



Heads of Planning Scotland

**THE PLANNING PERFORMANCE FRAMEWORK**

**SEPTEMBER 2013**

## PLANNING PERFORMANCE FRAMEWORK

### ANNUAL REPORT 2012-13

#### 1. National Headline Indicators (NHIs)

Key outcomes	2012-2013	2011-2012
<b>Development Planning:</b> <ul style="list-style-type: none"> <li>age of local/strategic development plan(s) (full years) <i>Requirement: less than 5 years</i></li> <li>development plan scheme: on track? (Y/N)</li> </ul>	<p><b>2</b></p> <p><b>Y</b></p>	<p><b>1</b></p> <p><b>N</b></p>
<b>Effective Land Supply and Delivery of Outputs</b> <ul style="list-style-type: none"> <li>effective housing land: years supply</li> <li>effective housing land supply</li> <li>housing approvals</li> <li>effective employment land supply</li> <li>employment land take-up</li> <li>effective commercial floor space supply</li> <li>commercial floor space delivered</li> </ul>	<p><b>2.8 years</b> <b>1996 units</b> <b>366 units</b></p> <p><b>306.2ha</b> <b>0.52ha</b></p> <p><b>728,100m<sup>2</sup></b> <b>6,400m<sup>2</sup></b></p>	<p><b>3.6 years</b> <b>2481 units</b> <b>1138 units</b></p> <p><b>306.2ha</b> <b>0.52 ha</b></p> <p><b>782,500m<sup>2</sup></b> <b>5,200m<sup>2</sup></b></p>
<b>Development Management</b> <b>Project Planning</b> <ul style="list-style-type: none"> <li>percentage of applications subject to pre-application advice</li> <li>number of major applications subject to processing agreement or other project plan</li> <li>percentage planned timescales met</li> </ul> <b>Decision-making</b> <ul style="list-style-type: none"> <li>application approval rate</li> <li>delegation rate</li> </ul>	<p><b>1%</b></p> <p><b>0</b></p> <p><b>0%</b></p> <p><b>90.1%</b> <b>90.5%</b></p>	<p><b>25%</b></p> <p><b>0</b></p> <p><b>0%</b></p> <p><b>94%</b> <b>88.5%</b></p>
<b>Decision-making timescales</b> Average number of weeks to decision: <ul style="list-style-type: none"> <li>major developments</li> <li>local developments (non-householder)</li> <li>householder developments</li> </ul>	<p><b>78.1</b></p> <p><b>13.9</b></p> <p><b>8.7</b></p>	<p><b>99</b></p> <p><b>20</b></p> <p><b>10</b></p>

<p><b>Enforcement</b></p> <ul style="list-style-type: none"> <li>time since enforcement charter published / reviewed (months) <i>Requirement: review every 2 years</i></li> <li>number of breaches identified / resolved</li> </ul>	<p><b>May 2011</b></p> <p><b>157 / 201</b></p>	<p><b>250/232</b></p>
---	--	-----------------------

### Development Planning

The East Ayrshire Local Plan was adopted on 26 October 2010 so whilst it has been adopted for nearly 3 years, this constitutes 2 full years. The Council is currently on track with the most recently approved Development Plan Scheme dated August 2013. The effective housing land supply figures are taken from the draft 2013 Housing Land Audit.

The reason that there is not the requisite 5 year effective land supply is that in programming the housing land supply, account has been taken of the current performance of the housing market and the difficulties caused by the lack of developer and purchaser finance and other marketability issues. As the housing market recovers, a reassessment of the housing land supply can be undertaken and more units can be made effective where appropriate in consultation with the house building industry and infrastructure providers. It is considered that there is sufficient suitable land, free from physical, ownership and infrastructure constraints within the East Ayrshire Housing Land Audit and the East Ayrshire Local Plan 2010 to enable such an exercise to be undertaken successfully. It should also be noted that the housing demand figures are based upon the highly aspirational Ayrshire Joint Structure Plan 2007. Demand figures for the new East Ayrshire LDP will be based upon the Council's Housing Needs and Demand Assessment and its Local Housing Strategy.

The 'effective commercial floor space supply' is made up of development opportunity sites identified in the East Ayrshire Local Plan 2010 that support the development of at least one of the following Use Classes: 1, 2, 3, 7, 8, 10 and 11. This is in line with the approach taken in 2012, which was at the time agreed with the Scottish Government.

'Commercial floor space delivered' is made up of those sites, or parts of sites, identified within the Local Plan, which have been developed for at least one of the uses listed above.

## **Development Management**

During the period the Service validated 651 Planning Applications which is 12.1% down compared to 741 received during the previous year. In addition, the Service received an additional 291 applications relating to a range of cases which are subject to similar administrative and determination processes. These applications consist of pre-applications consultations, agricultural, forestry and utility services prior notifications, lawful and permitted development applications; Tree Preservation Order applications, EIA scoping studies and the discharge of approved conditions which totalled 942 applications. When compared with the previous year, this workload decreased by 7.8%.

Over the period, the service determined 947 applications covering the range of all case types noted above returning an 11.7% increase from the 836 applications determined during the 2011/12 period.

This reflects priority given to determine legacy applications. This also accounts for the reduction in approval rate from 94% to 90.1% as historic applications had been “speculative”, often tied into the review of the Local Plan. Our target is to eliminate these historic applications in 13/14.

Whilst there has been a drop in the number of Major Planning applications the average time to process has increased due to the determination of legacy applications which have been pending. Out of the 8 major applications, 3 were legacy applications from 2005, 2006 and the worst case was in 2001. The Council welcomes that the effect of legacy applications on performance has been recognised by the Scottish Government who has revised the 2013/14 performance measurement to only include applications from 2009 onwards.

