

Business Bulletin

Planning Committee

2.00pm, Wednesday, 15 November 2023

Planning Committee

Convener:	Members:	Contacts:
<p>Councillor James Dagleish</p> 	<p>Councillor Alan Beal Councillor Chas Booth Councillor Lezley Marion Cameron Councillor Neil Gardiner Councillor Tim Jones Councillor Martha Mattos Coelho Councillor Amy McNeese-Mechan Councillor Joanna Mowat Councillor Hal Osler Councillor Alex Staniforth</p>	<p>Taylor Ward Committee Services</p> <p>David Givan Chief Planning Officer and Head of Building Standards</p>

Building Standards Performance

The challenges brought about by the migration of IT systems impacted a little on the performance of the service during Q2. However, due to significant work by staff and publicising the migration project beforehand, customer expectation has been managed to ensure no adverse impacts on customer service. Performance has returned to expected levels. With a strong start in Q3, the average National Customer Survey score has been maintained through the year to-date.

Recent benchmarking with our Local Authority Building Standards Scotland (LABSS) South-East Scotland Consortium partners showed that Edinburgh is performing as well as neighbouring authorities across Key Performance Outcome targets. The Council is performing much better than other verifiers in granting a higher percentage of building warrants within the 10-day target.

	2022/23				2023/24	
	Q1	Q2	Q3	Q4	Q1	Q2
Number of first reports	1,295	1,005	1,192	1,180	1,001	886
% issued within 20 day target	90%	91%	91%	95%	94%	94%
Number of warrants granted	1,374	1,144	1,248	1,168	1,085	884
% issued within 10 day target	91%	92%	90%	92%	93%	90%

Contact: [Colin Wishart](#), Building Standards Operations Manager

Seafield Update

Further progress is being made in respect of a place brief and masterplan for Seafield, including consideration of the responses to the first round of community consultation. Technical work and workshops on flood risk have also been progressed with the Council's flood team, Scottish Environment Protection Agency hydrologists and consultants.

Once these activities are completed, a further round of community engagement will be held to understand views of the emerging masterplan.

Contact: [Iain McFarlane](#), City Plan Programme Director

City Plan Update

City Plan 2030 is currently at the Examination stage. The Planning and Environmental Appeals Division Reporter is conducting the Examination on behalf of Scottish Ministers and a Hearing was held on 26 and 27 September 2023. The aim of the Hearing was to address the unresolved representations to the plan and allow the Reporter to get clarity on areas of these.

The Hearing agendas were focused on the key issues of West Edinburgh (including infrastructure) and housing land requirement and housing land supply.

The Hearing was managed by two reporters; each taking a lead for the different days. It was well attended by interested parties including all the main West Edinburgh stakeholders, the Airport, West Town, Crosswinds and West Craigs.

The Housebuilders were strongly represented by planning consultants and Homes for Scotland. Transport Scotland was also in attendance.

The session on West Edinburgh explored infrastructure requirements including transport and education. School provision was a key area of discussion.

The Airport outlined what it considered its 'operational' land and the need for a new eastern access road; and the need to deliver this before works to the A8.

The realignment of the Gogar Burn was discussed and the Airport outlined its opposition to this due to the implications for the airport, as previously expressed.

The session on housing explored housing numbers and how these should be calculated given the transition to NPF4 requirements. The ability to provide sufficient affordable housing and how the 35% target was established was queried by a housebuilding representative/ The constraints on housing sites and whether they can be delivered as opposed to being deliverable according to certain criteria was debated.

The session went through the list of disputed housing sites including brownfield sites and whether these could be delivered given 'constraints'. For housebuilders, a key issues were: whether land supply is sufficient or not; whether it was deliverable in the timeframe of the plan; and whether there

Contact: [Iain McFarlane](#), City Plan Programme Director

are alternate better land supply strategies. There was discussion about West Edinburgh delivery rates with West Town and Crosswinds identifying accelerated delivery rates but this being disputed by the housebuilder representatives.

Overall, there was a focus by Reporters on whether the Plan sufficiently takes account of what is in NPF4 and to some extent new style LDP guidance. The best way to do this was explored. The Council team was able to robustly explain and defend the Council's position on all points.

Next Steps post Hearing

Further Information Requests numbers 20 and 21 were received on 6 October 2023. These covered detailed matters of revised plan wording explored in the Hearing sessions, including in respect of NPF4, and consequential matters arising. The responses were submitted on 25 October 2023.

After submission of further information, it is anticipated that the reporters will proceed to drafting their report of examination. The Reporters indicated at the end of the Hearing that they still anticipated being able to submit the examination report to CEC in either Q1 or Q2 2024. However, the Council is not in control of that timeframe.

The outcomes of the Examination will be known once the Report of Examination is published.

Planning Performance Framework

The Minister for Local Government Empowerment and Planning has written to feed back on the Council's [Planning Performance Framework 2022 - 2023](#) (PPF). The Government grades 15 key markers red, amber or green. In comparison with the previous year, there are more aspects showing as red. The most significant of these is in relation to decision making timescales. Steps have been taken to address this already and time performance for quarters one and two of this year has improved. While the assessment is red against legacy (more than one year old) cases, there had been a reduction in overall numbers of legacy cases at the end of Q4 2022/23 (43 cases) in comparison with Q4 2021/22 (76 cases). By reducing legacy cases, there has been an increase in average decision-making timescales. The comments around not referencing developer contributions adequately in the PPF are noted and this will be addressed for future PPFs.

