

Item: 10

Development and Infrastructure Committee: 15 February 2022.

Review and Performance of Planning Service.

Report by Interim Executive Director of Finance, Regulatory, Marine and Transportation Services.

1. Purpose of Report

To provide an update on the review and performance of the Planning Service.

2. Recommendations

The Committee is invited to note:

2.1.

That, in Spring 2020, following feedback received from stakeholders regarding aspects associated with planning services, the Interim Chief Executive commissioned an independent review of the Planning Service, which was undertaken by Jim Birrell, an independent and specialist Planning consultant.

2.2.

That, on 8 September 2020, when considering the outcome of the independent review undertaken by Mr Birrell, the Development and Infrastructure Committee noted that a Management Improvement Action Plan, attached as Appendix 1 to this report, had been developed to respond to the recommendations of Mr Birrell's report.

2.3.

The Development and Infrastructure Committee subsequently recommended:

- That the report commissioned in respect of the independent review of the Planning Service, be endorsed.
- That the Executive Director of Development and Infrastructure should provide regular updates, through the Planning and Regulatory Services Consultative Group, on delivery of the Management Improvement Action Plan, referred to at paragraph 2.2 above.

2.4.

That the Head of Planning, Development and Regulatory Services has provided regular updates, through the Planning and Regulatory Services Consultative Group, on delivery of the Management Improvement Action Plan, referred to at paragraph 2.2 above.

2.5.

That, in terms of the 22 improvement actions detailed in the Management Improvement Action Plan, 11 have been completed, nine are substantially completed and expected to be fully completed by the end of June 2022, and work on the remaining two actions is still to be commenced.

2.6.

That all Planning Authorities in Scotland are required to submit an annual Planning Performance Framework (PPF) to the Scottish Government, setting out how they have performed over the previous financial year.

2.7.

That, in November 2020, the Scottish Minister for Public Finance, Planning and Community Wealth provided feedback on the tenth PPF submitted by the Council in the Performance Markers Report for 2019/20, attached as Appendix 2 to this report.

2.8.

That, in terms of the “traffic light” scoring system used in the Performance Markers Report, referred to at paragraph 2.7 above, the Planning Service has been awarded a green rating in 11 of the performance markers and an amber rating in the remaining two.

The Committee is invited to scrutinise:

2.9.

Progress made in respect of the outstanding improvement actions detailed in the Management Improvement Action Plan, attached as Appendix 1 to this report, in order to obtain assurance that action has been taken or agreed where necessary.

The Committee is thereafter invited to note:

2.10.

That, should assurance be obtained that action has been taken or agreed, where necessary, in respect of the improvement actions detailed in the Management Improvement Action Plan arising from the independent review of the Planning Service, undertaken by Jim Birrell, no further progress updates require to be reported to the Planning and Regulatory Services Consultative Group.

3. Background

3.1.

The Council’s Planning Service has consistently performed well over many years evidenced through the annual Scottish Government Planning Performance Framework reporting, and the role in being awarded the overall winner of the Scottish Awards for Quality in Planning in 2017, and then winning the Silver Jubilee Cup for top performing planning authority in the UK Royal Town Planning Institute

Awards for Excellence in Planning in 2018. These are strong signals of a good service and are remarkable given the small size of the team and the range and scope of planning activity delivered through the Service.

3.2.

However, it is important to recognise that notwithstanding strong performance at a strategic level, planning by its very nature is a process of balancing often competing views and interests and has an impact on individual property aspirations which can at times compete with planning judgement and interpretation of policy which lies in the public interest. In short, it can be a controversial process. It can therefore be the case that individual experiences or views on the Service may not match with the broader picture represented in annual reports or awards, and it is important to respect and seek to understand these individual perspectives in order to ensure that Services continue to be appropriately responsive, proactive in supporting good development and calibrated to localised circumstances.

3.3.

In this regard, in Spring 2020 the Interim Chief Executive was approached with concerns from some stakeholders regarding their individual experience with the Planning Service on specific planning applications. In the interests of transparency and in order to ensure full assurance of approach, the Interim Chief Executive commissioned Mr Jim Birrell, an independent and specialist Planning consultant, to undertake an independent review of the Service with a focus on customer care aspects, performance levels and relevant internal and external practices and procedures.