Additional monitoring and performance measurements have been put in place this year and specifically these include daily reporting on the validation and registration process. Each application has a target date to meet the two month deadline and weekly meetings with each officer have focussed on performance. All of the application processes including scoping, screening and non material variations are now recorded on an electronic performance measuring system. All of these measures have resulted in an improvement in performance times.

However, the impact of the demise of Scottish Coal and Aardvark and the additional work preceding this in Quarters 3 and 4 has had a major drain on resources. In addition, the workload around the processing of single turbines continues with 48 applications being received this year alone (last year 44). Both of these has had an impact on processing times which nevertheless have improved on last year.

Performance overall has also been significantly tested during this period whereby a Senior Planning Officer's post was vacated and the post frozen along another member of the team experiencing long term absence through

sickness. In addition, the retirement of a Principal Planning Officer on the 31<sup>st</sup> march 2012 has seen the workloads from the former two staff members being reallocated to the staff resource on a case by case basis.

In recognition of these pressures which will carry on to 13/14 we have restructured the section by creating an “energy” team to deal with the open cast, minerals and wind farm applications. A significant amount of work for the team has been due to scoping and screening of wind farm applications and 6 large applications are anticipated in 13/14. The “general” team deals with all other applications and as well as dealing with “historic” applications, householder applications are targeted and this has resulted in a steady improvement in performance. Additional resources have been added to this team with enforcement officers processing minor applications.

A large contributor to the workload has been the substantial increase in the number of applications being referred to the Local Review Board (21 this year compared with 10 last year). Most of this is due to appeals against decisions on single turbines which appear to be encouraged by developers in this area. The need for independent professional support to the Board has drawn in the services of the Development Planning and Regeneration Manager. A review of this process will be taken forward next year. From the cases considered by the LRB 13 were refused, 6 approved with conditions and 2 approved.

As previously reported, a substantial number of Committee cases are due to applicants wherein the Council has an interest. The change in legislation is welcomed in this area and an opportunity will be taken to alter the scheme of delegation next year.

Whilst it would be inappropriate to give details of a particular case in this report it would equally be remiss if the impact of controversial cases was not mentioned as this has contributed to a significant amount of officer time in 2 cases. The Council has introduced a 2 stage complaints procedure and is reviewing its approach to persistent complainers.

The number of enforcement cases taken up has dropped from 252 (11/12) to 191 (12/13). The number of enforcement cases taken up has dropped from 252 (11/12) to 191 (12/13). The number of cases that were resolved remains high at 201 (232 last year). It is proposed to review the Enforcement Charter in 2013/14.

## PLANNING PERFORMANCE FRAMEWORK

### 2. Defining and measuring a high-quality planning service

<p><i>Open for business</i></p> <p>The one door approach and a proactive approach are truly embedded in the culture of the organisation following the re-structuring of the Department, and the full integration of Planning and Economic Development. The Head of Planning and Economic Development leads this approach by personally hosting the first meeting of any major development or investment opportunity. At this first meeting the full range of services is offered comprising business support, employability, planning and building standards. The emphasis is on finding solutions and a commitment to a timetable to give as much certainty as possible to developers.</p> <p>The policy background enshrined in the Adopted Local Plan assists in a degree of certainty for business and we are on track with the new Local Development Plan following approval of the Main Issues Report.</p>
<p><i>High quality development on the ground</i></p> <p>The Head of Planning and Economic Development continues in the lead role in Delivering Community Regeneration in the Community Plan. This year in particular has seen the implementation of a number of quality developments following substantive earlier work in planning through the Make it Kilmarnock Initiative, Heritage Led Regeneration Schemes through CARS and THI in Kilmarnock a CARS scheme in Cumnock.</p> <p>The implementation of the Council's Capital Plan to invest £200m in 10 years (from 2011) has been supported by the Planning Service. A number of significant quality developments have been opened this year and are attached as a "Quick Word About".</p> <p>The service is also leading on one of the Council's 3 Strategic Priorities in Town Centre Living and is supporting project Boards to deliver 205 Affordable Houses by 2015 and the re-development of Cumnock Town Centre.</p>
<p><i>Certainty</i></p> <p>The one stop approach described in "Open for Business" gives a strong degree of assurance to developers. We believe that this has replaced the need for formal processing agreements although this is promoted. A strong policy base in the Adopted Local Plan again gives this certainty and this combined with pre-application advice has led to a significant reduction in "speculative applications" with the exception of applications for wind turbines. Practice has shown that agents do not fully take on board pre-application advice. In relation to the latter, we have commissioned a Landscape Capacity Assessment for wind farms jointly with SNH and the three Ayrshire Councils and hopefully this will assist in this sector.</p> <p>A good example of the commitment to project management is in the planning of the new Ayrshire College on the Diageo site in Kilmarnock. Senior Staff in the service were engaged at all stages in the procurement process and regular project planning meetings to give advice and assistance to the 3 preferred bidders. An announcement on the preferred development is expected shortly and a timetable for development has been agreed with the development to commence in 2014.</p>
<p><i>Communications, engagement and customer service</i></p> <p>The Council embarked on a major communications strategy this year on its Transformation</p>

Strategy and budget proposals. Senior staff in planning were involved in this process which involved a consistent message taken to the 5 main Community Hubs.

A number of Community Engagement Events were held in the preparation of the Main Issues Report. We endeavoured to engage in a different way from the normal presentation in a few Council owned venues and this included learnings from the Princes Foundation and the Enquiry by Design process where workshop style events were held. We also held surgeries within the main supermarkets in Kilmarnock, Cumnock, Galston and Stewarton.

During 12/13 the Council Complaints procedure was reviewed by the Council Management Team and agreed by Cabinet. The system defined with greater clarity the definition of a "complaint" and moved to a more streamlined system involving 2 stages instead of 4. Staff at Team Leader and Section Managers have been trained in investigations of complaints and these are monitored at monthly meetings of the Departmental Management Team and the Planning and Economic Development Management Team.

