

# North Lanarkshire Council Report

## Planning Committee

approval  noting

Ref LB

Date 24/02/22

## Planning Performance Framework 2020-21

**From** Head of Planning & Regeneration

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### Executive Summary

This report seeks to inform the Committee of the Scottish Government's feedback on the performance of the Planning and Place Service for the period April 2020 to March 2021 based on the Planning Performance Framework (PPF) submitted in July 2021. The Planning Performance Framework is prepared annually and it details the performance of the service against the Key Performance Indicators, agreed with the Scottish Government, it highlights examples of good practice by using case studies and details the on-going work by the service to deliver continuous improvement. The report also sets out the improvements that the service intends to focus on in the following year.

### Recommendations

It is recommended that the Committee consider the content of this report and endorse the actions being taken to improve performance.

### The Plan for North Lanarkshire

Priority Improve economic opportunities and outcomes

Ambition statement (4) Market and promote North Lanarkshire as the place to live, learn, work, invest, and visit

## 1. Background

- 1.1 Since 2012 each of the planning authorities across Scotland voluntarily prepares an annual Planning Performance Framework (PPF) which sets out how their service is performing. The PPF was developed by the Heads of Planning Scotland (HOPS) and the Scottish Government to provide a document with a range of qualitative and quantitative indicators to document planning activities which assists in the drive towards consistently high-quality planning services across the country.

## **2. Report**

- 2.1 The Planning Performance Framework is not a policy document. It provides planning authorities an opportunity to demonstrate continuous improvement, changes implemented, achievements and lessons learnt over the year.
- 2.2 The PPF 2020/21, our tenth, was submitted to the Scottish Government in July 2021. The report sets out the achievements of the Council under four headings:
- Quality of Outcomes;
  - Quality of Service and Engagement;
  - Governance; and
  - Culture of Continuous Improvement
- 2.3 The framework was developed by the Heads of Planning Scotland to capture and highlight a balanced measurement of planning performance and to provide Ministers, Councils and the public with a better understanding of how a planning authority is performing and delivering high quality development on the ground.
- 2.4 The case studies covered in this year's report, at the request of the Government, focused on how the planning service was being delivered through the Coronavirus crisis and used examples related to: the progress made in regenerating the Ravenscraig site based on the Ravenscraig Masterplans, the steps taken by the service to adapt our working practices to allow the continued delivery of the service, both development management functions and the examination of the North Lanarkshire Local Development Plan Examination on the basis of almost all staff working from home; and the work of the Policy and Strategy Team, working with the corporate GIS Team in leading on the digital input to the Covid Response Team, producing GIS information to ensure the council was directing resources to the most appropriate areas and recipients . Other case studies focused on the changes being carried out to ensure our work processes and performance are being reviewed and more actively managed to ensure we are improving how we are delivering the service.

### **Feedback from Scottish Government**

- 2.5 In 2020-21, for the 13 relevant performance markers, the Council received seven green markers, three amber and three red in the feedback from the Scottish Government. The reasons for the red markers are:
- that our Local Development Plan is more than five years old, however, the Plan has progressed significantly in the last year, having now concluded the Examination process.
  - That despite clearing 19 cases over the period, there has been an increase in the number of legacy cases that we have, there is a change of policy required if we are to address this issue and that is the subject of a separate report to be considered by the Committee.
  - In terms of decision-making, our timescales for determining Local and Householder applications fell below the Scottish average, however, our average timescale for determining Major applications (28.1 weeks) remains faster than the Scottish average (41.3 weeks).
- 2.6 The Service received amber markers for our performance on speed of completing legal agreements. There were eight applications requiring legal agreements over the year and our average timescale for concluding averaged 25.2 weeks which is faster

than the Scottish average. We did not achieve a green because we did not progress the use of a model agreement which we had planned due to reprioritisation of resources during the pandemic.