4. Independent Review of the Planning Service

4.1.

The Independent Review of the Planning Service by Mr Birrell is a very comprehensive piece of work and addresses the following topic areas:

- Planning Staffing and Resources.
- Delivering the Capital Plan and Programme.
- Customer Care and Developer Engagement.
- Planning Performance and Quality.
- Evidence Base – Assessment of the Case Studies.
- Overall Conclusions and Comments.

4.2.

The outcomes from the report included 43 Topic Conclusions, 10 Key Conclusions and 20 Improvement Recommendations. The report also made clear observations in terms of the issues raised around developer interactions and engagement and the current negotiating culture, project management and inter-service working.

4.3.

The review report was initially considered and endorsed by the Development and Infrastructure Committee on 6 September 2020, where it was noted that a Management Improvement Action Plan had been prepared to deliver the identified improvement actions. It was agreed that regular updates on delivery of the Action Plan be provided through the Planning and Regulatory Services Consultative Group. Subsequently updates have been provided to the Consultative Group meetings held on 27 November 2020, 28 April 2021 and 25 November 2021. At the latest meeting it was agreed that the Head of Planning, Development and Regulatory Services should present a report to the Development and Infrastructure Committee to update on progress and conclude the reporting on progress with implementation of the improvement actions.

4.4.

The updated Management Improvement Action Plan is attached as Appendix 1. In terms of the 22 improvement actions detailed, 11 have been completed and another 9 are substantially completed. Given that Jim Birrell has been engaged to assist with a number of the outstanding actions, it is concluded that all the actions which have been substantially completed will be concluded by the end of June 2022.

4.5.

The only two actions where no progress has been made thus far and will probably extend beyond June 2022 are as follows:

- CPP4 – Chief Planning Officer – guidance on this new statutory role established by the Planning (Scotland) Act 2019 will be published by the Scottish Government in 2022, although no specific target date has been identified.
- CS2 – Design Guide or similar for Housing in the Countryside – this will be incorporated/progressed as part of the review of the Local Development Plan.

5. Planning Performance Framework

5.1.

With respect to the performance of the Planning Service, all planning authorities in Scotland are required to submit an annual Planning Performance Framework (PPF) to the Scottish Government, setting out how they have performed over the previous financial year. The main purpose of the PPF is to provide Scottish Ministers, local authorities and the general public with a better understanding of how a planning authority is performing and delivering high quality development on the ground. The PPF also reports on 15 agreed performance markers on which the Scottish Government also provides feedback.

5.2.

The latest PPF covering the period April 2020 to March 2021 was submitted to the Scottish Government in July 2021, and in November 2021, the Minister for Public Finance, Planning and Community Wealth provided feedback on the tenth PPF

submitted by the Council. The letter from the Minister acknowledges the challenges which have been faced during the course of the year by Planning staff and recognises the contribution made by Planning to respond to the coronavirus pandemic and supporting economic recovery.

5.3.

The Performance Markers Report for 2019/20 is detailed in Appendix 2 to this report. Using a “traffic light” scoring system, the Planning Service has been rated against 13 of the applicable performance markers during the monitoring year, being awarded a green rating in 11 of the markers and an amber rating in the remaining two. This maintains the consistent high levels of performance witnessed over recent years with no markers rated red since 2013/14.

5.4.

The letter from the Minister also notes that the Scottish Government will be commencing the recruitment of a National Planning Improvement Co-ordinator early in 2022. The Planning (Scotland) Act 2019 provides for Scottish Ministers to establish this post to monitor the performance of planning authorities and provide advice to planning authorities on what steps they may require to undertake to improve the performance of their functions.

6. Corporate Governance

This report relates to the Council complying with governance and scrutiny and therefore does not directly support and contribute to improved outcomes for communities as outlined in the Council Plan and the Local Outcomes Improvement Plan.