Further to the feedback from the 11/12 PPF review the customer contact arrangements have been reviewed in Development Management and improvements that have been introduced include a daily rota system for general enquiries by telephone or in person. This has had a double benefit by ensuring that the public get an immediate service to general enquiries and at the same time staff are "freed up" to have the required concentrated time to focus on complex matters and committee reports.

During this period 6 formal complaints were dealt with and 4 were unjustified and 2 were justified. Improvement actions in the 2 justified cases related to better communication between the case officer and the applicant and a correction required regarding information on the web. We also received 8 improvement actions and of those 5 have been addressed including improved guidance to Community Council, provision of onshore maps on web site to illustrate windfarm applications, provision of opencase coal maps to illustrate sites, training of staff in receiving card payments including non material variations in the planning module. The remaining 3 are still to be reviewed and this includes improved terminology procedures, reduction in processing times for wind turbines resulting in time saved on appeal.

In view of the on-going work to examine and review the role planning enforcement and monitoring around the open cast sector a decision has been taken to await the findings prior to reviewing the Enforcement Charter. This was due to be reviewed in May 2013 and will be reported in next year's PPF with the findings of the Coal Team due in November 2013.

The take up of E-Planning has improved and an average of 46% of applications now being submitted electronically. It is planned next year to introduce a further phase of improvements by issuing planning decisions electronically.

#### *Efficient and effective decision-making*

The Planning Committee continues to operate on a regular 4 week cycle and this has been supplemented when required with additional committees held. The work of the Local Review Board has substantially increased but continues to meet the required deadlines.

A significant amount of improvement actions on performance which were identified in the previous year have been achieved. These include the introduction of a fast track for high priority applications; additional resources for validation, additional management reports on performance indicators and continuous improvement around all administrative processes supporting Development Management.

The focus on removing the historic applications will lead to further improvements next year.

#### *Effective management structures*

The review of management structures have been fully implemented resulting in a reduction from 5 managers to 3. As well as integrating staff within Economic Development; the

combination of Development Management and Building Standards under one Operations Manager is strengthening the links between Planning and Economic Development. Within Development Management the reduction of the compliment in Team Leaders from 3 to 2 has worked well and this equates to the same Team leader compliment within Building Standards which assists in a co-ordinated approach to development.

The wider implications of restructuring in the Council has resulted in the transfer of 2 project officers to a new team called Vibrant Communities which is taking forward regeneration activity on a priority basis in the 5 main communities. The External Funding post has also moved to this team which enables this resource to assist with community led regeneration.

The Council has reviewed its Grant support and there is a new Grants Committee which considers all applications. Accordingly officers within the Planning Services which deals with Developer Contributions and the Renewable Energy Fund have moved from Planning to support this function.

#### *Financial management and local governance*

The Planning and Economic Development budget is set annually and income targets for planning applications are set based on previous income levels. The income trends over the last four years have ranged from £503,000 to £576,000. Planning fee income for 2011/12, excluding advertising fees, was £523,748 and this year has decreased again to £402,349. This reflects the overall decrease in applications that attract a planning fee which of course is only one part of the overall workload. As reported earlier, overall workload is that the Council has already benefited from the legacy applications which have already paid planning fees. This is particularly difficult to withstand with the Council requiring to reduce its overall budget by £34.1m in 5 years.

However, the Council has recognised the challenges within Development Management and there were no cuts to the manpower aspect of this Service and no reductions in manpower within Development Planning. The main reductions in staffing have been within the projects part of the Planning team although this is due to staff transfer as part of the Transformation Strategy. Staffing has been made to support the significant on-going Heritage Led Regeneration work within Kilmarnock and Cumnock.

#### *Culture of continuous improvement*

In addition to learning from customer feedback as part of the complaints and improvements process at management team meetings there are 3 other processes which are significant parts of the culture of Continuous Improvement. These are the Service Plan: the deployment of an Action Plan based on the European Foundation for Quality Management and the East Ayrshire General Employment Review (EAGER).

The Service Plan for 12/13 is a management plan for the development of the service which reviews on an annual basis, links to the Community Plan and Single Outcome Agreement, new National and Local Policy Initiatives Priorities, Business Objectives, Service Re-Design and Benchmarking. It has an Action Plan which covers Assets, Workforce Planning Finance and an overview of key actions at an operational level. It is reviewed at Management Team Meetings and this has already informed the new Service Plan for 13/14 which follows the same format with the addition of PPF and EFQM.

The EFQM Pathway Model is the cornerstone of the Council's approach to Best Value. Through this tool Council services carry out a self assessment of how well they deliver services and the process produces an improvement Action Plan. The assessment for PED took place on 4 December 2012 and is included in the 13/14 Service Plan.

The Council's EAGER process has been reviewed and is now based on competencies. In 12/13 Planning and Economic Development was one of the trial Sections and this has been rolled out with individual Action Plans for each member of staff.

As reported earlier the introduction of ISO 9001:2008 is being managed in the Planning Application and Enforcement processes. Building on the "workflow" model following the introduction of e-planning each process is in the course of being reviewed and written up. Completion of this has however been delayed due to the pressures identified earlier around the LRB, increase in windfarm applications, the demise of Scottish Coal/Aardvark. Processes around each of these areas are being reviewed and will form part of the service improvement actions for 13/14.

