

PLANNING PERFORMANCE FRAMEWORK: 2012-13

FEEDBACK REPORT: Comhairle nan Eilean Siar



Date performance report due: 30 September 2013

Date of receipt of report: 30 September 2013

National Headline Indicators

- Your Local Development Plan (LDP) was recently adopted and you are benefitting from having an up-to-date policy framework that can direct development and investment within your area. We note that your LDP remains on track with your development plan scheme, with regard to the publication of supplementary planning guidance. Your next LDP should be project managed to remain on course for adoption within the statutory 5-year timescale.
- There remain some issues around a standard definition for consistently measuring employment and commercial land supply, which we are working with HOPS to address; meantime the data you have provided is noted.
- We welcome your comprehensive approach to pre-application engagement and note that a relatively high proportion of applications have been subject to pre-application discussions. This demonstrates a strong commitment to an open for business approach which provides increased certainty for applicants. It was not clear though whether this service also includes the provision of formal written advice.
- We note that no processing agreements were entered into during the year as you received no major developments. We therefore welcome your service improvement to pilot processing agreements for selected large or complex local applications. Your next report needs to explain how processing agreements are offered and publicised on your website. Some authorities have found that awareness and take-up has increased following the publication of guidance.
- You have made progress in reducing the average decision making timescales for local (non-householder) developments, while householder developments remain comparable to the national average. One area of concern was the increase in timescales for applications subject to legal agreements, which average 200 weeks. Notwithstanding that this relates to two applications, you should continue to implement measures to reduce these timescales and determine your remaining legacy cases.
- Your approval rate of 98% remains substantially higher than the Scottish average. This points towards having a recently adopted LDP in place and a strong commitment to using pre-application engagement to negotiate improvements. If this figure remains high, future reports would benefit from some commentary to explain the reasons.

- Your enforcement charter is up to date and you should ensure that updates continue to happen within the required 2-year cycle.

Defining and measuring a high-quality planning service

- You have demonstrated a range of customer-focused activities that applicants and developers will find helpful, and these are delivered in a manner that is welcoming and open for business. This includes the publication of a customer charter, pre-application advice and officer availability.
- You appear to be forming strong links with other Council departments, which is supported by regular meetings and a commitment to introduce protocols for internal consultees. Future reports should explain how these working relationships support the pre-application and planning application process by ensuring that early engagement is achieved and information requests are clear and proportionate.
- Working with an up-to-date development plan along with your statistics on approval rates and pre-application discussions all appear to be contributing to a level of certainty and confidence that benefits customers and enables consistent decision-making. We were particularly encouraged to hear that pre-application meetings with external stakeholders are being used for windfarm and fish farm applications, and that these are resulting in clearer responses and requests for supporting information.
- We are pleased to see that you have been reactive to issues in relation to the high demand for renewables applications by developing collaborative working with the MOD and publishing advice on micro renewables and supplementary planning guidance on wind energy development. This should help to improve developer certainty and lead to efficiency savings when processing applications.
- You are using a range of methods to establish a context for high quality design through officer involvement, which is supported by your LDP and collaborative approaches to regeneration and town centre improvements. You should consider monitoring and reporting where you have added value to the planning application process and future reports would benefit from case studies and examples that have been subject to design improvements.
- Your report lacked a description of how expectations for clear and proportionate developer contributions are set out in your LDP and through pre-application discussions. You need to cover this in your next report.
- 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.
- We are pleased to see that you are committed to customer focused engagement with local developers and agents through quarterly electronic updates and annual meetings with the aquaculture industry. Future reports should describe how this collaborative working has helped to identify issues and resultant improvements to your service.
- You have demonstrated that management structures and internal processes are in place to monitor workload and ensure effective service delivery. This is supported by flexible approaches to workload and regular meetings which aid

efficient decision making. We are interested to note that the introduction of 'Interplan' has led to improved monitoring and reporting of performance. This approach may be something that you could to share with other authorities.

- You appear committed to the ongoing development and training of staff through personal development and training. It was useful to get an indication of the training that has been delivered during the reporting period, including the use of joint training with other authorities and key agencies. There was no information on whether any training for Elected Members had taken place.
- We are encouraged to note that you are sharing good practice with other authorities through attendance at development plan and HOPS forums. Future reports would benefit from a more detailed explanation of the benchmarking that has occurred with Heads of Planning and authorities in the Highlands and Islands area.