- 2.7 The Service received an amber for Continuous Improvement because our overall performance dropped over the 20/21 period, however, it was acknowledged that the service has completed 11 out of 17 improvement commitments and that the remaining 6 will be continued into 21/22. The range of improvements identified was acknowledged as good and that it has been informed by stakeholder feedback.
- 2.8 An Amber was also received for the Development Plan Scheme due to the fact the new Local Development Plan will not be adopted within 5 years of the previous LDP's adoption, but it was noted that we managed to progress our LDP to examination during 2020/21 despite the impact of the pandemic.
- 2.9 It is clear that the Planning Service faced a number of challenges during 2020/21, mainly due to the impact of the pandemic in relation to putting in place new ways of working, and acknowledging that there were IT challenges in accessing the planning system remotely, and obtaining the necessary equipment for support staff to enable them to work remotely. Determining planning applications is a complex process involving the analysis of a range of supporting information and technical studies which often requires the input from a range of consultees, both internal and external. The pandemic also inevitably impacted on the timescales for statutory consultees to respond, particularly where covid response activity had to be prioritised.
- 2.10 There have also been a number of legislative changes to the planning system in the past year which take time to fully evaluate and to amend our processes accordingly. This will continue over the coming years as the unprecedented changes to the Scottish Planning System arising from the introduction of the Planning (Scotland) Act in 2019 are rolled out. We will report to the Committee in March on our response to the current Scottish Government consultations on National Planning Framework 4 and the Local Development Planning Guidance and Regulations.
- 2.11 Finally, as part of the PPF process Councils are encouraged to benchmark their PPF against one of the other authorities in their Benchmarking Group. We have found our previous engagement with Aberdeen City and City of Glasgow Councils to be very beneficial in terms of exchanging experience and information and also for developing relationships with our peers in these authorities. We would hope to continue this positive experience with our new benchmarking partner.

#### **Planning Performance Framework: Service Improvement Actions.**

- 2.12 We value feedback on our service and welcome the opportunity to use this insight to inform policy, strategy and to prioritise service improvement activity within the service.
- 2.13 Our Planning Performance Feedback improvement actions covering the 12 months from 1 April 2021 to 31 March 2022 were highlighted in our eleventh PPF report and will be reported on in our next PPF which will be submitted in July 2022. We are now looking at what changes we need to make to deliver our service as we move forward.

2.14 The following highlights some of key actions for service improvement that we are concentrating on in the 12 months from 1 April 2021 to 31 March 2022:

- We have introduced a Duty Officer rota to ensure we meet the needs of customers looking for general planning advice.
- We have developed and published on our website 'step by step' video guidance on how to view, comment on and track the progress of planning applications using the online portal.
- We have introduced a new process for the validation of householder planning applications. Realigning this task to our Technical Support team aims to bring consistency and ensure minimum delay for householder planning applications being made valid.
- We are developing a new Certificate of Lawfulness process for householders that aims to bring consistency and ensure minimum delay for householders seeking confirmation that work doesn't need planning permission. This change will further develop the role of our Technical Support team.
- We are developing a new standardised process for Planning Processing Agreements (PPA) to help planning applications proceed more efficiently and to give certainty to the customers.
- We have reviewed our Enforcement Charter and proposed changes that will bring it up to date and ensure it is relevant to how we are carrying out our enforcement process.
- We are developing guidance and a checklist for developers undertaking pre-application consultations with our communities to ensure a fair and consistent approach to the requirements for consultation events.

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### **3. Equality and Diversity**

- 3.1 Fairer Scotland Duty  
There are no implications arising from this report.
- 3.2 Equality Impact Assessment  
There are no equalities issues arising from this report.

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### **4. Implications**

- 4.1 **Financial Implications**  
There are no Financial Impacts arising from this report.
- 4.2 **HR, Policy and Legislative Impacts**  
It is not considered that the PPF will have an HR, Policy or Legislative Impact.
- 4.3 **Technology**  
There are no technology implications arising from this report

#### 4.4 **Environmental Impacts**

There are no environmental impacts associated with the PPF.

#### 4.5 **Communications Impact**

There are no direct communications impacts arising from this report, although the Service is continually looking at how it can improve the accessibility and content of information relating to the planning system.

#### 4.6 **Risk Implications**

There are currently no risks to the Council associated with this report.

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### 5. **Measures of success**

- 5.1 The measures of success are not only in relation to the performance indicators that are set out in this report and in Appendix 1, but are also more qualitative in terms of ensuring that the Planning service, through its engagement with applicants and other stakeholders, contributes to the delivery of good quality development in the right locations that contribute to place making and community wellbeing.

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### 6. **Supporting documents**

- 6.1 The Planning Performance Framework 2020/21 can be found here:  
<https://www.northlanarkshire.gov.uk/sites/default/files/2021-07/Planning%20Performance%20Framework%202020%202021%20%283%29.pdf>
- 6.2 The Scottish Government's feedback on the PPF 2020/21 is attached as Appendix 1.



**Pamela Humphries**  
**Head of Planning and Regeneration**

## APPENDIX 1

### PERFORMANCE MARKERS REPORT 2020-2021



Planning  
Performance Framev

Minister for Public Finance, Planning and Community  
Wealth  
Tom Arthur MSP



Scottish Government  
Riaghaltas na h-Alba  
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Des Murray  
North Lanarkshire Council

29 November 2021

Dear Des Murray

I am pleased to enclose feedback on your authority's tenth Planning Performance Framework (PPF) Report, for the period April 2020 to March 2021.