### **3. Supporting evidence**

Part 2 of the report was compiled drawing on evidence from various sources from Development, Planning and Regeneration and Development Management noted below along with the key areas noted as:-

- The Council's Management Review and the implementation Plan;
- Committee Determination;
- Internal revision of Procedures;
- Review of the Planning Application admin function;
- Customer Feedback, Suggestions and Complaints;
- The ISO 9001 quality management system;
- Staff Consultation;
- Review of Service Plans in relation to the Planning function
- EFQM Action Plan
- Review of Scheme of Delegation
- All Cabinet and Full Council Reports  
<http://www.east-ayrshire.gov.uk/asp/comms/committeesummary.asp>

#### **Development Planning and Regeneration:-**

Local Development Plan  
Supplementary Planning Guidance  
Planning Design Guidance  
Opencast Subject Plan  
Renewable Energy Fund  
SPG Developer Contributions  
SPG Knockroon Design Code  
SPG Cumnock Town Centre Masterplan  
SPG Masterplanning  
Windfarm Guidance  
Main Issues Report  
Landscape Character Assessment

<http://www.east-ayrshire.gov.uk/BusinessAndTrade/PlanningAndBuildingStandards/Developmentplanningandregeneration.aspx>

### **Development Management**

Guidance on Processing planning applications  
Planning application guidance fees  
Development Management and Contaminated Land  
Design and access statements  
Inclusive design

<http://www.east-ayrshire.gov.uk/BusinessAndTrade/PlanningAndBuildingStandards/Planning-PoliciesAdviceAndServiceLevels/Guidanceonplanningapplications.aspx>

Development Management Enforcement Charter

<http://www.east-ayrshire.gov.uk/BusinessAndTrade/PlanningAndBuildingStandards/Planning-DecisionNoticesAppealsAndEnforcement/PlanningEnforcement.aspx>

## **4. Service improvements: 2013-14**

In the coming year we will:

- **Implementation of improvements in the review of open cast in relation to performance compliance and monitoring, restoration bonds, Section 75 agreements, project management and other findings/recommendations**
- **Apply the above as appropriate to other mineral applications and applications for wind farms**
- **Consider the implications of the Review of Opencast within the Main Issues Report in the Local Development Plan**
- **Review Enforcement Charter in relation to findings of open cast review**
- **Review staffing arrangements in relation to the above**
- **Review Scheme of Delegation in relation to Council Interest Applications**
- **Complete the protocols for the application of ISO 9001 within Development Management**
- **Carry out a Review of the Administration of Local Review Boards to reduce the administrative burden**

- **Review the arrangements for monitoring major applications and Section 75 Agreements**
- **Implement the issuing of planning decisions electronically**

Delivery of our service improvement actions in 2012-13:

<b>Committed improvements and actions</b>	<b>Complete?</b>
<p><b>Promotion of Pre Application Advice</b></p> <ul style="list-style-type: none"> <li>• <i>Following last year's PPF report staff have been briefed within the Planning and Economic Development sections about the need for pre-application advice. All of our major applications have been subject to formal pre-application advice. Advice is also given from Business Advisers, Economic Development Officers and all Planning Staff about the need to have pre-application advice</i></li> </ul>	Yes
<p><b>Revise IT Procedures for recording Pre Application Advice to link the performance reporting system</b></p> <ul style="list-style-type: none"> <li>• <i>All formal requests for pre-application advice for major applications are recorded in the performance reporting system</i></li> </ul>	Yes
<p><b>Promote the use of Processing agreements within Major Developments</b></p> <ul style="list-style-type: none"> <li>• <i>The use of processing agreements has been promoted as reported in 'Pre Application advice' above. However, whilst there was a draft agreement in one of our applications at Loudoun Castle, Galston this was not formally progressed by the applicant</i></li> </ul>	Yes
<p><b>Development of a one stop shop for developments</b></p> <ul style="list-style-type: none"> <li>• <i>The structural changes to integrate Building Standards with Development Management under one Operations Manager and to integrate Planning with a single Economic Development Manager has bedded in and enabled the provision of a one stop shop for Major Developments</i></li> </ul>	Yes
<p><b>Introduction of a Fast track assessment for major and high priority developments</b></p> <ul style="list-style-type: none"> <li>• <i>Achieved. Although there was a drop in the number of Major Applications (8) the performance is skewed by 3 legacy housing applications which were more than 8 years old</i></li> </ul>	Yes
<p><b>Review and streamline the development management processes to achieve ISO 9001:2008 Accreditation</b></p> <ul style="list-style-type: none"> <li>• <i>Work continues to be progressed towards achieving ISO 9001 although the formal writing up of the amended procedures have been delayed due to the transfer of staff to the Coal Team</i></li> </ul>	No
<p><b>Carry out internal audits under ISO 9001 standards of the key planning processes</b></p> <ul style="list-style-type: none"> <li>• <i>Work continues to be progressed towards achieving ISO 9001 although the formal writing up of the amended procedures have been delayed due to the transfer of staff to the Coal Team. However, the</i></li> </ul>	Being Progressed 2013/14

