
Report To:	Environment and Regeneration Committee	Date: 5th September 2013
Report By:	Corporate Director, Environment, Regeneration and Resources	Report No: E+R/13/09/01/sj/nm
Contact Officer:	S. Jamieson, Head of Regeneration and Planning	Contact No: 01475 712401
Subject:	Scottish Government Planning Performance Annual Report and Feedback Report	

1.0 PURPOSE

- 1.1 Each Scottish Planning Authority published a Planning Performance Framework in October 2012. The Scottish Government Planning Performance Annual Report, in assessing the frameworks, forms part of a wide ranging body of work aimed at ensuring that the planning system is focused and provides a suitable vehicle for sustainable economic growth. Additionally, each Planning Authority has received an individual Feedback Report. The purpose of this report is to inform of findings of the Annual Report and Feedback Report and to advise on how Inverclyde Council is able to respond.

2.0 SUMMARY

- 2.1 The Scottish Government's Planning Performance Annual Report evaluates the information contained in the individual Planning Performance Frameworks under four headings: decision making, service and engagement, high quality development on the ground and resourcing, before identifying areas where future reporting could add value. Actions, both current and proposed, in response to the recommendations, are highlighted in paragraphs 9.2 to 9.30.
- 2.2 Inverclyde's Planning Performance Framework is considered by the Scottish Government to be "a well-structured report displaying evidence of a shift towards a planning reform and performance culture" and the Framework has "demonstrated a good, focused approach to efficient service delivery and improvement".

3.0 RECOMMENDATIONS

- 3.1 It is recommended that the Committee notes the actions, both already undertaken and proposed, in response to the Scottish Government's Planning Performance Annual Report's proposals and individual Feedback Report on Inverclyde Council.

Stuart W Jamieson
Head of Regeneration and Planning

4.0 BACKGROUND

- 4.1 Each Scottish Planning Authority published a Planning Performance Framework in October 2012. While each authority has received an individual Feedback Report, the Scottish Government Planning Performance Annual Report assesses the combined frameworks and forms part of a wide ranging body of work aimed at ensuring that the planning system is focused and provides a suitable vehicle for sustainable economic growth. Inverclyde's individual Feedback Report describes the Council's Planning Performance Framework as "a well-structured report displaying evidence of a shift towards a planning reform and performance culture".
- 4.2 The Scottish Government's Planning Performance Annual Report evaluates the information contained in the Planning Performance Frameworks under four headings: decision making, high quality development on the ground, service and engagement, and resourcing, before identifying areas where future reporting could add value. Additionally, each Planning Authority received an individual Feedback Report on its own Planning Performance Framework.

5.0 DECISION MAKING

- 5.1 The planning system requires decisions to be made in line with the planning authority's development plan unless material considerations indicate otherwise. In meeting this requirement, the Scottish Government expects local authorities to have up-to-date development plans to provide both the community and developers with certainty.
- 5.2 The Scottish Government also considers that local authorities need to apply firm project management techniques to support the delivery of up-to-date development plans, including putting in place appropriate governance arrangements, reporting on progress and delays, recording risks and issues, building in time and mechanisms to deal with predictable future events such as local government elections and holiday periods, limit consultation periods to statutory obligations and ensuring that the evidence base is in place before publishing main issues reports.
- 5.3 Strong emphasis is placed on the use of effective project management, and the Government is keen to see processing agreements with developers on major planning proposals.
- 5.4 The Government considers effective case management as essential, with review of workloads a critical issue. It also expects what it describes as stalled applications to be reviewed and resolved due to the uncertainty that these applications can bring for all parties, not least of all the local community. With different approaches to Development Management there is scope for sharing best practice.
- 5.5 Finally under this heading, the Report expects all Planning Enforcement Charters to be less than 2 years old.

6.0 HIGH QUALITY DEVELOPMENT ON THE GROUND

- 6.1 The Report acknowledges that all authorities are working positively to achieve design quality, but this is not happening consistently and that authorities should engage more fully with Architecture and Design Scotland.
- 6.2 The Government considers that some authorities are more committed to the design agenda than others. The Government identifies the need for local guidance, more collaborative working by applying Designing Streets via the planning and roads construction consent process and by more actively promoting outcomes on the ground and award winning places.

7.0 SERVICE AND ENGAGEMENT

7.1 The Government reports that development industry representatives have spoken of how they value a welcoming, positive-minded and highly professional approach by planning authorities. The Government expects stakeholder engagement, single points of contacts for each planning application and increased use of e-Planning amongst other service improvements, and while improvements are commended they are not always evident. The Government suggests a rise in frustration from members of the public when they are unable to access general advice from their local planning authority.

