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Malcolm Burr
Chief Executive
Comhairle nan Eilean Siar

22 December 2022

Dear Malcolm Burr

I am pleased to enclose feedback on your authority's eleventh Planning Performance Framework (PPF) Report, for the period April 2021 to March 2022.

The reporting period which these reports cover has continued to present challenges for people working within planning, in the development sector and across Scotland's communities.

Ensuring the system is appropriately resourced is key to improving the performance of planning, which is why in April I implemented the biggest change to planning fees in 8 years, with fees for most types of development increasing by between 25% and 50%. At the time I said I would expect to see this additional money invested in delivering improvements in Planning Services. It is too early to know whether that has occurred, however, I have heard positive feedback from some authorities who have managed to recruit or retain staff as a result of the additional income. I also committed to working with Heads of Planning and COSLA to identify how we could move planning fees closer to covering the full cost of their determination. That work is ongoing and I expect to receive some conclusions/recommendations early in the new year.

I am also encouraged to see the fees for applications made under the Electricity Act also increasing on 13th December and the voluntary contribution of 50% of the fee, for certain types of application, being passed to planning authorities being maintained.

However, I recognise that resourcing is about more than just money and having a pipeline of knowledgeable and skilled planners is essential to delivering on our ambitions set out in NPF4. This is why I supported the RTP1 and Heads of Planning Scotland's Future Planners Project which looked at proposals to help increase the numbers of people entering the planning profession. We recognise the importance of delivering on this vision and the resourcing and skills challenges for planning authorities, which we are taking steps to address.

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Work is also progressing on

- the introduction of mandatory training for elected members in the planning system;
- the implementation of statutory annual reports by planning authorities; and
- the appointment of a Planning Improvement Coordinator for Scotland.

Turning to the 2021-22 PPF reporting year, although, as expected, there have been some minor changes overall in the markings awarded, the figures indicate that performance has remained relatively stable. This is a testament to the hard work and flexibility of authorities during challenging times and I believe that overall, good progress continues to be made by Scotland's planning authorities.

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.



TOM ARTHUR

CC: Morag Ferguson, Head of Planning and Economic Development

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PERFORMANCE MARKERS REPORT 2021-22

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]	Amber	<p>Major Applications You determined one application in the reporting year which took an average time of 35.1 weeks which is slower than last year but faster than the Scottish Average of 44.6 weeks. RAG = Amber</p> <p>Local (Non-Householder) Applications Your timescales of 12.6 weeks is slower than the previous year but is faster than the Scottish average of 13.5 weeks. RAG = Amber</p> <p>Householder Applications Your timescales of 8.8 weeks is slower than the previous year and is slightly slower than the Scottish average of 8.7 weeks. RAG = Red</p> <p>Overall RAG = Amber</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>Processing agreements are offered to prospective applicants through pre-application discussions and a template is provided to aid the process. RAG = Green</p> <p>You advertise the availability of processing agreements 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 	Green	<p>You have developed a pre-application form to help filter out routine enquiries due to the significant volumes of enquiries. Pre-application advice is heavily popular with the majority of the requestion within tourism and housing sector. RAG = Green</p> <p>The case studies you provide demonstrate how your approach to requesting supporting information is clear and proportionate such as with Grinneabhat Community Hub. RAG = Green</p> <p>Overall RAG = Green</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)	Green	You did not determine any applications which were subject to a legal agreement during the reporting period.
5	Enforcement charter updated / re-published within last 2 years	Green	Your enforcement charter was 1 month old at the end of the reporting period.

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6	Continuous improvement: <ul style="list-style-type: none"> progress ambitious and relevant service improvement commitments identified through PPF report 	Green	You completed 4 out of your 5 improvement commitments with the other commitment to be progressed in the following. You have identified a good range of improvement projects for the year ahead.
7	Local development plan less than 5 years since adoption	Green	Your LDP was 3 Year 4 months old at the end of the reporting period.
8	Development plan scheme – next LDP: <ul style="list-style-type: none"> project planned and expected to be delivered to planned timescale 	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. You have noted that the timescale will exceed the 5 year targets aligned with the older regulations.
9 & 10	LDP Engagement <ul style="list-style-type: none"> stakeholders including Elected Members, industry, agencies, the public and Scottish Government are engaged appropriately through all key stages of development plan preparation. 	Green	You have briefed members regarding the pending regulation and will set up a plan for engagement in full once these regulations are clear. You have undertaken additional training with elected members in preparation for the upcoming LDP.
11	Policy Advice <ul style="list-style-type: none"> Production of relevant and up to date policy advice 	Green	You have produced revised and updated guidance on Marine Fish Farming, Wind Energy Development Supplementary Guidance. Technical guidance for minerals was also updated to help to update the Mineral Audit.
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 including the collaboration with Community Planning Partnership to help produce an informative, interactive tool for organisations to learn about climate change within the Outer Hebrides.
13	Sharing good practice, skills and knowledge between authorities	Green	You provide some examples of sharing good practice including through benchmarking and HOPS including the DM and DP sub-groups. You have also been collaborating with other island authorities in regards to the Islands Growth Deal. You have provided a clear case study example on Housing Feasibility Studies which shows the planning team cross-working with the Housing and Communities committee and the Islands Grazing Committees to help identify suitable land.
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 cleared 6 legacy cases during the reporting year with 4 remaining which is an increase on 1 from last year. You have noted however the 4 legacy cases remaining are reviewed quarterly with 1 of the cases is awaiting S75 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	Policy on developer contributions is set out in your LDP. RAG = Green Your report sets out how developer contributions are discussed during pre-application discussions through one of the case studies you have included. RAG = Green Overall RAG = Green

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COMHAIRLE NAN EILEAN SIAR COUNCIL

Performance against Key Markers

Marker	13-14	14-15	15-16	16-17	17-18	18-19	19-20	20-21	21-22
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 & 10 LDP Engagement	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
2020-21	0	3	10
2021-22	0	2	12

Decision Making Timescales (weeks)

	13-14	14-15	15-16	16-17	17-18	18-19	19-20	20-21	21-22	2021-22 Scottish Average
Major Development	44.9	28.5	-	-	36.9	-	18.9	9.4	35.1	44.6
Local (Non-Householder) Development	10.5	12.3	8.9	8.1	9.7	8.3	8.5	9.6	12.6	13.5
Householder Development	7.8	7.1	7.1	6.1	7.5	5.8	7.5	8.4	8.8	8.7

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