outputs of the Coal Team can be audited by our own Internal Verifiers in 2013/14	
<b>Review and publication of revised submission standards for planning application submissions</b> <ul style="list-style-type: none"> <li>This work is being progressed by the Review Team in Open Cast Coal and learnings will be rolled out in connection with the restoration and bonds in other mineral and windfarm applications.</li> </ul>	Being Progressed 2013/14
<b>Review of the Internal Consultation publication policy on the e-planning system</b> <ul style="list-style-type: none"> <li>Achieved</li> </ul>	Yes
<b>Review of Staffing resources to assess planning applications</b> <ul style="list-style-type: none"> <li>The staff resources have been reviewed and there are now 2 Teams an "Energy Team" and "General Applications Team". The Energy Team are dealing with all Coal and Windfarm applications. This has enabled priority to be given to householder developments with enforcement staff in the "General Team" assisting in these applications and the discharge of planning conditions. It has also enabled a dedicated resource to tackle a significant increase in applications for single turbines</li> </ul>	Yes
<b>Introduce succession planning within the service to enhance the skills and competency of the current staff to meet the challenges in other Planning Roles</b> <ul style="list-style-type: none"> <li>The roles of the 3 enforcement officers have been expanded to include the processing of minor applications and the discharge of conditions. The role of the Development Planning and Regeneration Manager in the LRB has enabled a greater understanding of Management and one of the Senior Planners is currently "Acting Up" as a Team Leader</li> </ul>	Yes
<b>Implementation of the Planning and Economic Development Management Review Phase 2: Review of the Admin and Planning Enforcement resources</b> <ul style="list-style-type: none"> <li>The integration of the Planning and Building Standards Admin function has not been fully implemented. The review of enforcement staff has not led to reduction in the number of enforcement officers and the reduction in cases brought to our attention has enabled us to utilise their skills in discharging conditions and other minor applications</li> </ul>	[N/A]
<b>Review and Implement a Single Planning Committee to support the Planning Decision Making Process</b> <ul style="list-style-type: none"> <li>Achieved</li> </ul>	Yes
<b>Review of the Scheme of Delegation</b> <ul style="list-style-type: none"> <li>Currently being progressed to reduce the number of local authority cases being submitted to the Planning Committee i.e. only major applications or applications with more than 10 objections</li> </ul>	Yes
<b>Review of Local Review Body procedures and interface with the Uniform System</b> <ul style="list-style-type: none"> <li>Achieved</li> </ul>	Yes
<b>Review the resources supporting a Local Review Body</b> <ul style="list-style-type: none"> <li>The number of decisions being reviewed by the Local Review Body have doubled and this is mainly attributed to single wind turbine applications. Due to the increase in LRB work the staff resource has been added to with the introduction of the Development and</li> </ul>	Yes

<i>Regeneration Manager as the Independent Advisor to the Board. A further review of this is required as this is not sustainable in the long term</i>	
<b>Review of the Development Management Admin processes to streamline the registration and validation process</b>	Yes
<ul style="list-style-type: none"> <li><i>A culture of continuous improvement is evident through a number of alterations to procedures that have been implemented and the addition of Technical Support to the validation process</i></li> </ul>	
<b>Review the enforcement processes for monitoring all Mineral application</b>	No
<ul style="list-style-type: none"> <li><i>This improvement action had commenced in November and has been overtaken by the demise of Scottish Coal and Ardvaark. This has resulted in the formation of a Coal Team to deal with this matter led by the Depute Chief Executive. The team is staffed by the Operations Manager, the Energy Team Leader and a Building Standards Surveyor with full time legal and admin support. An Independent Review has also been commissioned by the Council and this will report to Council at the end of November</i></li> </ul>	
<b>Review the data collection procedures and software for the enforcement activity and breaches identified</b>	No
<ul style="list-style-type: none"> <li><i>This improvement action has commenced in November and has been overtaken by the demise of Scottish Coal and Ardvaark. This has resulted in the formation of a Coal Team to deal with this matter led by the Depute Chief Executive. The team is staffed by the Operations Manager, the Energy Team Leader and a Building Standards Surveyor with time legal and admin support. An Independent Review has also been commissioned by the Council and this will report to Council at the end of November</i></li> </ul>	
<b>Review of ICT Strategy to maintain IDOX, Uniform and e-planning systems</b>	Yes
<ul style="list-style-type: none"> <li><i>Achieved</i></li> </ul>	
<b>Introduce electronic plans for all planning determination</b>	No
<ul style="list-style-type: none"> <li><i>Agreed; implemented from October 2013</i></li> </ul>	
<b>Performance Management of the Planning application process to increase performance</b>	Yes
<ul style="list-style-type: none"> <li><i>This has been achieved by structural changes in the management and resourcing of householder applications. The "general team" are also tackling a substantive amount of legacy or historic applications which has resulted in 35 additional applications being processed. More requires to be done to eliminate the legacy and this will therefore continue as an improvement action</i></li> </ul>	
<b>Implement all Scottish Government Planning Policies, Legislation and Guidance</b>	Yes
<ul style="list-style-type: none"> <li><i>Standard requirement</i></li> </ul>	
<b>Revise the Customer Feedback process</b>	Yes
<ul style="list-style-type: none"> <li><i>Customer feedback forms are issued with every application and it is proposed as an improvement action in 13/14 to augment this by canvassing feedback from objectors and by placing such feedback forms online. Customer feedback from the Complaints Procedure is analysed at Department and Section Management Teams.</i></li> </ul>	
<b>Review format and reporting timescales for the Governance and Scrutiny Report</b>	Yes
<ul style="list-style-type: none"> <li><i>Achieved</i></li> </ul>	
<b>Update the Development Management Reports suite to include additional internal local performance indicators</b>	Yes

<ul style="list-style-type: none"> <li>• <i>Achieved</i></li> </ul>	
<b>Publish and Consult on Main Issues Report</b> <ul style="list-style-type: none"> <li>• <i>Achieved and agreed by Cabinet</i></li> </ul>	Yes
<b>Commission and complete the Ayrshire Landscape Capacity Assessment for Wind Energy</b> <ul style="list-style-type: none"> <li>• <i>Achieved and agreed by Cabinet</i></li> </ul>	Yes
<b>Publish and Consult on Broadband Strategy</b> <ul style="list-style-type: none"> <li>• <i>Achieved with Council agreeing £1.2m additional resources to enable coverage of 98%</i></li> </ul>	Yes
<b>Identify Gypsy Travellers' Site</b> <ul style="list-style-type: none"> <li>• <i>Officer Member Working Group established and work is ongoing to identify a site with the Gypsy Travellers Community</i></li> </ul>	No

## Customer Engagement

The Service continues to meet Community Councils in relation to specific planning applications, reviews of Policy (e.g. Main Issues Report, Renewable Energy Fund) and for training in Development Management. Customer questionnaires continue to be issued to applicants/agents and this is being extended to those making representations. The two stage Council Complaints procedure has been implemented and the service also in-gathers positive comments which are reviewed at Section and Management Meetings. Benchmarking work is on-going but was not completed in 2012/13. The Charters also require to be reviewed and it has been agreed internally to learn from the Open Cast Review prior to specifically reviewing the Enforcement Customer Charter.

