

Planning Committee

2.00pm, Wednesday, 27 February 2019

Scottish Government Feedback on Planning Performance Framework 2017/18

Item number	8.1
Report number	
Executive	
Wards	All
Council Commitments	1,4,10-15,18,28

Executive Summary

The purpose of this report is to inform Committee of feedback from the Scottish Government to the Council's Planning Performance Framework 2017/18.

Scottish Government Feedback on Planning Performance Framework 2017/18

1. Recommendations

- 1.1 It is recommended that the Committee:
- 1.1.1 notes the feedback from the Scottish Government to the Council's Planning Performance Framework 2017/18; and
 - 1.1.2 notes that a progress update on the Planning Improvement Plan will be reported to Planning Committee in May 2019.

2. Background

- 2.1 Since 2012, the Council has submitted its annual Planning Performance Framework (PPF) to Scottish Ministers. The PPF is designed to give a more balanced narrative on the range of activities delivered by the Planning service rather than just a statistical analysis of performance. As well as reflecting on the past year's performance, the PPF included the Planning Service Improvement Plan 2018/19 approved by Committee in [May 2018](#). PPF7 covering 2017/2018 was submitted to Scottish Ministers in July 2018 and feedback was received on 10 January 2019.

3. Main report

- 3.1 The PPF 2017/18 was submitted to the Scottish Government in [July 2018](#). The report sets out the achievements of the Council under four headings:
- Quality of Outcomes;
 - Quality of Service and Engagement;
 - Governance; and
 - Culture of Continuous Improvement.
- 3.2 The case studies covered in the report focus on how changes to the built and natural environment are managed to deliver a better place, for example, Edinburgh Biodiversity Action Plan, Leith Fort housing and Social Bite Village. Information is also provided on the different ways the Council engages with customers including children and young people and on training provided for officers and members.

- 3.3 Parts 4 and 5 of the framework set out information on how the Council is performing against national headline indicators including decision making timescales.
- 3.4 Feedback from Kevin Stewart, Minister for Local Government and Housing was received on 10 January 2019 (appendix 1). The Minister's letter appends the Performance Markers Report with a RAG assessment of 15 performance markers used for all planning authorities to identify progress in priority areas for improvement action. The year's report shows nine green markers, three amber markers and three red markers. The previous year's assessment had only one red marker for decision making timescales.
- 3.5 The nine green markers show that the Council is performing well in terms of processing agreements, its enforcement charter, local development plan processes and engagement, policy advice, corporate working and sharing good practice.
- 3.6 The three amber markers relate to early collaboration with applicants and consultees, continuous improvement and developer contributions. The feedback provided by Scottish Government suggests the need to provide clearer evidence on these matters in the next PPF rather than the need for any specific improvements, e.g. it is not clear from the report whether the pre-application process involves discussion of developer contribution.
- 3.7 The three red markers relate to different aspects of decision making timescales – the times taken to determine major, local and householder applications, legal agreements and legacy cases, i.e. live applications over a year old. It notes that our timescales for processing applications is slower than the previous year and slower than the Scottish average. The report recognises that one of the reasons for the increased timescales is the complexity of negotiations on legal agreements.
- 3.8 Work has already started on improving performance in relation to decision making timescales within the context of the Planning Improvement Plan 2018/21 approved by Committee on [12 December 2018](#). Actions under Theme 3 Continuous Improvements and Theme 4 Performance are focussing on different aspects of our processes to identify and implement changes to speed up our decision making timescales. A progress update on the Planning Improvement Plan will be reported to the Planning Committee in May 2019.

4. Measures of success

- 4.1 A Planning and Building Standards Service which delivers excellent places performs well when benchmarked against other Scottish Local Authorities and embeds a culture of continuous improvement.

5. Financial impact

- 5.1 There are no financial impacts arising from this report.

6. Risk, policy, compliance and governance impact

6.1 There are no risks to the Council associated with this report.

7. Equalities impact

7.1 The PPF will not have a significant impact on equality, the economy or the environment and therefore an Integrated Impact Assessment has not been carried out.

