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Malcolm Burr
Chief Executive
Comhairle nan Eilean Siar

17 December 2020

Dear Malcolm,

PLANNING PERFORMANCE FRAMEWORK FEEDBACK 2019-20

I am pleased to enclose feedback on your authority's ninth Planning Performance Framework (PPF) Report, for the period April 2019 to March 2020.

Firstly, I would like to take this opportunity to thank you and your staff for enabling planning services to continue to operate during the Covid-19 pandemic. This has been a difficult year for so many, and our planning system has a vital role to play in Scotland's green recovery. The impact which the pandemic has had, has demonstrated how valuable planning is from ensuring that businesses can operate flexibly to the contribution that it can make to the Places that are so important for our communities in terms of having access to the services they need, to greenspace and other areas where families can walk, wheel and cycle safely.

Turning to the 2019-20 PPF reporting year, I believe that good progress continues to be made by Scotland's planning authorities. Overall, there has been an increase in the number of green ratings awarded this year, with a subsequent reduction in red ratings, however, there remains some variation across some authorities and markers. I have been particularly pleased to see improvements in the speed of determination of major planning applications in some authorities.

When I wrote about performance reporting last year, I indicated that a consultation on Planning Performance and Fees was underway, including preparations for the new performance arrangements being introduced through the Planning (Scotland) Act 2019; with our intention at that time being that the proposed changes would be implemented in Summer 2020. However, the Covid-19 pandemic has required a rethink about the timing and a wider reprioritisation of our work programme.

I would like to reassure you that, while we have paused the changes to the fees and performance legislation, I am committed to ensuring that planning authorities are properly resourced and that planning fee levels are proportionate. We will pick this up again when the timing is more appropriate.

Finally, although the Covid-19 pandemic will have impacted on the tail end of the 2019-20 reporting year, I appreciate the impacts on service delivery will show through more in the 2020-21 reporting year. The Planning statistics for the first 6 months of the reporting year are due to be published in January, which will provide the first indications of how the pandemic has affected the ability of authorities to determine applications. I would like to reassure you that I will consider, in liaison with the High Level Group on Planning Performance, how next year's reports will be assessed, so that authorities are not unfairly criticised due to circumstances outwith their control. It could also provide an opportunity to recognise the vital actions taken by planning authorities to maintain the planning system and its contribution to recovery.

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.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Kevin Stewart', with a long horizontal stroke extending to the right.

KEVIN STEWART

CC: Morag Ferguson

PERFORMANCE MARKERS REPORT 2019-20

Name of planning authority: **Comhairle nan Eilean Siar**

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 You determined two applications in the reporting year which took an average time of 18.9 weeks which is faster than the Scottish Average of 33.5 weeks. RAG = Green</p> <p>Local (Non-Householder) Applications Your timescales of 8.5 weeks are slower than the previous year but are faster than the Scottish average of 10.9 weeks. RAG = Amber</p> <p>Householder Applications Your timescales of 7.6 weeks are slower than the previous year and are slower than the Scottish average of 7.3 weeks. However, this is faster than the statutory timescale of 8 weeks. RAG = Green</p> <p>Overall RAG = Green</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 are offered to prospective applicants through pre-application discussions. RAG = Green</p> <p>You advertise the availability of processing agreements on your website. RAG = Green</p> <p>Overall RAG = Green</p>
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	<p>You provide a free pre-application advice service and your Planning Service Charter sets out what customers can expect from the Planning Service with regards to advice which can be provided in advance of submitting an application. RAG = Green</p> <p>The case studies you provide demonstrate how your approach to requesting supporting information is clear and proportionate and applications are assessed against the national Validation Standards which was produced by HOPS. RAG = Green</p> <p>Overall RAG = Green</p>
4	Legal agreements: conclude (or reconsider) applications after resolving to grant permission	Green	<p>You did not determine any applications which were subject to a legal agreement during the reporting period.</p>

	reducing number of live applications more than 6 months after resolution to grant (from last reporting period)		
5	Enforcement charter updated / re-published within last 2 years	Green	Your enforcement charter was less than a month old at the end of the reporting period.
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 	Green	Your LDP and enforcement charter are up-to- date and your LDP is on track for replacement. There has been some improvement with regards to your decision making timescales, however, some legacy cases remain unresolved. RAG = Green You completed 5 out of your 6 improvement commitments with the other 1 ongoing. You have identified a good range of improvement projects for the year ahead. RAG = Green Overall RAG = Green
7	Local development plan less than 5 years since adoption	Green	Your LDP was 1 Year 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 scheduled to be replaced within the required 5 year timescale. However, you have indicated that you may move to a new style LDP which is in line with the Planning Act 2019 provisions. RAG = Green Your Development Plan Scheme sets out the timescales and approach you are taking to replace your LDP and will be project managed by the Development Plan and Marine Planning teams. RAG = Green Overall 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>	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 LDP is bedding in and sets a clear policy framework with supplementary guidance brought forward where relevant and you will be developing revised supplementary guidance on Aquaculture and Wind Energy.
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 provided examples of working with others to deliver new house building which has delivered places of lasting quality and supporting delivery of rural development. Another example is the work to enhance historic assets such as the Rodel House restoration.

13	Sharing good practice, skills and knowledge between authorities	Green	You provide some examples of sharing good practice including through benchmarking and HOPS. Two team members attended the Marine Planning Workshop to learn from others and share their experience.
14	Stalled sites / legacy cases: conclusion or withdrawal of old planning applications and reducing number of live applications more than one year old	Amber	You still had 2 legacy cases which were live at the end of the reporting year however, one of those has been withdrawn.
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	<p>Policy on developer contributions is set out in your LDP. RAG = Green</p> <p>Your report sets out how developer contributions are discussed during pre-application discussions through one of the case studies you have included. RAG = Green</p> <p>Overall RAG = Green</p>

COMHAIRLE NAN EILEAN SIAR COUNCIL

Performance against Key Markers

Marker	12-13	13-14	14-15	15-16	16-17	17-18	18-19	19-20
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	N/A
10 Stakeholders engaged early (pre-MIR)	N/A	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	3	4	6
2013-14	0	5	8
2014-15	0	0	13
2015-16	0	0	15
2016-17	0	1	14
2017-18	4	5	4
2018-19	0	1	12
2019-20	0	1	12

Decision Making Timescales (weeks)

	12-13	13-14	14-15	15-16	16-17	17-18	18-19	19-20	2019-20 Scottish Average
Major Development	-	44.9	28.5	-	-	36.9	-	18.9	33.5
Local (Non-Householder) Development	11.3	10.5	12.3	8.9	8.1	9.7	8.3	8.5	10.9
Householder Development	8.2	7.8	7.1	7.1	6.1	7.5	5.8	7.5	7.3