## Continuous Improvement

All of these actions regarding staff have been achieved and are embedded within wider Council processes and identified in the Service Plan. The training for members has also taken place and this has led to specific requests for further training (e.g. wind farm applications).

## Financial Management

The review of the staffing structure has been implemented as required by the Council's Transformation Strategy. A training budget is in place and this is being supplemented by in-house training within HR. The monitoring of financial reports on verification will proceed following the current review of open cast coal and minerals applications.

**Appendix I  
PLANNING PERFORMANCE FRAMEWORK  
OFFICIAL STATISTICS**

**Decision-making timescales**

Category	Total number of decisions 2012-2013	Average timescale (weeks)	
		2012-2013	2011-2012
<b>Major developments</b>	<b>8</b>	<b>78.1</b>	<b>83</b>
<b>Local developments (non-householder)</b>	<b>312</b>	<b>13.9</b>	
<ul style="list-style-type: none"> <li>• Local: less than 2 months (50.3%)</li> <li>• Local: more than 2 months (49.7%)</li> </ul>		7.2 20.8	<b>31.7</b>
<b>Householder developments</b>	<b>181</b>	<b>8.7</b>	
<ul style="list-style-type: none"> <li>• Local: less than 2 months (77.3%)</li> <li>• Local: more than 2 months (22.7%)</li> </ul>		7 14.8	<b>13.9</b>
<b>Housing developments</b>			
<b>Major</b>	<b>3</b>	<b>142.5</b>	<b>69</b>
<b>Local housing developments</b>	<b>100</b>	<b>13</b>	
<ul style="list-style-type: none"> <li>• Local: less than 2 months (49%)</li> <li>• Local: more than 2 months (51%)</li> </ul>		7.7 18.2	<b>43.8</b>
<b>Business and industry</b>			
<b>Major</b>	<b>1</b>	<b>11.9</b>	<b>43.8</b>
<b>Local business and industry</b>	<b>66</b>	<b>12.7</b>	
<ul style="list-style-type: none"> <li>• Local: less than 2 months (40.9%)</li> <li>• Local: more than 2 months (59.1%)</li> </ul>		6.7 16.9	<b>21.1</b>
<b>EIA developments</b>	<b>1</b>	<b>65.4</b>	<b>0</b>
<b>Other consents*</b>	<b>116</b>	<b>n/a</b>	<b>13.5</b>
<b>Planning/legal agreements**</b>	<b>9</b>	<b>49.2</b>	<b>147.1</b>
<b>Local reviews</b>	<b>21</b>	<b>9.1</b>	<b>8.3</b>

\* Consents and certificates: Listed buildings and Conservation area consents, Control of Advertisement consents, Hazardous Substances consents, Established Use Certificates, certificates of lawfulness of existing use or development, notification on overhead electricity lines, notifications and directions under GPDO Parts 6 & 8 relating to agricultural and forestry development and applications for prior approval by Coal Authority or licensed operator under classes 60 & 62 of the GPDO.

\*\* Legal obligations associated with a planning permission; concluded under section 75 of the Town and Country Planning (Scotland) Act 1997 or section 69 of the Local Government (Scotland) Act 1973

## Decision-making: local reviews and appeals

Type	Total number of decisions	Original decision upheld			
		2012-2013 No.	2012-2013 %	2011-2012 No.	2011-2012 %
Local reviews	21	13	61.9	10	20
Appeals to Scottish Ministers	12	8	66.7	3	66

## Enforcement activity

	2012-2013	2011-2012
Cases taken up	191	252
Breaches identified	157	**
Cases resolved	201	232
Notices served***	2	15
Reports to Procurator Fiscal	0	0
Prosecutions	0	0

\*\* Data was not collected within Uniform at that period

\*\*\* Enforcement notices; breach of condition notices; planning contravention notices; stop notices; temporary stop notices; fixed penalty notices, and Section 33 notices.

This has been addressed on Page 4 and 5 in Development Management.

**WORKFORCE AND FINANCIAL INFORMATION**

*Appendix 2 is an integral part of the Annual Performance Assessment. It is designed to be a snapshot of staffing at 31 March 2013.*

**As at 31 March 2013**

**Please note - The figures do not have to be exact - we are looking for a snapshot of each authority**

1	Managers (2)		Main Grade Posts		Technician Posts		Office support/Clerical		Totals
	No. Posts	Vacant	No. Posts	Vacant	No. Posts	Vacant	No. Posts	Vacant	
Head of Planning Service (1)									
Development Management	1 (4)		7	½			4	½	12
Development Planning	1 (4)		4						5
Enforcement Staff			4						4
Cross Service/Other Planning			5		2				7

Staffing profile	Number
Under 30	1
30-39	7
40-49	10
50 and Over	10

Committees & site visits (3)	No. per year
Full Council committees	
Planning Committees	17
Area Committees (where relevant)	n/a
Committee site visits	18
LRB (4)	24
LRB site visits	16

<b>Planning Service</b>	<b>Budget</b>	<b>Direct</b>	<b>Indirect</b>	<b>Income</b>	<b>Notes</b>
Development Management	77,690	337,998	103,299	402,349	(1)
Development Planning	441,520	439,493	21,521	0	(2)
Enforcement	0	111,324	20,478	0	(3)
	<b>519,210</b>	<b>888,815</b>	<b>145,298</b>	<b>402,349</b>	

**Notes:-**

**1) Development Mgt 451900 - Civica 2012/13 less costs for Enforcement Officers**

**2) Development Planning 452000 - Civica 2012/13 split between direct and indirect costs**

**3) Employee costs for Enforcement Officers and % of indirect costs from Develop Mgt 451900  
*Enforcement Officers- T A Dickie/C Morrison/A Timpany***