This is the first time I have written to you individually in my capacity as Planning Minister since my appointment earlier this year. I am very grateful for the support and welcome I have received and look forward to working with you.

This year has continued to present challenges for people working within planning, in the development sector and across Scotland's communities. We know people are doing the best they can to engage and operate, sometimes in ways and circumstances that may not be ideal, and with many still predominantly working from home. I appreciate that many of you will have had to make difficult choices in what work is prioritised, in much the same way the Government and Planning and Architecture Division has had to. However, we should all be very proud of how planning has responded to the coronavirus pandemic, adjusting as necessary to keep going and supporting recovery. I want to take this opportunity to thank you and your staff for all the work that has been done during the pandemic and to support our ongoing recovery.

When my predecessor wrote to you last year he indicated that the pandemic had required a rethink about the timing and prioritisation of our planning work programme. A number of our workstreams were paused or delayed as a result, including the review of the planning performance and fee regimes, which had been the subject of a detailed consultation that concluded in early 2020. However, in October 2021 we published a revised planning implementation programme (<https://www.gov.scot/publications/transforming-planning-practice-updated-planning->

[reform-implementation-programme/](#)). You will note that we have now recommenced our planning performance and fees review, which reflects the importance Scottish Government attaches to this work. We are currently finalising proposals and intend to lay regulations before the end of the year to introduce increased fees, providing a boost to planning authorities' resources. We also intend to commence the recruitment of the National Planning Improvement Coordinator early in 2022.

Turning to the 2020-21 PPF reporting year, although, as expected, there have been some small changes overall in the markings awarded, the figures indicate that performance has remained relatively stable. This is a testament to the hard work and flexibility of authorities during these very difficult times and I believe that overall good progress continues to be made by Scotland's planning authorities.

If you would like to discuss any of the markings awarded below, please email [chief.planner@gov.scot](mailto:chief.planner@gov.scot) and a member of the team will be happy to discuss these with you.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Tom Arthur', written in a cursive style.

**Tom Arthur**

Minister for Public Finance, Planning and Community Wealth

**CC: Pamela Humphries  
Lorna Bowden**

## PERFORMANCE MARKERS REPORT 2020-21

Name of planning authority: **North Lanarkshire 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	<b>Decision-making:</b> continuous reduction of average timescales for all development categories [Q1 - Q4]	Red	<p><b>Major Applications</b> Your timescales of 28.17 weeks is slower than the previous year but faster than the Scottish average of 41.3 weeks. <b>RAG = Amber</b></p> <p><b>Local (Non-Householder) Applications</b> Your timescales of 13.9 weeks is slower than the previous year and slower than the Scottish average. <b>RAG = Red</b></p> <p><b>Householder Applications</b> Your timescale of 10.1 weeks is slower than the previous year and the Scottish average of 8.1. <b>RAG = Red</b></p> <p><b>Overall RAG = Red</b></p>
2	<p><b>Processing agreements:</b></p> <ul style="list-style-type: none"> <li>offer to all prospective applicants for major development planning applications; and</li> <li>availability publicised on website</li> </ul>	Green	<p>You continue to offer and encourage processing agreements for all major applications and many local developments. <b>RAG = Green</b></p> <p>Processing agreements are advertised on your website. <b>RAG = Green</b></p> <p><b>Overall RAG = Green</b></p>
3	<p><b>Early collaboration</b> with applicants and consultees</p> <ul style="list-style-type: none"> <li>availability and promotion of pre-application discussions for all prospective applications; and</li> <li>clear and proportionate requests for supporting information</li> </ul>	Green	<p>You provide a pre-application advice service for major applications which is promoted through an online pro-forma and by staff engaging with prospective applicants. Applicants with local developments are encouraged to look at you website in the first instance, streamlining the process for all applicants and ensuring officers can devote more time to delivering a good service to customers. <b>RAG = Green</b></p> <p>The online pro-forma helps ensure that you provide a high quality and targeted approach which includes a clear and proportionate request for supporting information to prospective applicants. <b>RAG = Green</b></p> <p><b>Overall RAG = Green</b></p>
4	<b>Legal agreements:</b> conclude (or reconsider) applications after resolving to grant permission	Amber	<p>Eight applications with legal agreements were determined this reporting year in an average time of 25.2 weeks which is faster than last year and the national average.</p>