7. Financial Implications

The initial study was undertaken at a total cost of £8,200 and work to deliver the Management Improvement Action Plan has cost a further £7,800, with all costs covered within existing Development and Infrastructure budgets.

8. Legal Aspects

There are no legal implications arising directly from the recommendations in this report.

9. Contact Officers

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Roddy Mackay, Head of Planning, Development and Regulatory Services, extension 2530, Email roddy.mackay@orkney.gov.uk

10. Appendices

Appendix 1: Review of Planning Service – Management Improvement Action Plan.

Appendix 2: Performance Markers Report 2019/20.


APPENDIX 1 - Review of Planning Service – Management Improvement Action Plan


Actions as at 24 January 2022




Title	Description	BRAG		Actual Start Date	Due Date
CCDE1 - Planning Performance Frameworks.	The focus in future Planning Performance Frameworks (PPFs) should continue to feature effective progress being made in the areas of “Quality of Service and Engagement” and “Culture of Continuous Improvement”. This focus would be strengthened by taking an inclusive, not internal, approach with selected, key stakeholders involved in formulating future improvement actions.	BLUE	↑	01-Jun-2020	30-Jul-2020
Lead	Comment				
Gareth Waterson	The PPF was submitted at the end of July 2020, this included workforce planning and succession planning and re-establishment of the stakeholder group and planning customer survey. This action is now complete and closed.				


Title	Description	BRAG		Actual Start Date	Due Date
CCDE2 - Planning Customer Survey.	The Planning Service should introduce a Planning Customer Survey so that applicants can formally comment on quality of decision- making and raise any issues they experienced with their applications. This should then provide a focus for future service changes and improvements to accommodate the concerns raised.	BLUE	↑	01-Jun-2020	31-Dec-2020
Lead	Comment				
Gareth Waterson	The survey was launched on the Monday 15 March 2021 and is on-going.				

Title	Description	BRAG		Actual Start Date	Due Date
New action through committee - Establish up-dates for Elected Members on progress	Provide regular up-dates to Elected Members on the progress and status of the actions within the action plan	GREEN		31-May-2020	30-Jun-2022
Lead	Comment				
Gareth Waterson	The Development and Infrastructure (DI) Committee on 08 September 2020 agreed that reports should be made to the Planning and Regulatory Service Consultative Group. A report was presented to the Planning and Regulatory Services Consultative Group meeting on 28 April 2021 and on 25 November 2021. A report will go to committee in February 2022.				


Title	Description	BRAG		Actual Start Date	Due Date
CPP1 - Internal Protocol.	Introduce an internal cross service protocol, this should include, as a minimum standard: (1) Formal record of pre-application discussions and preferably a formal Planning Application Consultation (PAC). (2) Identification of Validation Requirements, both legal validation and professional validation, to ensure a timely, competent and quality submission is made by the council (3) A combined Planning and Building Standards Customer Checklist would assist in this process. (4) Consideration should be given to the introduction of a cross-check system between DM and BS relating to development commencements and development completions.	GREEN		01-Jun-2020	30-Jun-2022
Lead	Comment				
Gareth Waterson	Work with existing Development and Infrastructure property/planning design team meeting group to establish a protocol. A meeting of the Planning and Development team was held on 24 September 2020, this included				


	consideration of closer team working and further commitment moving forward which is now happening. Jim Birrell has been engaged to assist with the internal protocol work. A meeting has been arranged for 08 February 2022 between Engineering, Roads, Planning and Jim Birrell to review internal process in regard to dealing with planning applications. To allow for the completion of this work the target date for this action has been further extended from 31 December 2021 to 30 June 2022.
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Title	Description	BRAG		Actual Start Date	Due Date
CPP2 – Internal Audit Recommendation.	In addition to recommendation CPP1 the Council needs to implement and incorporate the Internal Audit (IA) Recommendation 1 pre-application advice and detailed requirements being included in agreed client specification documents. Ref: IA Report - Capital Slippage, 14 November 2019.	BLUE		01-Jun-2020	30-Sep-2020
Lead	Comment				
Gareth Waterson	Process and client specification has been revised to incorporate these requirements.				


