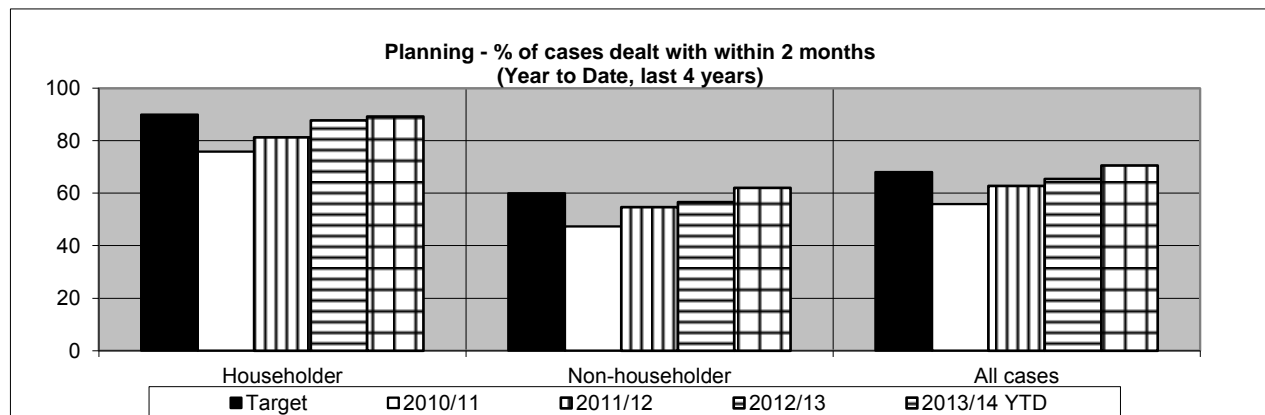
ii) **Percentage of Cases Dealt with Within 2 Months (last 4 Quarters)**

	Target	2012/13 Q4	2013/14 Q1	2013/14 Q2	2013/14 Q3
Householder	90	88.67	88.74	89.04	90.48
Non-householder	60	59.84	58.98	65.13	61.83
All cases	68	67.12	68.83	73.08	69.4



iii) **Percentage of Cases Dealt with Within 2 Months (Annual)**

	Target	2010/11	2011/12	2012/13	2013/14 YTD
Householder	90	75.83	81.40	87.76	89.33
Non-householder	60	47.32	54.80	56.66	62.08
All cases	68	55.91	62.80	65.49	70.60

