

Minister for Local Government Empowerment and
Planning
Ministear airson Cumhachdachadh is Dealbhachadh
Riaghaltas Ionadail
Joe FitzPatrick MSP
Joe Mac Giolla Phádraig BPA



Maggie Sandison
Chief Executive
Shetland Islands Council

7 December 2023

Dear Maggie Sandison,

I am pleased to enclose feedback on your authority's twelfth Planning Performance Framework (PPF) Report, for the period April 2022 to March 2023.

Across the country, performance against the key markers continues to be stable and there has been little variation in the overall total of green, amber and red markings awarded this reporting period compared with previous periods. It is clear that each of you continue to put in considerable effort to ensuring our planning system continues to run efficiently. I have been particularly pleased to see there has been a marked improvement on speed of determination for major applications across some authorities.

Resourcing remains a key priority which I will continue to discuss with the High Level Group on Planning Performance, which I jointly chair with COSLA. Officials have recently brought different parties together to talk about resourcing, to identify practical solutions. We need options that work for all sectors, and it was really beneficial to discuss a variety of issues including skills, recruitment and retention, improving application determination processes, planning fees and reinvesting income.

Finally, I am delighted that Craig McLaren has been appointed as Scotland's first National Planning Improvement Champion (NPIC). Craig, who took up this new post in early September, will play a pivotal role in supporting improvement and will also be looking at how we can improve the way we measure and assess the performance of the planning system in the future.

If you would like to discuss any of the markings awarded below, please contact us at chief.planner@gov.scot and a member of the team will be happy to discuss them with you.

Scottish Ministers, special advisers and the Permanent Secretary are covered by the terms of the Lobbying (Scotland) Act 2016. See www.lobbying.scot

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Joe Fitzpatrick

JOE FITZPATRICK

CC: Iain McDiarmid, Executive Manager - Planning

PERFORMANCE MARKERS REPORT 2022-23

Name of planning authority: **Shetland 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]	Red	<p>Major Applications Your average timescale is 29.1 weeks which is faster than the previous year and faster than the Scottish average of 39.5 weeks. RAG = Green</p> <p>Local (Non-Householder) Applications Your average timescale is 17.5 weeks which is slower than the previous year and slower than the Scottish average of 14.4 weeks. RAG = Red</p> <p>Householder Applications Your average timescale is 18.1 weeks which is slower than the previous year and slower than the Scottish average of 8.9 weeks. RAG = Red</p> <p>Overall RAG = Red</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 have set out how you offer processing agreements for all major applications and will also look to expand to fish farm developments next year. RAG = Green</p> <p>You have set out how you publicise processing agreements on your website. RAG = Green</p> <p>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>You provide a pre-application service for all prospective applications including marine and aquaculture developments. RAG = Green</p> <p>You ensure requests for supporting information are clear and proportionate. RAG = Green</p> <p>Overall RAG = Green</p>

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)	n/a	You did not determine any applications with legal agreements during the reporting period.
5	Enforcement charter updated / re-published within last 2 years	Red	Your enforcement charter was over 2 years old at the end of the reporting period. It is noted however that your enforcement charter was replaced in May 2023.
6	Continuous improvement: <ul style="list-style-type: none"> progress ambitious and relevant service improvement commitments identified through PPF report 	Green	You have partially completed all 3 improvement commitments identified for the current reporting period. For the coming year, you have identified 8 improvement commitments.
7	Local development plan less than 5 years since adoption	Red	Your LDP was 8 years old at the end of the reporting period
8	Development plan scheme – next LDP: <ul style="list-style-type: none"> project planned and expected to be delivered to planned timescale 	Green	You have set out that a revised Development Plan Scheme in light of NPF4 adoption and new LDP guidance will be published early next year.
9 & 10	LDP Engagement <ul style="list-style-type: none"> stakeholders including Elected Members, industry, agencies, the public and Scottish Government are engaged appropriately through all key stages of development plan preparation. 	N/A	You are not at a stage where LDP engagement is being carried out.
11	Policy Advice: <ul style="list-style-type: none"> Production of relevant and up to date policy advice 	Green	Your case study on 'Implementing NPF4' highlighted how you provided up to date policy advice to elected members and community councils on NPF4' s role in the planning process.
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	You have set out in your case study 'Development Plans and Heritage' how you worked jointly with other departments to develop specific policy and strategy, working with the new climate change team and natural heritage team.
13	Sharing good practice, skills and knowledge between authorities	Green	You have provided examples of how you share good practice between authorities, including attending a meeting with other aquaculture authorities to discuss the best way to improve consistency in approvals and co-develop an understanding of key planning matters. You have also noted that you attend regular HOPS sub-group meetings and get involved in discussions on the HOPS knowledge hub.
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 cleared 7 cases during the reporting period, with the number of cases remaining reducing from 3 to 2. You continue to maintain a consistently low number of legacy cases.

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	You have indicated that your LDP policy clearly establishes that you do not require developer contributions, however you are considering ways this could be applied for certain development types in the future.
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SHETLAND ISLANDS COUNCIL
Performance against Key Markers

Marker		13-14	14-15	15-16	16-17	17-18	18-19	19-20	20-21	21-22	22-23
1	Decision making timescales										
2	Processing agreements										
3	Early collaboration										
4	Legal agreements										N/A
5	Enforcement charter										
6	Continuous improvement										
7	Local development plan										
8	Development plan scheme										
9 & 10	LDP Engagement	N/A	N/A	N/A		N/A	N/A				N/A
11	Policy Advice										
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
2013-14	3	7	3
2014-15	5	3	5
2015-16	1	5	7
2016-17	2	5	8
2017-18	2	3	8
2018-19	4	2	7
2019-20	2	4	9
2020-21	2	3	10
2021-22	N/A	N/A	N/A
2022-23	3	0	9

Decision Making Timescales (weeks)

	13-14	14-15	15-16	16-17	17-18	18-19	19-20	20-21	21-22	22-23	2022-23 Scottish Average
Major Development	14.0	23.5	11.9	9.3	14	16.9	40.1	54.1	54.1	29.1	39.5
Local (Non-Householder) Development	11.7	9.9	13.4	13.0	10.7	12.6	14.0	14.1	16.1	17.5	14.4
Householder Development	7.8	8.6	7.1	8.8	8.3	10.5	7.7	12.4	12.6	18.1	8.9