Service improvements 2012-13: delivery

- You have made good progress on delivering previously identified service improvements, with one outstanding action being carried forward.
- This section contains some useful information that could have been used to supplement the description of your planning service in the main body of your report.

Service improvement commitments 2013-14

- You have committed to a good range of activities that should help contribute towards the continuing delivery of improved performance, collaborative working and a positive customer service. Some of your improvement commitments would have benefited from being more specific, time-based and measurable.
- The review of your enforcement charter is core business and does not need to be included as a service improvement.

Conclusion

- You have produced a well-written report that supports your commitment to pre-application engagement, delivering high quality design and the development of collaborative working with external and internal stakeholders, as envisaged through planning reform and the Planning Performance Framework.
- The reduction in the timescales taken to determine local (non-householder) developments is welcomed, but you need to consider what improvements and actions you can take to reduce the average timescales for applications subject to legal agreements. The introduction of processing agreements and internal protocols should help, and we look forward to hearing about the progress you have made in your next report.
- Your next report would benefit from the inclusion of case studies or examples to supplement the practices that have been used in the reporting year, along with any outcomes and feedback from those involved.

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.qsi.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: **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>Further reduction in timescales for local (non-householder) developments, timescales remain better than Scottish average.</p> <p>Decision making timescale for householder developments remains unchanged, and just above the Scottish average.</p> <p>No major developments received during the reporting period.</p> <p>Increase in timescales for applications subject to legal agreements, albeit this is only two applications.</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 	Amber	<p>No major developments received during the reporting period.</p> <p>Service improvement for 2013/14 to pilot use of processing agreements for large or complex local developments.</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>Pre-application advice offered and promoted for all application types.</p> <p>Good evidence provided of collaborative working to aid pre-application discussions for renewable energy and fish farm applications, which is helping to identify clear information requests. Future reports should aim to include more detail of how such requests are also proportionate.</p>

			Service improvement to introduce protocol for internal consultees.
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) 	Red	<p>Increase in decision making timescales for applications subject to planning/legal agreement, which are now taking nearly 4yrs (200 weeks) on average to determine, albeit this is only two applications.</p> <p>Report refers to ongoing action to reduce legacy cases.</p>
5	Enforcement charter updated / re-published within last 2 years	Green	Enforcement charter up to date.
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>LDP up to date and development plan scheme on track.</p> <p>Some good progress on decision making timescales. One area of concern is the rise in average timescale for applications subject to legal agreements.</p> <p>Enforcement charter up to date.</p> <p>Good progress made on delivering service improvement commitments for 2012/13.</p>
7	Local development plan less than 5 years since adoption	Green	LDP adopted in November 2012.
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	Development plan scheme on track. LDP only recently adopted.
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>	N/A	

	<i>*including industry, agencies and Scottish Government</i>		
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 	Amber	<p>Up to date LDP provides clear indication of requirements. Collaborative working in place to identify information requirements for renewable energy and fish farm applications. Advice published on micro renewable applications.</p> <p>Report provides no description of how developer contributions are used, and whether/how regular and proportionate advice is set out.</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>	Amber	<p>Good evidence provided of corporate working to contribute to regeneration. Report refers to working with internal consultees to agree interventions and changes to processes, but lacks a description of what these are.</p> <p>Some good progress made to improve corporate working with further service improvement commitments identified for 2013/14. This includes the introduction of protocol for internal consultees.</p>
13	<p>Sharing good practice, skills and knowledge between authorities</p>	Green	<p>Report provides a positive approach to training which includes sharing good practice and joint training events with planning authorities.</p> <p>Report highlights that good practice, skills and knowledge is shared by attending forums and HOPS events. Report would benefit from a more specific reference of what specific benchmarking and sharing of good practice is occurring.</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>	Red	<p>Report lacks description of the work undertaken to reduce the number of legacy cases. This needs to be covered in more detail in future reports.</p> <p>Rise in average timescale to determine applications subject to legal agreements , which now average 200 weeks to determine. This may be a result of determining legacy cases, but report is not clear.</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 	Red	<p>No information provided of how development plan and pre-application discussions set out clear and proportionate developer contribution requirements.</p>