**Notes on Completion:**

- 1 In relation to service structure, 1st tier post holders are Chief Executives, 2nd tier are Directors, 3rd tier are Heads of service and 4th tier are managers.
- 2 Managers are those people who are responsible for the operational management of a team/division. They are not necessarily line managers.
- 3 References to committees also include National Park Boards. Number of site visits are those cases where visits were carried out by committees/boards
- 4 This related to the number of meetings of the LRB, application numbers going to LRB are reported elsewhere.
- 5 Direct staff costs covers gross pay, including overtime, national insurance and the superannuation contribution. The appropriate proportion of the direct cost of any staff member within the planning authority concerned spending 30% or more of their time on planning should be included in costs irrespective of what department they are allocated to. (For example: Legal advice, Administration; Typing)  
Exclude staff costs spending less than 30% of their time on planning.
- 6 Indirect costs include all other costs attributable to determining planning applications. Examples (not exhaustive) are:
  - Accommodation
  - Computing Costs
  - Stationery

- Office machinery/Equipment
- Telephone charges
- Print
- Advertising
- T&S
- Committees
- Elected Members' expenses
- The relevant apportionment of Support Service costs

7 Income - include planning fees for applications and deemed applications. (exclude income from property and planning searches)

## **PART 6 - Glossary & Guidance**

## PLANNING PERFORMANCE FRAMEWORK

### GUIDANCE AND GLOSSARY

#### Part 1: National Headline Indicators (NHIs)

##### *Interpretation*

<i>Age of local/strategic development plan(s) (full years)</i>	Number of full years passed starting from date(s) existing local or strategic development plan(s) were adopted /approved. Only the strategic development planning authority should provide the information on the strategic development plan.
<i>Development plan scheme: on track?</i>	On track if actions completed on time from last Development Plan scheme and there has been no slippage in forward-looking timetable set out in last scheme. Provide information in the text box to explain reasons for any slippage that has occurred.
<i>Effective housing land supply</i>	Position as at 31 March (or most recent annual figure held, if different date). Land on which residential units can be completed and available for occupation, as defined by paragraph 55 of Planning Advice Note 2/2010: <i>Affordable Housing and Housing Land Audits</i> . Expressed as number of years and number of units supply, and also number of units approved.
<i>Effective employment land supply</i>	Position as at 31 March (or most recent annual figure held, if different date). Marketable land that meets business requirements, can be serviced or serviceable within 5 years, be accessible by walking, cycling and public transport, and has a secure planning status.
<i>Effective commercial floor space supply</i>	Position as at 31 March (or most recent annual figure held, if different date). Land comprising suitable and viable sites in terms of size, location and availability within a reasonable time period.
<i>Applications subject to pre-application advice</i>	Planning applications decided during the year on which the planning authority had provided pre-application advice to the applicant normally including written advice.

<i>Number of applications subject to processing agreement or other project plan</i>	Applications decided during the year for which there had been a clear project plan, shared and understood and agreed between the applicant and planning authority, including a scheduled timetable for handling of the application.
<i>Application approval rate</i> <i>Delegation rate</i>	Percentage figures; to be provided by the Scottish Government (Analytical Services), drawn from the data provided by planning authorities.
<i>Decision-making timescales</i>	Average number of weeks from receipt of a valid planning application to decision. Figures to be provided by the Scottish Government (Analytical Services), drawn from the data provided by planning authorities.
<i>Time since enforcement charter published / reviewed</i>	Position as at 31 March. The number of months since the authority's enforcement charter was last published or reviewed and re-published.
<i>Number of breaches identified / resolved</i>	Matters which the planning authority has recognised to be breaches of planning control during the year; along with a record of identified breaches that have been resolved either through negotiation or compliance with more formal enforcement action.

### *Text box*

You can use the text box below the NHIs table to provide a short contextual statement, focussing on reasons/factors which have influenced the authority's performance and any increase or decrease on past results. This text box can also be used to provide relevant context for the development land supply and delivery figures, such as the area or percentage of land covered by environmental designations or national parks.

## **Part 2: Defining and measuring a high-quality planning service**

The grid at Part 2 should be completed drawing on the list of identified actions and behaviours below. These are not exhaustive lists but examples of possible areas which may be covered in each section; there may be other more relevant activities you consider are more appropriate to report under each of the section headings for your specific Authority.

Guide: approx 150 words per section

### **Open for business**

Positive actions to support sustainable economic growth and social needs:

- Holistic approach to economic development and investment opportunities in partnership with others, internal and external to the authority.
- Development plan action programmes; evidence of efforts and success of delivery
- Management structure in place to facilitate/handle specific applications meeting business and social priorities and development plan delivery; use of project managers as appropriate
- Single point of contact allocated for duration of application; appropriate level of authority to provide reliable advice
- Positive and proactive policy on pre-application discussions and follow-up contacts/advice to developers post-decision; evidence of policy in practice; measure (i) percentage of major and local applications preceded by PAD, and (ii) resources given to customer-facing service for pre-application and post-decision activity
- Proportionate information requests: evidence of reasonable, risk management approach to requests for supporting information alongside applications
- Proportionate and reasonable expectations for contributions to infrastructure etc.; clear on expectations at early stage e.g. policy
- Policy in place on engagement standards: quick response to meeting requests; telephone calls taken or returned quickly; early dates set for meetings
- Early consideration of detail and quality aspects of proposals during application process, in addition to the principle of development

### **High quality development on the ground**

Creating and shaping places of which we can all be proud:

- In context of development plan and changes in land use, positive steps to examine and produce case studies into how physical environment has changed; learn from experiences
- Development proposals have been the subject of negotiated or conditioned design improvements through the planning process
- Development plans provide a clear policy context for placeshaping and quality design
- Design panel; operate local design awards
- Promote understanding and provide support/training for community interests
- Demonstration of investment and benefits; recognise value to area of consented/completed development and if possible, development plans
- Local environmental improvements, regeneration and town centre activities and enhancements
- Design context set out in Strategic Development Frameworks, Masterplans, Design Briefs or similar

