

Midlothian Planning Performance Framework 2011-12: Report from Scottish Government**Report by Head of Planning and Development****1 Purpose of Report**

This report informs Committee about the outcome of the Scottish Government's consideration of Midlothian Council's Planning Performance Framework report for 2011-12.

2 Background

2.1 Members may recall a report to this Committee on 20 November 2012 advising that new performance measures and reporting arrangements had been put in place by Scottish Government for all local planning authorities in Scotland. In summary the requirement for each authority is to submit a report, called a 'Planning Performance Framework' (PPF), annually to Scottish Government.

2.2 The report to Committee in November 2012 included as an appendix the submitted Midlothian PPF 2011-12. Scottish Government's assessment of this was received in June 2013, and comprised two elements: a letter from the Minister for Local Government and Planning to each Council's Chief Executive setting out observations at a national level, and a detailed feedback report on the Midlothian Council submission.

3 Summary of Report Received from Scottish Government

3.1 The Minister's overall observations at a national level focused on the following key points:

- development plans need to be relevant, up to date, reviewed and replaced on a rolling five year cycle;
- clear project management in the handling of significant planning applications;
- be proportionate about matters of process, with the emphasis on positive outcomes and quality of place;
- increased speed in the handling of planning applications;
- old 'legacy case' applications to be dealt with by early withdrawal or conclusion; and
- improved performance on the management and delivery of Section 75 legal planning agreements.

3.2 The Minister also notes that he is convening a group to review planning performance which he will co-chair with the COSLA Spokesperson for Development, Economy and Sustainability. As part of that process the group will look at markers of good performance that can link to any future reform of fees, potentially to link fee levels to performance at individual council level.

3.3 Specifically in relation to Midlothian the Minister states:

‘Turning to your authority’s performance report, you have recognised the damaging impacts of long-running legacy cases, particularly through protracted negotiations on legal agreements, and I want to see you take the necessary steps to clear any remaining backlog and to ensure these are concluded more efficiently in future. I am pleased that you have demonstrated an ongoing commitment to delivering good quality development and placemaking. You have also clearly demonstrated the benefits of having worked with an up-to-date local plan and I want you to ensure you get your local development plan back on track and progressed to adoption at the earliest opportunity possible following the resolution of the issues arising from the SESPlan examination report. This will support public and investor confidence in the future development of the area’

3.4 The more detailed feedback report from Scottish Government is copied as an appendix to this report.

4 Consideration of the Scottish Government’s Feedback Report

4.1 The feedback report provides a helpful independent ‘audit’ of performance and progress, as well as some clear indications of areas for improvement. As such, it is to be welcomed as a positive statement.

4.2 The particular areas of activity for closer attention are generally ones which the Planning and Development service has already identified, but it is useful to have that reinforced in the Scottish Government Feedback Report. These are:

- urgency in concluding work on the Strategic Development Plan (SESPlan No. 1) and progressing the Midlothian Local Development Plan;
- extension of the pre-application advice service;
- greater use of processing agreements for major applications;
- targeting of major applications for speedier determinations;
- improvement in completion of legal planning agreements;
- making the link between planning and economic development more evident and demonstrable;
- project management of application processes; and
- greater emphasis on seeking customer feedback.

4.3 The report concludes:

- *‘Overall, a fair report displaying an understanding of steps that still need to be taken by the authority to complete a shift towards a planning reform and performance culture.*
- *As far as possible your LDP now needs to remain on course to ensure the benefits you have recognised from an up-to-date policy framework continue.*

- *You have recognised your need to address lengthy decision-making timescales and to bring long-running cases to a conclusion. We would like to see you work with stakeholders to find efficiencies that will reduce average timescales across the board. Use of processing agreements where appropriate will help to focus all parties' involvement in application processes'*

5 Report Implications

5.1 Resource

There are no resource implications arising directly from this report.

5.2 Risk

If the Council does not maintain an effective and efficient planning and development service then in addition to risks of adverse economic development impact and customer dissatisfaction, there is the risk that Scottish Government will cap the level of fees that the Council can charge for the submission of planning applications.

5.3 Single Midlothian Plan and Business Transformation

Relevant themes addressed in this report are:-

- Improving Opportunities in Midlothian
- Sustainable Growth.

5.4 Impact on Performance and Outcomes

Proper attention to the Planning Performance Framework will directly improve the performance of the Planning and Development Service in achieving outcomes in respect of economic development, a strong economy, a quality built and natural environment, and an engaged well-served customer base.

5.5 Adopting a Preventative Approach

Efficiencies can be generated through improved performance of the service.

5.6 Involving Communities and Stakeholders

No specific consultations were required in the preparation of this report. However, the report recognises the key role that engagement has in the operation of a successful planning service.

5.7 Ensuring Equalities

There are no specific equalities issues arising from this report.

5.8 Supporting Sustainable Development

There are no specific issues arising from this report; although sustainability is a central part of the work of the planning and development service.

5.9 IT Issues

None arising from this report.

6.0 Recommendations

6.1 It is recommended that Committee

- i. notes the feedback received from Scottish Government to the Council's submitted Planning Performance Framework 2011/12;
- ii. requires attention to be paid to that feedback in the preparation of the Planning Performance Framework 2012/13 report submission to Scottish Government; and
- iii. remits this report to the Performance Review and Scrutiny Committee for its information.

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Background Papers:

- a) submitted Midlothian Planning Performance Framework 2011/12 (Sept 2012); and
- b) Scottish Government letter and feedback report (June 2013)