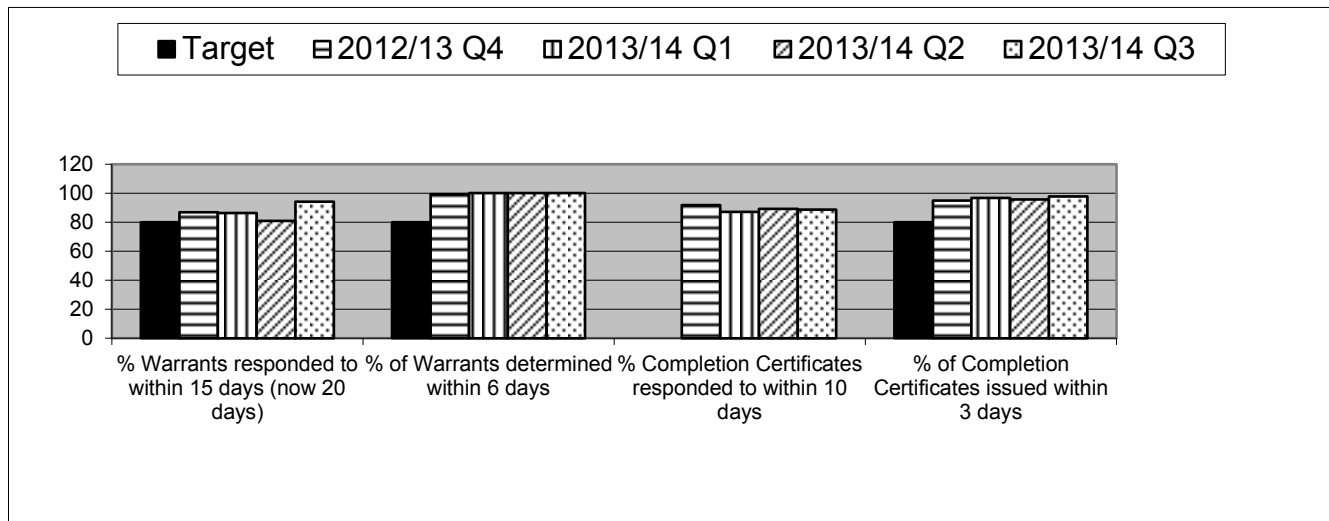


Q2	No of Enforcement Complaints Received	No of Breaches Identified	No of Cases Taken Up (Breaches pursued)	No of Breaches Resolved (through negotiation - No Notice Served)	Total No of Notices Served (All Types)	No of Breaches resolved	No of Cases Outstanding	No of Enforcement Notices	No of Breach Notices	No of Contrav. Notices	No of Stop Notices	No of Temp Stop Notice	No of FPN	No of Section 33	No of Reports to Procurator Fiscal	No of Prosecutions
DINGWALL	20	12	12	2	0	2	10	0	0	0	0	0	0	0	0	0
DRUMMUIE	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
INV & NAIRN	18	8	8	3	2	5	3	1	1	0	0	0	0	0	0	0
KINGUSSIE	1	1	1	0	0	0	1	0	0	0	0	0	0	0	0	0
LOCHABER	4	4	3	3	0	3	1	0	0	0	0	0	0	0	0	0
SKYE	13	6	6	1	1	2	4	0	0	0	0	0	0	1	0	0
WICK	4	4	3	0	1	1	2	0	0	0	0	0	0	0	0	0
TOTAL	61	35	33	9	4	13	21	1	1	0	0	0	0	1	0	0

APPENDIX 3
Building Standards Performance QUARTER 3 2013/14

i) **Performance against targets, fourth quarter**

	Target	2012/13 Q4	2013/14 Q1	2013/14 Q2	2013/14 Q3
% Warrants responded to within 15 days (now 20 days)	80	86.80	86.40	81.00	94.12
% of Warrants determined within 6 days	80	99.30	100.00	100.00	100.00
% Completion Certificates responded to within 10 days	n/a	91.80	87.20	89.20	88.60
% of Completion Certificates issued within 3 days	80	94.80	96.60	95.70	97.84



ii) **Building Standards Volumes and Income (Last 4 Quarters)**

	2012/13 Q4	2013/14 Q1	2013/14 Q2	2013/14 Q3
Warrants Decided	663	824	766	782
Compl. Certs	536	680	586	586
Income (£000)	439	478	495	378

Date performance report due: 30 September 2013

Date of receipt of report: 30 September 2013

National Headline Indicators

- You have an up to date Local Development Plan (LDP), which is benefitting your service by providing a policy framework that can direct development and investment within your area. We are encouraged to see that your three emerging LDPs remain on track with your development plan scheme and it is important that these continue to be project managed through to adoption.
- You have not included the total number of years in your effective housing land supply and it is noted that no figures are available for commercial floorspace. With regard to commercial floorspace, there remain some issues around a standard definition for consistently measuring employment and commercial land supply, which we are working with HOPS to address.
- The increase in the number of pre-application discussions is welcomed.
- You have made good progress in reducing the average decision-making timescales for major, local (non-householder) and householder developments. It was particularly encouraging to note that timescales for determining major developments and applications subject to planning/legal agreements have decreased significantly and now remain well below the national average.
- Your improved decision making timescales provide evidence of the progress you have made in clearing legacy cases, while noting that a number still remain. We look forward to hearing about the results of the actions you have taken to address this, including your work to define timescales for legal agreements, in your next report.
- We note that none of your 20 major developments were subject to a processing agreement in the reporting period although you have used them in the past. We therefore welcome your service improvement that will require all major development proposals to use them.
- Future reports should describe the methods you have used to publicise and promote processing agreements. Some authorities have found that awareness and take-up has increased following the publication of guidance. In light of recent legislative changes you may wish to consider using processing agreements for more substantial local developments.
- We note that your approval and delegation rates continue to remain slightly above the national figure, providing certainty and confidence.
- The new enforcement team is noted. You should provide information on the number of breaches in future reports

- Your enforcement charter was nearly 2 years old at the end of the reporting period. We have noted that a revised version was published in May 2013, within the required 2-year cycle.