	reducing number of live applications more than 6 months after resolution to grant (from last reporting period)		You have prepared a model agreement however, progress has been delayed due to reprioritisation.
5	<b>Enforcement charter</b> updated / re-published within last 2 years	Green	Your enforcement charter was 13 months old at the end of the reporting period.
6	<b>Continuous improvement:</b> <ul style="list-style-type: none"> <li>• progress/improvement in relation to PPF National Headline Indicators; and</li> <li>• progress ambitious and relevant service improvement commitments identified through PPF report</li> </ul>	Amber	<p>Your decision making timescales are all slower than last year. Your enforcement charter is up to date but your LDP is over 5 years old. Elsewhere, the number of legacy cases you have has increased. <b>RAG = Red</b></p> <p>You have completed 11 out of 17 of your improvement commitments with the remaining to be continued over the next reporting year. You have identified a good range of improvement commitments for the coming year, informed by stakeholder feedback. <b>RAG = Green</b></p> <p><b>Overall RAG = Amber</b></p>
7	<b>Local development plan</b> less than 5 years since adoption	Red	The LDP was 9 years and 6 months old at time of reporting.
8	<b>Development plan scheme</b> – next LDP: <ul style="list-style-type: none"> <li>• on course for adoption within 5 years of current plan(s) adoption; and</li> <li>• project planned and expected to be delivered to planned timescale</li> </ul>	Amber	<p>Your replacement LDP will not be adopted within 5 years of the previous LDP's adoption however it is noted that you managed to progress your LDP to examination during the reporting period despite the impact of the pandemic. <b>RAG = Amber</b></p> <p>Your report outlines your approach to developing your replacement LDP to ensure that there is succession planning for future LDP preparation with multiple team members discussing and agreeing proposals. <b>RAG = Green</b></p> <p><b>Overall RAG = Amber</b></p>
9	<b>Elected members engaged early</b> (pre-MIR) in development plan preparation – <i>if plan has been at pre-MIR stage during reporting year</i>	N/A	
10	<b>Cross sector stakeholders*</b> engaged early (pre-MIR) in development plan preparation – <i>if plan has been at pre-MIR stage during reporting year</i>	N/A	
11	<b>Regular and proportionate policy advice</b> produced on information required to support applications.	Green	Your report notes that a review of your SPG continuing and that your guidance and policies continue to contribute to the delivery of improved economic opportunities and outcomes for the people of North Lanarkshire.
12	<b>Corporate working across services</b> to improve outputs and services for customer benefit (for example: protocols; joined-up services; single contact arrangements; joint pre-application advice)	Green	Your report highlights how you quickly reconfigured priorities in response to Covid by merging resources and working in partnership with other council services including GIS and Housing. You also participated in Research buy the London School of Economics and the RTPI.
13	<b>Sharing good practice, skills and knowledge</b> between authorities	Green	You have provided examples of sharing good practice in your response to Covid. You undertook a peer review with Glasgow City Council which has helped influence your new householder validation process. You also provide a long list

			of the other groups you have participated in during the reporting year.
14	<b>Stalled sites / legacy cases:</b> conclusion or withdrawal of old planning applications and reducing number of live applications more than one year old	Red	You have cleared 19 cases during the reporting year, with 64 cases still awaiting conclusion. This is an increase in the number of cases awaiting conclusion from last year.
15	<b>Developer contributions:</b> clear and proportionate expectations <ul style="list-style-type: none"> <li>• set out in development plan (and/or emerging plan); and</li> <li>• in pre-application discussions</li> </ul>	Green	<p>Guidance on developers contributions is included in a supplementary guidance document. It is noted that an improvement action for the year ahead is to strengthen this policy.</p> <p><b>RAG = Green</b></p> <p>Your report notes that developer contributions are discussed at an early stage, and that requests are based on a number of outlined factors.</p> <p><b>RAG = Green</b></p> <p><b>Overall RAG = Green</b></p>

**NORTH LANARKSHIRE 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)**

<b>2012-13</b>	6	4	3
<b>2013-14</b>	0	4	9
<b>2014-15</b>	0	4	11
<b>2015-16</b>	0	6	7
<b>2016-17</b>	1	4	8
<b>2017-18</b>	1	4	8
<b>2018-19</b>	2	4	7
<b>2019-20</b>	1	5	7
<b>2020-21</b>	3	3	7

**Decision Making Timescales (weeks)**

	12-13	13-14	14-15	15-16	16-17	17-18	18-19	19-20	20-21	20-21 Scottish Average
Major Development	21.0	19.2	21.2	24.3	29	14.9	17	20.7	28.7	41.3
Local (Non-Householder) Development	15.3	9.7	11.3	11.7	10.5	7.8	9.3	10.9	13.9	12.4
Householder Development	9.1	7.3	7.5	8.1	7.2	6.3	7.1	8.0	10.1	8.1