Title	Description	BRAG		Actual Start Date	Due Date
CPP3 - Focused Capital Plan monthly Senior Management Team (SMT) meetings - to be aware of project progress and reasons for any slippage.	The Senior Management Team (SMT) should have a focused Capital Plan meeting monthly to be aware of project progress and reasons for any slippage. Key officers, including the lead planning officer, should attend this meeting to advise SMT on remedial and intervention measures required to maintain progress and timescale targets.	BLUE		01-Jun-2020	30-Jun-2020
Lead	Comment				


Gareth Waterson	The Head of Development, Planning and Regeneration, the Head of Infrastructure and Strategic Projects and the Planning Manager (Development Management) have been added to the Senior Management Team Capital Programme meetings. Action complete week of 29 June 2020, action now closed.
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Title	Description	BRAG		Actual Start Date	Due Date
CPP4 – Chief Planning Officer.	The Council should carefully consider and assess who fulfils the role of the Chief Planning Officer (as set out in the new Planning Act as a statutory requirement) and maximise the opportunities for participating in the SMT discussions on capital projects and the wider corporate developments and environmental matters linked to community planning, place-making and health and well-being.	GREEN		01-Jun-2020	30-Jun-2022
Lead	Comment				
Gareth Waterson	Currently awaiting guidance from the Scottish Government, the guidance was due to be published by Quarter 4 2020 but has been delayed due to COVID19. The latest information received from the Scottish Government is that the guidance will be published during 2022. As this action is outwith the Council's control the target date has been further extended from 31 December 2021 to 30 June 2022.				


Title	Description	BRAG		Actual Start Date	Due Date
CS1 – Design Guidance and Heirarchy of Advice.	There is a need to review the current Design Guidance and hierarchy of advice to provide a coherent and simplified approach without sacrificing national and local aspirations for high quality designs and placemaking.	GREEN		01-Jun-2020	30-Jun-2022
Lead	Comment				


Gareth Waterson	The principle of a review and streamlining the amount of planning policy advice has been agreed and will be implemented. This will be progressed as soon as possible within 2022 following assessment of the new development planning regulations which were published by the Scottish Government in December 2021. It should be noted that this is about the current hierarchy of planning advice including development briefs and design statements. Within the review of the planning system, the Scottish Government have removed the statutory status of Supplementary Guidance. Jim Birrell has been engaged to assist with this work and has undertaken a review of existing planning policy advice. To allow for the completion of this work the target date for this action has been further extended from 31 December 2021 to 30 June 2022.
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Title	Description	BRAG		Actual Start Date	Due Date
CS2 - Design Guide or similar for Housing in the Countryside.	The Council needs to produce an overall Design Guide or similar for Housing in the Countryside, which should be jointly prepared between the Council and applicants/agents.	GREEN		01-Apr-2021	31-May-2024
Lead	Comment				
Gareth Waterson	There have been a number reviews of design in the countryside guidance over the years. However, it is accepted that it would be helpful to refresh this work. These previous reviews have proven controversial, and it has been challenging to establish design guidance criteria which have consensus support in the past, hence the 2017 Scottish Government focused on higher level policy elements rather than a design guide. In 2021, Development and Marine Planning will commence the review of the Plan and the housing in the countryside policy. Considering design as part of the core policy would be advantageous as the two elements inter-relate and this will allow for full public involvement.				


Title	Description	BRAG		Actual Start Date	Due Date
CS3 - Planning and Developer Guidelines.	The Council and Developers would benefit from the publication of a jointly agreed document on Planning and	GREEN		01-Jun-2020	30-Jun-2022


	Developer Guidelines to set out the key parameters, details and specifications required in submitting planning applications. This guidance should also include processes and procedures for pre-application discussions and consultations and link in to improvement areas CS1 and CS2 identified above.				
Lead	Comment				
Gareth Waterson	Jim Birrell has been engaged to assist with this work. Draft layout and procedural notes provided to consultant, in order to draft document. To allow for the completion of this work the target date for this action has been further extended from 31 December 2021 to 30 June 2022.				