8. Sustainability impact

8.1 The impacts of this report in relation to the three elements of the Climate Change (Scotland) Act 2009 Public Bodies Duties have been considered, and the outcomes are as follows:

8.1.1 the proposals in this report do not affect carbon emissions;

8.1.2 the need to build resilience to climate change impacts is not relevant to the proposals in this report because they focus on procedural and performance matters; and

8.1.3 the proposals in this report will help achieve a sustainable Edinburgh because they will improve the well-being of staff, enhance the service for all customers and reduce the need to travel and use paper.

9. Consultation and engagement

9.1 The Planning and Building Standards Service seeks feedback from customers in a number of ways. This includes an annual Customer Forum, the most recent took place in June 2018. The Council engages with a range of stakeholders on a regular basis in the preparation and review of its policies and guidance.

10. Background reading/external references

10.1 [Planning and Building Standards Improvement Plans for 2018 – 2021. Report to Planning Committee 12 December 2018](#)

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Executive Director of Place

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11. Appendices

Appendix 1 - Planning Performance Framework 2017/18 – Scottish Government
Response dated 10 January 2019.

T: 0300 244 4000
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Mr Andrew Kerr
Chief Executive
City of Edinburgh Council
10 January 2019

Dear Mr Kerr

PLANNING PERFORMANCE FRAMEWORK FEEDBACK 2017-18

I am pleased to enclose feedback on your authority's 7th PPF Report for the period April 2017 to March 2018. Considerable progress has been made since the introduction of the Planning Performance Framework and key markers, although performance still remains variable over some authorities and markers.

As you may be aware, the Planning Bill has recently passed through the second stage of parliamentary consideration, during which the Local Government and Communities Committee voted to remove the proposed provisions on planning performance, provisions to make training for elected members mandatory, and the existing penalty clause provisions. We expect Stage 3 of the bill process to begin in the new year.

Whatever the outcome of the Planning Bill, I believe now is the time to look again at how we measure the performance of the planning system. The High Level Group on Planning Performance recently met to discuss performance measurement and other improvements. I very much hope that we can continue to support ongoing improvements in our planning service and further demonstrate the value which the planning system can add to people's lives. Ministers see an important connection between performance and fees and I am aware that any proposals to increase fees will raise applicants' expectations of an efficient and effective service.

We need to be able to measure performance to provide that crucial evidence to support any increases in fees, to help ensure that authorities are appropriately resourced to deliver on our ambitions. With this in mind, we will continue to liaise with COSLA, SOLACE and Heads of Planning Scotland on matters of the Bill's implementation and planning performance measures going forward.

If you would like to discuss any of the markings awarded below, please email chief.planner@gov.scot and a member of the team will be happy to discuss these with you.

Kind Regards



KEVIN STEWART

CC: Mr David Leslie, Head of Planning and Transport

PERFORMANCE MARKERS REPORT 2017-18

Name of planning authority: **City of Edinburgh**

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]	Red	<p>Major Applications Your timescales of 56.3 weeks are slower than the previous year and are slower than the Scottish average of 33.6 weeks. RAG = Red</p> <p>Local (Non-Householder) Applications Your timescales of 14.7 weeks are slower than the previous year and are slower than the Scottish average of 10.7 weeks. RAG = Red</p> <p>Householder Applications Your timescales of 8.8 weeks are slower than the previous year and are slower than the Scottish average of 7.3 weeks. RAG = Red</p> <p>Overall RAG = Red</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>You promote the use of Planning Processing Agreements (PPA) for major developments with guidance and a model processing agreement template available form for applicants. The percentage of major applications with PPAs has decreased this year. RAG = Green</p> <p>The availability of processing agreements is advertised on your website. RAG = Green</p> <p>Overall RAG = Green</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>You provide a pre-application advice service which is promoted through the website and by staff engaging with prospective applicants. Good examples of pre-application discussions that resulted in better developments were provided. RAG = Green</p> <p>You provide examples of early engagement leading to better developments but it is not made clear how expectations are set over what supporting information will be required in planning applications. RAG = Red</p> <p>Overall RAG = Amber</p>