Defining and measuring a high-quality planning service

- Your report is very well structured and provides a clear indication under each of the headings to support your ongoing commitment to a service culture and continuous improvement. The inclusion of informative descriptions of progress made during the reporting year, supplemented by case studies and feedback from customers helps to demonstrate how this has been put into practice.
- Working with an up-to-date development plan along with your statistics on approval rates and early engagement all appear to be contributing to a high level of certainty and confidence that benefits customers and enables consistent decision-making.
- You have provided evidence of a positive approach to regeneration and economic development, which is supported by having a recently adopted Highland-wide LDP, a range of Supplementary Planning Guidance and protocols in place for your three enterprise areas. Your planning advice note and protocol for new and expanding business is a particular example that you should consider sharing more widely with other planning authorities.
- You have demonstrated a good range of customer-focused activities that applicants and developers find helpful, and these are delivered in a manner that is welcoming and open for business. This includes your customer service charters, a dedicated customer service officer, a recently updated website and the provision of a comprehensive pre-application advice service.
- You have provided good evidence of a pre-application advice service which ensures that supporting information requests for future planning applications are clear and proportionate. It was also encouraging to note that this service is delivered in partnership with internal and external consultees. You should consider supplementing your description with feedback and case studies in future reports in order to further demonstrate the value of this service.
- You have provided good evidence of a service that has developed strong working relationships and is committed to collaborative working through a focus group with agents and regular liaison meetings with other Council Services and key agencies. Your service improvement on processing agreements should help to you to improve this further.
- Your pro-active approach to improving the quality of development through a range of guidance, training, initiatives and involvement in conservation and regeneration projects is welcomed. This was helpfully supported by the inclusion of examples where design improvements have been achieved through the planning process.
- We are pleased to see that you are recognising 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. The use of charrettes for Torvean and Ness-side in Inverness is an approach to engagement and placemaking that you may wish to consider sharing more widely with other planning authorities.

- You have provided an informative description of your approach to developer contributions, which is supported by your LDP, supplementary planning guidance and your planning gain negotiator. We note that your supplementary planning guidance was recently adopted and therefore look forward to hearing more about this in future reports, including how it sets out clear and proportionate expectations for developers. Where possible you should aim to supplement your description with feedback.
- The results of your customer survey show generally positive feedback of your service provision. It would have been useful if you had provided a description of some of the issues raised via customer feedback, along with the actions or improvements you have undertaken to address them.
- You have demonstrated that management structures and internal processes are in place to monitor workload and ensure effective service delivery. This is supported by regular committee meetings which aid efficient decision making. We are interested to note that the introduction of Idox Enterprise has led to improved performance in decision making timescales. This approach is something that you may wish to discuss with other authorities as part of your future benchmarking exercise.
- We 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. More information on the issues covered would be useful.
- It would be helpful if future reports included hyperlinks or web addresses to the online publications which you refer, either within the body of the text or in your supporting evidence section.

Service improvements 2012-13: delivery

- You have made good progress on delivering previously identified service improvements, including those relating to decision making timescales where positive results are now being seen.
- We note that some improvements remain outstanding and these have been carried forward.
- We would be interested to know why your previous commitment to aligning consents is no longer being considered.

Service improvement commitments 2013-14

- 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 were pleased to see that a number of your improvement commitments are specific, measureable and time-based, as well as being set under the PPF format of defining and measuring a high-quality planning service. This should help you to report the progress you have made for the next period.
- The publication of your development plan scheme is core business and does not need to be included as a service improvement.