Title	Description	BRAG		Actual Start Date	Due Date
CS4 - Developer and Stakeholders Forum.	The Council should reinstate the annual Developer and Stakeholders Forum to provide a focus for discussion and issue raising to jointly develop improvements and efficiencies. The need for a separate House Builders Forum should also be considered as this operates well in other parts of Scotland and can help to build on and improve relationships and behaviours (This Review Report can assist in setting an agenda for these meetings).	BLUE		01-Jun-2020	31-Oct-2020
Lead	Comment				
Gareth Waterson	The Planning Developer Stakeholder Forum has been re-instated to focus specifically on planning procedural and performance issues only, with an early item to be discussed being the planning and developer guidelines (action CS3) and other relevant items emerging from this report. The first meeting of the stakeholder forum was held on 09 December 2020 and further meetings took place in March, June and November 2021.				


Title	Description	BRAG		Actual Start Date	Due Date
CS5 - Review Communication Channels.	The Planning Service should review its communication channels with applicants to ensure that planning advice is clear and succinct and provided at the earliest opportunity, including the role and effectiveness of pre-application advice and consultation.	BLUE		01-Jun-2020	31-Dec-2021
Lead	Comment				
Gareth Waterson	We have produced a pre application form and guidance to aid the quality of pre application submissions. A draft validation checklist which outlines what is required for planning applications in order to reduce the number of invalid applications has been produced.				


Title	Description	BRAG		Actual Start Date	Due Date
CS6 – Validation Checklist.	A user- friendly, simplified Validation Checklist, extracted from the Heads of Planning Scotland (HOPS) national version, which has already been adopted by the Council, should be published and made available to all applicants, both internal and external, to confirm the specific requirements for submitting a legally valid planning application. For the avoidance of doubt, this is not to replace or detract from the national HOPS guidance, but rather a short, focused guidance directing applicants and agents to the legal validation process and the HOPS national guidance.	GREEN		01-Jun-2020	30-Jun-2022
Lead	Comment				
Gareth Waterson	Jim Birrell has been engaged to assist with this work. Initial draft document now produced and being edited prior to being circulated to stakeholders for comment. To allow for the completion of this work the target date for this action has been further extended from 31 December 2021 to 30 June 2022.				


Title	Description	BRAG		Actual Start Date	Due Date
CS7 – Extend Briefs for External Environmental Consultants.	Briefs for external environmental consultants contracted by the Planning Service, on behalf of Orkney Islands Council, should not be solely restricted to EIAs, but they need to be extended to include a wider planning assessment covering other aspects of environmental and related legislation e.g. Extractive Waste regulatory requirements.	BLUE		01-Jun-2020	31-Dec-2021
Lead	Comment				
Gareth Waterson	Procurement documentation for the employment of environmental consultants has been completed.				

Title	Description	BRAG		Actual Start Date	Due Date
CS8 – Follow-up meeting with Applicants and Agents.	A follow-up meeting with the applicants and agents interviewed during this Review should be convened as early as possible to discuss the higher - level implications of the Review and its Conclusions and Improvement Recommendations. This should involve senior planning management and should preferably be convened and chaired by an independent and impartial party.	BLUE		01-Jun-2020	30-Jun-2020
Lead	Comment				
Gareth Waterson	A follow up meeting took place on 18 June 2020.				


Title	Description	BRAG		Actual Start Date	Due Date
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CSDE3 - Royal Town Planning Institute (RTPI) Guidance.	The Royal Town Planning Institute (RTPI) has recently published guidance on “Probity and the Professional Planner” to help planners confidently use their independent professional judgment, practical advice should be disseminated to the chartered planning staff to guide and support them in negotiating situations with applicants. Ref: Probity and the Professional Planner, RTPI, April 2020.	BLUE		01-Jun-2020	31-Oct-2020
Lead	Comment				
Gareth Waterson	The guidance has been circulated to all planning staff.				