4	Legal agreements: conclude (or reconsider) applications after resolving to grant permission reducing number of live applications more than 6 months after resolution to grant (from last reporting period)	Red	Your average timescales for major and local applications are slower than last year's figures and are slower than the Scottish averages. It is noted that legal agreements have taken longer this year due to the complexity of negotiations, and that this is being addressed through the use of a model legal agreement.
5	Enforcement charter updated / re-published within last 2 years	Green	Your enforcement charter was 3 months old at the time of reporting.
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 	Amber	Your decision making timescales are slower than last year, including applications with legal agreements. The services' enforcement charter and LDP is up to date and will be replaced within the required timescale, however there has not been significant progress with your stalled sites figures. RAG = Red You have completed 8 out of your 17 improvement commitments. We note that you are moving towards a 3 year plan for longer term planning. Your report would benefit from making it clear which commitments have been completed. There are 21 commitments to take forward in the year ahead. RAG = Amber Overall RAG = Amber
7	Local development plan less than 5 years since adoption	Green	Your LDP was 1 year and 4 months old at the end of the reporting period.
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	Your LDP is on course to be replaced within the required 5 year timescale RAG = Green Your LDP2 process is underway and your development plan scheme will be updated in the next PPF. RAG = Green
9	Elected members engaged early (pre-MIR) in development plan preparation – <i>if plan has been at pre-MIR stage during reporting year</i>	Green	Your staff and elected members are involved in pre-MIR discussions, a LDP project overview was presented to Planning Committee this year with staff workshops and community briefings also taking place.
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>	Green	The service has commenced early engagement with stakeholders. We look forward to hearing about the progress of this in the next reporting year.
11	Regular and proportionate policy advice produced on information required to support applications.	Green	You have produced a range of guidance to assist applicants in submitting good quality acceptable applications. Planning advice is reviewed annually and updated with supplementary guidance prepared to provide further details on the adopted local development plan. This year you published an updated Design Guidance.
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	Green	You responded to feedback, given through complaints, customer forums and generally. This led to improvements in your building standards charter, for example. You work with building standards on a customer charter and have developed protocols for other services such as the Environmental Protection team.

	advice)		
13	Sharing good practice, skills and knowledge between authorities.	Green	You peer review with Aberdeen City, share LDP processes with other authorities and attend the Local Authority Urban Design Forum and others.
14	Stalled sites / legacy cases: conclusion or withdrawal of old planning applications and reducing number of live applications more than one year old.	Red	You have cleared 40 cases during the reporting year, with 89 cases still awaiting conclusion. Based on this and last year's figures, 48 reached legacy status during the reporting year.
15	Developer contributions: clear and proportionate expectations <ul style="list-style-type: none"> • set out in development plan (and/or emerging plan); and • in pre-application discussions 	Amber	Supplementary guidance on developer contributions and infrastructure delivery has been prepared for approval by Scottish Government and is set out in the LDP. RAG = Green It is not clear from the report whether the pre-application process involves discussion of developer contributions. RAG = Red Overall RAG = Amber

CITY OF EDINBURGH COUNCIL
Performance against Key Markers

Marker		2012-13	2013-14	2014-15	2015-16	2016-17	2017-18
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	N/A	N/A	N/A	
10	Stakeholders engaged early (pre-MIR)	N/A	N/A	N/A	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	2	4	7
2013-14	1	5	7
2014-15	2	4	7
2015-16	2	3	8
2016-17	1	3	9
2017-18	3	3	9

Decision Making Timescales (weeks)

	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2017-18 Scottish Average
Major Development	81.6	27.9	26.5	33.6	43.0	56.3	33.6
Local (Non-Householder) Development	10.5	10.7	11.6	11.6	12.4	14.7	10.7
Householder Development	6.9	7.5	7.7	8.0	8.3	8.8	7.3