## **Certainty**

Consistency of advice, process, engagement and decision-making:

- Key Agencies and Lead Persons engaged over development plan action programmes' ability to deliver planned development
- Robustness of development plan: measure percentage of applications decided contrary to plan; benchmark level of departures considered acceptable
- Protocols/concordats in place with other local authority services and agencies about reliability of advice and working timescales for development management and development planning
- Positive support for processing agreements/project management approach to timetabling decisions; set clear and realistic timescales for actions and decisions
- Clear project management in place for development planning with development plan schemes setting out project plans
- Consistency and reliability of officer advice on likely decisions; measure applications decided contrary to officer recommendation
- Clear advice on expected standards for application submissions (including assessments etc.); measure percentage applications not validated at first attempt

## **Communications, engagement and customer service**

Communications strategy for engagement and positive customer experience:

- Customer service charter(s) in place; include clear contact points/one-stop-shop for reliable advice; recognise differing needs of regular and occasional customers
- Customer surveys and local forums, covering range of interests (report in segments); examine experiences and perception of whole service; report on customer satisfaction levels; results inform action plans
- Proactive encouragement for constructive feedback of customer experiences
- Complaints: policy on handling complaints and actions where complaints upheld; report on number of upheld complaints
- Electronic communication options: website audits; proactively pursue ePlanning use; measure applications and representations submitted online; and development planning and other consultations online
- Document quality: evidence of commitment to easy-to-read; Crystal Mark on key documents; availability of alternative methods of presentation (e.g. Braille; minority languages)
- Meaningful and balanced engagement: evidence of effort to engage with 'hard to reach' groups; rolling programme of training for community groups

## **Efficient and effective decision-making**

Ensuring structures and processes are proportionate.:

- Team and committee structures and governance arrangements established; displaying a collective sense of urgency
- Schemes of delegation effective; committee and local review body cycles meet with appropriate regularity

- Dealing with delays: evidence of action to progress projects , e.g. stalled cases, development plans
- Time management: training available and policy/procedures in place
- Service agreements/protocols with agencies and other consultees; reviewed regularly

### **Effective management structures**

Ensuring management structures are effective and fit for purpose:

- Local authority management and team structures capable of delivering planning/development priorities
- Good support mechanism in place; mobile/fluid workforce able to react where needed
- Planned development of staffing resource; right numbers and skills available to meet future needs
- Collaboration: strong relationships with (i) other business areas within local authority, (ii) neighbouring authorities, and (iii) other public bodies, to deliver joint objectives

### **Financial management and local governance**

Demonstrating effective governance and financial management:

- Resources aligned to priorities; demonstrate drawing on workforce survey
- Policy to ensure time and resources committed is proportionate to the value added.
- Structures in place to procure services/spend effectively

### **Culture of continuous improvement**

Demonstrating a culture of learning and improving:

- Plan for ongoing development of staff, management and elected members
- Evidence staff, management and members have been well trained and given clear sense of priorities
- Previous improvement plan – evidence it has been delivered and benefits realised

## **Part 3: Supporting evidence**

Explain (briefly) what information the authority has drawn on in compiling this report, such as:

- what customer input there has been which has influenced the report and/or authority actions
- whether there has been any audit or management/process reviews, and the relevant findings
- partnership work with others
- formal and informal benchmarking
- other Council reports and initiatives

Include links to web pages as appropriate and illustrate through images.

## **Part 4: Service improvements**

### ***Service improvements in the coming year***

State key commitments and actions for future service improvements, drawing on the results and findings from sections 1-2 and Appendix I. There is no maximum or minimum number of commitments to be made here – but it might be best to have a small number, focused on specific and practical service improvements.

### ***Delivery of service improvement actions committed in previous year***

Based on the service improvement plan from the previous year, report on the commitments made and the specific actions carried out in relation to each commitment, including any evidence of the results of those actions.

## **Appendix I: Official Statistics**

### ***Decision-making timescales***

Information on decision-making timescales for planning and other applications will be provided by the Scottish Government (Analytical Services), drawn from the data provided by planning authorities.

It is important that the statistics give an accurate and reliable account of the timescales for handling applications. There will be an opportunity for planning authorities, when providing their data to the Scottish Government, to highlight particular cases where substantial, and clearly unavoidable, delays have occurred. Additionally, the planning authority should highlight at that time any applications where there has been written agreement between the authority and the applicant that no action should be taken on the application during a specified period. The figures provided by the Scottish Government for this section may therefore have been reasonably adjusted to provide a more accurate marker of performance.

For applications where the authority and applicant have agreed a timescale different from the 2 month and 4 month targets, for example where there are processing agreements in place, the statistics on decision times will be adjusted to reflect these agreements.

### ***Local reviews and appeals***

Information on local review and appeal decisions will be provided by the Scottish Government (Analytical Services), drawn from the data provided by planning authorities.

### ***Enforcement activity***

Enter the number of potential breaches of planning control investigated, the number of formal notices served, the number of reports passed to the Procurator Fiscal and the number of prosecutions led.

Cases taken up are those where parties were formally notified in writing that enforcement action may be taken by the authority under Sections 127 – 137 of the T&CP (Scotland) Act 1997.

### **Appendix II: Workforce and Financial Information**

The Workforce and Financial Information section is designed to be a snapshot of the authorities workforce at 31 March 2013. The appendix is based on the establishment survey, but is not seeking the detail that this required. It should be a head count of staff and as the notes suggest, where members of staff work over different policy areas they should be counted in the policy area where they have spent more time working. The financial information is based on the LFR 7 return you send to the Scottish Government so again this should be accessible to you. We will look at the responses in this year's PPF to see if there are problem areas and what solutions we might find.