Title	Description	BRAG		Actual Start Date	Due Date
PAQ1– PPF Process.	Overlapping with recommendation CCS1, continue to further develop and expand the elements set out in the PPF process with particular focus on Quality of Service and Engagement and Culture of Continuous Improvement to include and consider: (1) A better balanced and proportionate approach to pre-application discussions and processes (2) Use of Added - Value Codes or similar when assessing planning outcomes on each decision made to evidence the added-value achieved by the Development Management Team in its decision-making role. (Some local planning authorities already use such techniques and current RTPI research into planning outcomes is likely to include recent examples in this area).	GREEN		01-Jun-2020	30-Jun-2022
Lead	Comment				
Gareth Waterson	The Planning Performance Framework submitted to the Scottish Government in July 2021 has further developed aspects regarding the continuous improvement of the Planning Service. The RTPI has also recently published a research report on measuring planning outcomes and consideration is currently being given to the advice provided on better mechanisms to track service performance. The target date for this action has been further extended from 31 December 2021 to 30 June 2022.				

Title	Description	BRAG		Actual Start Date	Due Date
PSR1 – Service Workforce Plan.	The Planning Service needs to continue to further develop and expand its detailed Service Workforce Plan to fully include and consider as requested in the Councils Workforce Planning Report: (1) Future planning workforce needs (2) Current and future capacity levels (3)	BLUE		01-Jun-2020	31-Dec-2021


	Competitive and proportionate career grades and salary levels and placings, compatible with overall council salary levels and grades (4) Progression opportunities for all DM Staff (5) Refresher training and up-skilling for all planning staff e.g. development processes, the impact of other consents and guidelines (6) Recruitment Processes (7) Areas where specialist skills are not available				
Lead	Comment				
Gareth Waterson	A workforce plan for the Planning Service has been prepared which identifies immediate staffing requirements together with longer term proposals, this plan will feed into the Council workforce plan and phase 2 of the Council restructure.				

Title	Description	BRAG		Actual Start Date	Due Date
PSR2 - Additional Staff.	To explore the possibilities and opportunities for additional staff specifically in the following 3 priority areas: (1) Housing Applications – Key Project Management Skills allied with RTPI Membership. (2) Environmental Impact Assessment – Short-term use of contracted specialist consultants to continue but consider appointment of environmental/specialist planner with appropriate experience and skill levels to assist with this area of work and to complement the specialist advice.	GREEN		01-Jun-2020	30-Jun-2022
Lead	Comment				
Gareth Waterson	A specialist environmental consultant has continued to be used for advice and assessment. Through the planning workforce plan and the restructuring of the Council Services we will be looking to identify any additional posts that may be required in planning. To allow for the completion of this work the target date for this action has been further extended from 31 December 2021 to 30 June 2022.				

Title	Description	BRAG		Actual Start Date	Due Date
PSR2a - Additional Staff.	Capital Plan Projects - The appointment of an experienced planner to assist with Capital Plan Projects and major commercial investment proposal, including windfarms, located within the appropriate corporate team – suggest this post should be located in the Infrastructure and Strategic Projects Team within the Development and Infrastructure Directorate to ensure separation of roles from the Planning Service to avoid any confusion or conflict.	AMBER		01-Jun-2020	31-Mar-2022
Lead	Comment				
Hayley Green	This proposal has been the subject of previous consideration by the Director and Heads of Service teams and was not progressed previously due to limitations in the staffing establishment. This proposed new post has been discussed recently within the Capital Programme Team as part of the review of service level resources and a job description for the post is to be drafted with a view to securing funding to allow the post to be advertised and recruited to.				

Title	Description	BRAG		Actual Start Date	Due Date
PSR3 - Reduce or Minimise Workloads.	The DM and DaMP Teams should self-identify areas of workload where they can reduce or minimise workloads without compromising on the quality of outcomes or their professional and statutory duties e.g. the excessive production and use of Development Briefs and unnecessarily micro-managing housing applications. Often this is a fine balance to be achieved if added-value outcomes are to be realised within a supportive and positive development environment and this can	GREEN		01-Jun-2020	30-Jun-2022

	legitimately involve paying attention to detail, and identifying clearly the planning requirements needed to comply with the Local Development Plan.				
Lead	Comment				
Gareth Waterson	Team workload review began urgently after the summer 2020 leave period. Review of development brief master considered an early win opportunity. Commitment to review our existing hierarchy of planning guidance including development briefs has been included within our Development Plan Scheme and external consultancy support has been engaged to assist with the review. Jim Birrell has been engaged to assist with the hierarchy of planning guidance and has undertaken an initial review. Further progress has been delayed pending the publication of development planning regulations by the Scottish Government. The regulations were published in December 2021. To allow for the completion of this work the target date for this action has been further extended from 31 December 2021 to 30 June 2022.				

