



**PLANNING AND BUILDING
STANDARDS COMMITTEE
MONDAY, 5 DECEMBER, 2016**

**Please find attached Papers in respect Item 7(a) on the
agenda for the above meeting**

7.	Any Other Items Previously Circulated. (Pages 1 - 6) Planning Performance Framework 2015-16. (Letter and Performance Markers Report attached.)	
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Ms Tracey Logan
Chief Executive
Scottish Borders Council

25 November 2016

Dear Ms Logan

PLANNING PERFORMANCE FRAMEWORK 2015-16

Thank you for submitting your authority's annual Planning Performance Framework (PPF) report covering the period April 2015 to March 2016. Please find enclosed your feedback report, which is based on the evidence provided within your PPF.

I am very pleased that the quality of PPF reporting has again improved with many authorities setting out a very clear story of how the service is operating and detailing their priority actions for improvement. There have been general improvements across most of the categories however, there still remains high levels of inconsistency in planning authority decision making timescales across the country. This was also reflected through the recent publication of the statistics for the first quarter of 2016-17 which shows that certain authorities, and certain cases, are dragging the statistics down considerably. I asked officials to look into the reasons for delay in some of the lengthiest cases and will report on that to the High Level Group on Performance.

Planning performance improvement has come a long way in recent years and the PPF framework provides an excellent opportunity for authorities to set out the details behind their performance and showcase good practice and innovative ideas. I hope we can continue to work positively with authorities to improve monitoring processes and continue our collective commitment to improving services.

This is an exciting time for planning – the momentum of the independent planning review is continuing and we will be publishing a consultation outlining options for change in the winter, to inform the future Planning Bill. The consultation will cover a variety of options to enhance community involvement in planning; help deliver homes and infrastructure; simplify development planning and management processes; and focus on improving the service and reputation of planning. It is a challenging timetable but a fantastic opportunity to deliver real change.



Although there are some things that we need legislation to change, many of the panel's recommendations don't need legislation, they need a change in working practices, a recognition that planning creates the places where people work, live, learn and play. To achieve the outcomes we all want to see, authorities need to reposition planning to ensure that it sits at the very heart of the authority and has the resources available to it to make sure it provides the best service possible to developers, stakeholders and the authority in which it sits. To help achieve this we will shortly be launching a consultation on raising the planning fee maximum in an effort to move towards cost recovery. Following the planning bill we will consult further on potential reform of the fee regime.

I hope that you and your authority will actively participate as we progress, ensuring that we see real change throughout the planning community.



KEVIN STEWART

CC: Brian Frater, Head of Planning and Building Standards

PERFORMANCE MARKERS REPORT 2015-16

Name of planning authority: **Scottish Borders 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	<p>Major applications</p> <p>At 27.6 weeks you have improved on last year and are quicker than the national average of 38.8 weeks.</p> <p>RAG = Green</p> <p>Local Non-Householder applications</p> <p>17.4 weeks is an improvement on the 22.9 weeks you posted last year but is slower than the national average.</p> <p>RAG = Amber</p> <p>Householder applications</p> <p>Timescales continue to improve and at 6.7 weeks are faster than the national average of 7.5 weeks.</p> <p>RAG = Green</p> <p>OVERALL RAG = GREEN</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 	Amber	<p>You have entered into 1 processing agreement for a major application and have utilised them with a large number of local applications with 70% meeting their deadlines. You have identified improvement activity to ensure that more timescales are met going forward.</p> <p>RAG = Green</p> <p>It is not clear if you advertise the use of processing agreements on your website.</p> <p>RAG = Red</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 state that all applications received are subject to some form of pre-application engagement/discussion. You have provided some good examples of the benefits that have been realised from early engagement with applicants.</p> <p>RAG = Green</p> <p>You have produced a range of guidance which is available online including advice about pre-application discussion.</p> <p>RAG = Green</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>You have introduced a new twin tracking process whereby legal agreements are drafted alongside the processing of the planning application to help ensure swift sign off of the agreement following committee decision.</p> <p>The need for a legal agreement and the process involved is also included in any processing agreement.</p>
5	<p>Enforcement charter updated / re-published within last 2 years</p>	Green	<p>Your enforcement charter is 1 month old.</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>You have demonstrated your commitment to pre-application engagement and the use of processing agreements to manage applications to conclusion. You have made improvements to major, local and householder timescales and cleared a significant number of legacy cases. Your LDP is just out of date and was replaced just outside the reporting year.</p> <p>RAG = Green</p> <p>4 of your improvement commitments have been completed with the two remaining commitments ongoing. You have also committed to a good range of improvements for the year ahead.</p> <p>RAG = Green</p>
7	<p>Local development plan less than 5 years since adoption</p>	Red	<p>Unfortunately although your LDP was replaced in May 2016 the previous LPD was over 5 years old at the end of the reporting year.</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 	Red	<p>Your LDP was replaced outwith the 5 year timescale however, we note that it has now been replaced.</p> <p>You have failed to set out how your LDP was project managed and if it was delivered to the timescales which you originally envisioned.</p>

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	
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 information required to support applications	Green	Your website has been reviewed and a range of information and guidance has been published to advise and support applicants. Your new LDP and SPG will provide clarity and certainty to stakeholders. Relevant policies and guidance implications are highlighted during any pre-application discussions.
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	You have reviewed your working arrangements with Economic Development colleagues and prioritise any applications which have a business or jobs element. You have also put in place a number of protocols with key agencies.
13	Sharing good practice, skills and knowledge between authorities	Green	You have set out a range of activities you have undertaken to share good practice. You are supporting Dumfries and Galloway with their design awards. You are also working with key agencies and other authorities to share good practice, knowledge and skills and highlighted the issues which you have discussed.
14	Stalled sites / legacy cases: conclusion or withdrawal of old planning applications and reducing number of live applications more than one year old	Green	You have removed a significant number of legacy cases and you have implemented a process whereby processing agreements are used to assist in managing applications to conclusion.
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 	Green	Your new LDP contains your policy on developer contributions and you had SPG in place which could be relaxed if viability is affected. RAG = Green Developer contributions are not discussed at pre-application stage however, applicants are encouraged to engage with the development negotiator as soon as an application is submitted so that any legal agreement can be twin tracked with the applications. RAG = Green

SCOTTISH BORDERS COUNCIL
Performance against Key Markers

Marker		2012-13	2013-14	2014-15	2015-16
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
10	Stakeholders engaged early (pre-MIR)	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)

2012-13	4	4	5
2013-14	1	3	9
2014-15	2	4	7
2015-16	2	1	10

Decision Making Timescales (weeks)

	2012-13	2013-14	2014-15	2015-16	2015-16 Scottish Average
Major Development	60.8	73.3	30.9	27.6	38.8
Local (Non-Householder) Development	25.3	26.8	22.7	17.4	12.3
Householder Development	10.1	8.6	7.7	6.7	7.5