Conclusion

- You have produced a well-structured, informative and positive report that provides good evidence of the improvements you have delivered in the reporting period. This demonstrates your continued commitment to the performance and customer service culture envisaged through planning reform and the Planning Performance Framework.
- The inclusion of case studies and customer feedback was particularly welcomed, alongside useful examples and a thorough description of the actions and initiatives that you have taken forward in the reporting year.
- It is important that your three emerging LDPs continue to be project managed, avoid slippage, and remain on course for adoption within the planned timescales.
- We welcome your pro-active approach to legacy cases and processing agreements.

The feedback in this report is based solely on the information provided to us within your Planning Performance Framework Report covering the period April 2012 to March 2013.

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

We hope that this feedback will be of use to you in the preparation of your next report which covers the period April 2013 to March 2014. Please note that we are in discussions with HOPS and COSLA about the potential benefits of bringing the submission date forward, closer to the end of the reporting period. We will let you know as soon as a decision has been made.

PERFORMANCE MARKERS REPORT 2012-13

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	Good progress made to reduce timescales for major developments, local developments (non-householder) and householder developments. Now better than Scottish average timescales for all these categories.
2	Processing agreements: <ul style="list-style-type: none"> offer to all prospective applicants for major development planning applications; and availability publicised on website 	Amber	Authority encourages the use of processing agreements, but no take-up in this reporting period. Report lacks description of how they are publicised. Service Improvement to require all new major developments to be accompanied by processing agreements from June 2013.
3	Early collaboration with applicants and consultees <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	Comprehensive and formal pre-application service in place. Report provides good evidence of how early collaboration ensures that requests for supporting information are clear and proportionate. Validation checklist being progressed to provide improved information on standards of information to accompany applications.

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>Current approach to this is not clear. Noted that authority has identified a specific Service improvement for 2013/14 – ‘to put procedures in place to ensure legal agreements are concluded within 4 months following minded to grant decision’. This approach therefore needs to be covered in more detail in the next report.</p> <p>Positive reduction in average timescale for applications subject to legal agreements from 75.8 weeks to 36.1 weeks. Now better than Scottish average.</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>Significant progress made on reducing decision making timescales for major developments and applications subject to legal agreements. Both categories now below the national figure. Positive progress made on reducing local and householder timescales, which are also below the national figure.</p> <p>Good activity on improvement actions through the year and Inner Moray Firth LDP on track with development plan scheme.</p>
7	<p>Local development plan less than 5 years since adoption</p>	Green	<p>Highland-wide LDP adopted 2012.</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>Three emerging LDPs being taken forward, these are project managed and remain on track with the development plan scheme.</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>	NA	
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>	NA	

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 	Green	<p>Pre-application advice service in place. Planning guidance and advice published on a variety of development types.</p> <p>Supplementary planning guidance on developer contributions published March 2013 and adopted LDP sets out key infrastructure requirements.</p> <p>Planning Gain negotiator provides single point of contact.</p> <p>Further improvements identified for implementation in next reporting period include a validation checklist.</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>Report provides good evidence of corporate working and collaborative working between Council departments on service provision and variety of projects. Clear management structures in place and this is supported by protocols and a comprehensive pre-application advice service. Useful examples and case studies provided to help demonstrate this.</p>
13	<p>Sharing good practice, skills and knowledge between authorities</p>	Amber	<p>Currently sharing good practice with other authorities through development plan forums.</p> <p>Benchmarking with other planning authorities identified as service improvement for 2013/14.</p> <p>Future reports would benefit from a more detailed description of 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>	Amber	<p>Legacy cases have been reduced. Report states that 29 cases remain. Further progress required to reduce this number further and this needs to be covered in 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 	Green	<p>Comprehensive pre-application advice service in place, with written responses setting out requirements.</p> <p>Supplementary planning guidance on developer contributions published March 2013 and adopted LDP sets out key infrastructure requirements.</p> <p>Planning Gain negotiator provides single point of contact.</p> <p>Future reports could describe in more detail how approaches are proportionate.</p>