Title	Description	BRAG		Actual Start Date	Due Date
PSR4 - Social Media and Press.	Planning staff, and indeed all other council staff, need to be advised of the informal and formal processes available to them when unjustified and inaccurate social media comments are posted online and in the newspapers and broadcast on radio from committee meetings. The staff need to be formally supported by senior management and the relevant council services when serious media issues are raised by staff.	BLUE		01-Jun-2020	30-Sep-2020
Lead	Comment				
Gareth Waterson	Arrange staff briefing and training session with Human Resources and the Communications team to ensure clarity on appropriate medium, and the support steps available to staff. Meeting held on 07 October 2020. The Council's Social Media Guidelines were reviewed in March 2021.				

PERFORMANCE MARKERS REPORT 2019-20

Name of planning authority: **Orkney Islands Council**

The High Level Group on Performance agreed a set of performance markers. We have assessed your report against those markers to give an indication of priority areas for improvement action. The high level group will monitor and evaluate how the key markers have been reported and the value which they have added.

The Red, Amber, Green ratings are based on the evidence provided within the PPF reports. Where no information or insufficient evidence has been provided, a 'red' marking has been allocated.

No.	Performance Marker	RAG rating	Comments
1	Decision-making: continuous reduction of average timescales for all development categories [Q1 - Q4]	Amber	<p>Major Applications You determined 2 applications in an average timescale of 35.1 weeks which is faster than the Scottish average. RAG = Green</p> <p>Local (Non-Householder) Applications Your average timescale of 10.0 weeks is only slightly slower than the previous year but faster than the Scottish average of 12.4 weeks. RAG = Amber</p> <p>Householder Applications Your average timescale of 6.8 weeks is slower than the previous year but is faster than the Scottish average of 8.1 weeks and the statutory timescale. RAG = Green Overall RAG = Amber</p>
2	<p>Processing agreements:</p> <ul style="list-style-type: none"> offer to all prospective applicants for major development planning applications; and availability publicised on website 	Green	<p>You offer processing agreements for major applications. You acknowledge in your report that the scale of developments in Orkney reduces the opportunities for using them however, significant developments such as the new Orkney Hospital and the Orkney Transmission Connection and Infrastructure Project have benefitted from this approach. RAG = Green</p> <p>A guide to processing agreements is available on your website. RAG= Green Overall RAG = Green</p>
3	<p>Early collaboration with applicants and consultees</p> <ul style="list-style-type: none"> availability and promotion of pre-application discussions for all prospective applications; and clear and proportionate requests for supporting information 	Green	<p>Your pre-application service is detailed within your report, which provides both scheduled appointments and staffed hours for members of the public with advice provided in person or writing. You have produced a pre-application form and guidance to aid the quality of pre-application submissions. It is noted that the pandemic obviously impacted the provision of your free face to face meetings and that this has presented an opportunity to update how advice is provided. RAG = Green</p>