8.0 RESOURCING

8.1 For effective service delivery the Government expects effective management structures to be in place with regular dialogue between management and staff to ensure target setting and adaptability. Key issues identified include the need to deal with skill gaps through training, staff development and sharing information and practice with other authorities.

8.2 Training for members is seen as vital, and the Government expects all authorities to ensure that members are kept up to date with changes to legislation and policy.

9.0 FUTURE IMPROVEMENTS / ADDED VALUE

9.1 The Report identifies 15 areas where future Planning Performance Frameworks should identify action:

9.2 **Strong evidence of further progress from those authorities which have identified delay in their development plan.**

9.3 The first Inverclyde Local Development Plan: Proposed Plan was published on 31st May 2013, some six months later than the initial Development Plan Scheme (DPS) anticipated in March 2009. Inverclyde's Feedback Report advises that the Government now wishes to see good progress, project planned, through to adoption. Three reasons can be given for this slight delay:

- the longer than anticipated time it took to reinstate the Member-Officer Group on the LDP following the Local Government elections in May 2012;
- the additional work involved in acting on the Modifications made to the Glasgow and the Clyde Valley Strategic Development Plan, approved in May 2012, particularly in relation to probably what is the most important matter in the LDP, the identification of sites to meet the housing land requirement; and
- the Council decided to determine a number of planning applications in advance of finalising the Proposed Plan, which probably accounted for three months of the delay.

I am satisfied that the overall impact of this slight delay is unlikely to affect the anticipated adoption of the new LDP in the summer of 2014, a date estimated back in the March 2009 DPS, and just over two years after the approval of the GCV SDP.

9.4 **Stronger commitment to processing agreements, both in authorities who offer them and the willingness of developers to enter into them.**

9.5 The Planning Service remains committed to this process and it will offer agreements for all major applications. The Greenock Windfarm application is our first processing agreement

9.6 Extensive use of effective case management.

9.7 Inverclyde's Planning Performance Framework reports that:

- Each planning application is given a target decision date following registration.
- Weekly planning application progress meetings are held to ensure that targets are met.
- There is an "open door" management approach to ensure quick resolution when issues arise with planning applications.
- Reasons for planning application delays are recorded. In 2011-12, only 18 planning applications taking over 2 months to determine were attributable to officer delays. This amounts to only 4.5% of all decisions.

I am satisfied that this national concern is being addressed in Inverclyde. Indeed, Inverclyde's individual Feedback Report notes that timescales for decision making compared to national averages are favourable, in some cases significantly so. The Report, however, notes that while the Council's planning application approval rate is higher than average, the level of delegation is lower. It is suggested that the Council utilises the legislative powers introduced in June 2013 to facilitate delegation of local authority interest applications. A separate report will be presented to the Committee on this matter.

9.8 Action by authorities to conclude "legacy" cases.

9.9 In Inverclyde there are in excess of 50 such cases for a variety of reasons including at the applicants' request, business failure, lack of information and outstanding application fees. Applications may only be withdrawn on the instruction of an applicant. While clearly applications with outstanding fees will not be determined, to comply with the Government's request a rolling programme of issuing refusal notices will commence. Work will be programmed to avoid delays to other fully competent applications. Some will require consideration by the Planning Board; in such cases applications will be described as legacy cases with the reasons for refusal reflecting the cause of delay.

9.10 Continued sharing of, and learning from, examples of good practice.

9.11 Inverclyde's Feedback Report welcomes officers' participation in a range of forums and benchmarking groups aimed at sharing of and learning from examples of good practice:

- National and Glasgow and Clyde Valley Local Development Plan forums to share, learn and benefit from best practice and issues around the new development plan system.
- Heads of Planning Scotland and a local authority benchmarking group (East Renfrewshire, East Dunbartonshire, North Ayrshire, Renfrewshire and West Dunbartonshire Councils) to share, learn and benefit from best practice and issues in Development Management and Enforcement.

9.12 No Enforcement Charter should be beyond the period of review.

9.13 Inverclyde Council's Enforcement Charter is fully up to date, having been reviewed, approved by the Council and submitted to the Scottish Government in January 2013.

9.14 Greater engagement with Architecture and Design Scotland.

9.15 Inverclyde Council has always sought to engage with A&DS, but unfortunately this has not always been reciprocated. For example, recently officers have requested comment on the Gourrock town centre redevelopment, St. Columbas School extension in Gourrock, the Aldi proposal in Greenock, the development of the former Ramada Jarvis hotel site in Gourrock and the Inverkip Community Centre proposal but have received no response. In addition, as part of Key Agency consultation on the LDP, A&DS did not

engage, neither acknowledging receipt of communications nor expressing any desire to be involved. The Council will continue to provide A&DS with the opportunity to engage as required by the Scottish Government.

9.16 Increased evidence of added value through design improvements.

9.17 I am satisfied that through the Development Management process value is added to developments through design improvements. This is evident at all levels of projects from small house extensions to large scale development projects. Examples referred to in the Council's 2012-13 Planning Performance Framework include the Cargill Centre, Kilmacolm, Port Glasgow waterfront, housing in east Greenock and Port Glasgow, the school reprovisioning programme and the Greenock-Port Glasgow A8 corridor. Design improvement will remain high on the agenda of Development Management.

9.18 Regular programming of stakeholder forums.

9.19 Inverclyde's Feedback Report notes a good commitment to customer engagement and the availability of officers to provide advice. For example, local architects engage in Modernising Planning, with high attendance at planning and building standards training events. The Building Standards Focus Group was extended to incorporate Development Management, although falling stakeholder attendance resulted in the group folding.

9.20 Consultation and engagement with Key Agencies and other national and local stakeholders assisted in front loading the new Local Development Plan and The Council's Citizens' Panel was used, encouraging public engagement in the Local Development Plan. To comply with the Scottish Government requirement, regular stakeholder events will be programmed incorporating training and stakeholder feedback opportunities.

9.21 All authorities should have a single point of contact for proposals.

9.22 This is a well established procedure in Inverclyde. Each planning application has a dedicated case officer, with details provided in all correspondence and online.

9.23 Further clarity on customer satisfaction.

9.24 The Planning Performance Framework 2012-13 reported that complaints against the Planning Service are rare. No complaints against the conduct or process in planning matters via the Council's "Inform" customer comments system or to the Scottish Public Services Ombudsman were upheld in 2011-12. The position remains the same for 2012-13. Nevertheless, it is recognised that direct engagement with customers on the issue of performance is appropriate and, through benchmarking, appropriate consultation methods will be adopted and introduced in 2013-14.

9.25 Further exploration of the use of social media.

9.26 Leafleting, poster and banner signs and the extensive use of a dedicated e-mail address encouraged representation on the stages of Local Development Plan preparation. It is recognised that the use of social media is an increasingly popular means of disseminating information. Through benchmarking evaluation of the opportunities available will be investigated and where appropriate introduced.

9.27 A stronger target and performance culture around development planning.

9.28 As indicated above (para 9.3), despite a number of unforeseen issues towards the end of the anticipated publication date of the Proposed Plan (October 2012), the original DPS 'target date' of summer 2014 should be met. Any delay from now on is largely outwith the Council's hands, be it the DPEA and the holding of an Examination on the Plan, the Reporter's report of Examination, or any other unforeseen external event.

9.29 **Practical examples of how resourcing and caseload pressures are managed and dealt with effectively.**

9.30 Workloads and application progress is monitored in weekly meetings with individual officers, with each application given a target decision. Where issues arise the matter is promptly resolved. For example, the Planning Performance Framework 2012-13 reported that in the period April 2011 to June 2011, administrative error resulted in 10% of planning applications failing to meet targets by less than 3 days. Enhanced monitoring introduced as a consequence resulted in 97.5% of householder applications and 80.2% of all applications being determined in under 2 months between July and December 2011. This represented an improvement of 17% and 12.8% respectively.

10.0 IMPLICATIONS

10.1 Finance:

Financial Implications – One off Costs

Cost Centre	Budget Heading	Budget Year	Proposed Spend this Report	Virement From	Other Comments
n/a	n/a	n/a	n/a	n/a	n/a

Financial Implications – Annually Recurring Costs/ (Savings)

Cost Centre	Budget Heading	With Effect from	Annual Net Impact	Virement From	Other Comments
n/a	n/a	n/a	n/a	n/a	n/a

10.2 Personnel: None.

10.3 Legal: None.

11.0 LIST OF BACKGROUND PAPERS

Planning Performance Framework Feedback Report: Inverclyde Council (June 2013)
 Scottish Government – Planning Performance Annual Report (February 2013)
 Inverclyde Council Planning Performance Framework 2012-13 (September 2012)