			Your report highlights the validation checklist produced which outlines what is required for applications in order to reduce the number of invalid applications. RAG = Green Overall RAG = Green
4	Legal agreements: conclude (or reconsider) applications after resolving to grant permission reducing number of live applications more than 6 months after resolution to grant (from last reporting period)	Green	1 application was processed during the reporting period which was subject to a processing agreement.
5	Enforcement charter updated / re-published within last 2 years	Green	Your enforcement charter was 20 months old at time of reporting.
6	Continuous improvement: <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	Your LDP and enforcement charter are both up-to-date. Timescales for major and local decisions are faster than the Scottish average. It is expected that your LDP will not be replaced within the required 5 year timescale. The number of legacy cases has also decreased. RAG = Green You have completed 5 out of 9 of your commitments with the remaining ongoing or delayed due to external factors. You have identified an ambitious set of commitments for the next reporting year which cover various aspects of your service delivery. RAG = Green Overall RAG = Green
7	Local development plan less than 5 years since adoption	Green	Your LDP was 3 years and 11 months old at the time of reporting.
8	Development plan scheme – next LDP: <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 	Amber	Your report confirms that work to replace your current local development plan will not commence until the new Development Planning Legislation is in place. RAG = Amber It is noted that Orkney Islands Council does not intend to progress with a new LDP until the revised system identified in the Planning Act is established. Project planning has not taken place yet. RAG = Amber Overall RAG = Amber
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> <i>*including industry, agencies and Scottish Government</i>	N/A	
11	Regular and proportionate policy advice produced on information required to support applications.	Green	In order to provide more certainty for developers you have approved the National Roads Development Guide , the Landscape Capacity Study for Wind Energy in Orkney and the Orkney Harbours Masterplan.

			You have also prepared Supplementary Guidance on Development Briefs and Design Statements to provide more certainty for developers in terms of the levels of information required for these documents and where they are required.
12	Corporate working across services to improve outputs and services for customer benefit (for example: protocols; joined-up services; single contact arrangements; joint pre-application advice)	Green	Examples of working across various services are provided in your report, including Walliwall Development Brief, leading on the implementation of key projects to deliver the Council's key priority of promoting active travel, the Marine Plan, and worked with other council services on the roll out of the Place Standard.
13	Sharing good practice, skills and knowledge between authorities	Green	You have reinstated your stakeholders forum, you actively participate in HOPS and various national forums and continue to share good practice with other authorities. You also state that staff regularly attend seminars/conferences/forums that contribute to their personal and professional development.
14	Stalled sites/ legacy cases: conclusion or withdrawal of old planning applications and reducing number of live applications more than one year old	Green	You have cleared 3 cases during the reporting year, with 1 case still awaiting conclusion.
15	Developer contributions: clear and proportionate expectations <ul style="list-style-type: none"> • set out in development plan (and/or emerging plan); and • in pre-application discussions 	Green	Supplementary guidance on developer contributions is in place along with your Development Management guidance. RAG = Green It is noted that opportunities to seek developer contributions are limited due to the small scale development. RAG = Green Overall RAG = Green

ORKNEY ISLANDS COUNCIL
Performance against Key Markers

Marker		13-14	14-15	15-16	16-17	17-18	18-19	19-20	20-21
1	Decision making timescales								
2	Processing agreements								
3	Early collaboration								
4	Legal agreements								
5	Enforcement charter								
6	Continuous improvement								
7	Local development plan								
8	Development plan scheme								
9	Elected members engaged early (pre-MIR)	N/A	N/A		N/A	N/A	N/A	N/A	N/A
10	Stakeholders engaged early (pre-MIR)	N/A	N/A		N/A	N/A	N/A	N/A	N/A
11	Regular and proportionate advice to support applications								
12	Corporate working across services								
13	Sharing good practice, skills and knowledge								
14	Stalled sites/legacy cases								
15	Developer contributions								

Overall Markings (total numbers for red, amber and green)

	Red	Amber	Green
2012-13	6	4	3
2013-14	1	6	6
2014-15	0	3	10
2015-16	0	2	13
2016-17	0	4	9
2017-18	0	3	10
2018-19	0	2	11
2019-20	0	4	9
2020-21	0	2	11

Decision Making Timescales (weeks)

	13-14	14-15	15-16	16-17	17-18	18-19	19-20	20-21	20-21 Scottish Average
Major Development	7.3	7.0	24.1	-	-	32.6	-	35.1	41.3
Local (Non-Householder) Development	11.4	9.8	9.3	8.3	8.9	8.4	9.9	10.0	12.4
Householder Development	8.7	6.8	6.4	9.1	7.1	6.7	6.6	6.8	8.1