Contact: [David Givan](#), Chief Planning Officer and Head of Building Standards

<p>The Minister also notes that there will be discussions with COSLA around resourcing and that a National Planning Improvement Champion has been appointed.</p>	
<p>Planning Performance</p> <p>Planning performance for Q2 is contained in Appendix 2.</p>	<p>Contact: David Givan, Chief Planning Officer and Head of Building Standards</p>
<p>Planning Appeals</p> <p>Information on planning appeals is contained in Appendix 3.</p>	<p>Contact: David Givan, Chief Planning Officer and Head of Building Standards</p>
<p>Scottish Government Mandatory Training on Planning for Elected Members Consultation</p> <p>The Chief Planning Officer has fed back to Scottish Government on its consultation on mandatory training on planning for elected members. This is contained in Appendix 4. This consultation arises from Section 45 of the Planning (Scotland) Act 2019 which puts in place requirements for member training and allows for associated regulations.</p>	<p>Contact: David Givan, Chief Planning Officer and Head of Building Standards</p>

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



Andrew Kerr
Chief Executive
City of Edinburgh Council

20 October 2023

Dear Andrew Kerr,

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. I also have asked officials to bring different parties together to talk about resourcing in the autumn, to identify practical solutions. We need options that work for all sectors, and I think it would be really beneficial to discuss a variety of issues including full cost recovery, the local setting of fees, charges for additional services and approaches which could enable authorities to access the skills and expertise at the time they require.

Finally, I am delighted that we have recently announced the appointment of the National Planning Improvement Champion (NPIC), Craig McLaren, who took up this new post in early September. Craig 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

St Andrew's House, Regent Road, Edinburgh EH1 3DG
www.gov.scot

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Joe Fitzpatrick

JOE FITZPATRICK

CC: David Givan, Chief Planning Officer - PLACE

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PERFORMANCE MARKERS REPORT 2022-23

Name of planning authority: **City of Edinburgh 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 56.5 weeks which is slower than last year and slower than the Scottish average of 39.5 weeks. RAG = Red</p> <p>Local (Non-Householder) Applications Your average timescale is 14.9 weeks which is slower than last year and slower than the Scottish average of 14.4 weeks. RAG = Red</p> <p>Householder Applications Your average timescale is 8.6 weeks which is slower than last year but faster than the Scottish average of 8.9 weeks. RAG = Amber</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 	Amber	<p>There is no information provided in the PPF relating to how you encourage applicants to enter into processing agreements. However, it is noted that you have 4 applications that have been subject to a processing agreement during the reporting period. RAG = Amber</p> <p>Information relating to processing agreements is available on your website, however, a statement to that effect or links should be provided. RAG = Amber</p> <p>Overall RAG = Amber</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 continue to promote and make available the use of your pre-application service. It is noted that during the reporting period your pre-application service was reviewed to help improve the quality of delivery. RAG = Green</p> <p>As part of the review of the service, you simplified the charging schedule as well as ensure that customers are satisfied with the service being provided and the information they are being asked to provide. 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)	Red	Your average timescale for legal agreement applications is 74.7 weeks which is slower than last year and slower than the Scottish average of 41.1 weeks.
5	Enforcement charter updated / re-published within last 2 years	Green	Your enforcement charter was 1 year and 3 months old at the end of the reporting period which is within the last 2 years.

6	Continuous improvement: <ul style="list-style-type: none"> progress ambitious and relevant service improvement commitments identified through PPF report 	Green	You have outlined good progress that has been made on various improvement commitments from the previous reporting period. You have identified some specific commitments to focus on for the coming year which includes producing a new 3 year Service Improvement Plan as well as commitments on customer and performance improvement.
7	Local development plan less than 5 years since adoption	Red	Your LDP was 6 years and 4 months old at the end of the reporting period which is more than 5 years since adoption.
8	Development plan scheme – next LDP: <ul style="list-style-type: none"> project planned and expected to be delivered to planned timescale 	Green	Your Development Plan Scheme was reviewed in July 2022 and set an approval for submission for the new LDP by the end of 2022 which was met. A new Development Plan Scheme is due to be prepared in the coming reporting period.
9 & 10	LDP Engagement: stakeholders including Elected Members, industry, agencies, the public and Scottish Government are engaged appropriately through all key stages of development plan preparation.	N/A	Your next LDP is currently at the examination stage and therefore no engagement has been carried out during the reporting period.
11	Policy Advice <ul style="list-style-type: none"> Produce relevant and up-to date policy advice 	Green	You have provided a good example in Case Study 11 of updating non-statutory guidance on short-term lets due to the increased volume of requests for information. You have also updated your guidance on Listed Buildings and Conservation Areas during the reporting period.
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 provided a good example in Case Study 11 of creating a specialised team to focus on short-term lets and enforcement due to the increased volume of requests for information from the general public and prospective applicants.
13	Sharing good practice, skills and knowledge between authorities.	Amber	You continue to participate in the Development Management Sub-committee. There is a lack of information provided however to show how you share good practice between authorities.
14	Stalled sites / legacy cases: conclusion or withdrawal of old planning applications and reducing number of live applications more than one year old.	Red	You have cleared 33 cases during the reporting period. You have not indicated how many legacy cases you have remaining and I note this was also highlighted as an issue in the previous PPF.
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 	Red	Information on Developer Contributions is set out in the current and upcoming LDP. However it should be noted that this information is not provided or referenced in the PPF. RAG = Amber You do not mention developer contributions in your Case Study 4 – Pre-application Advice Service Review. RAG = Red Overall RAG = Red

CITY OF EDINBURGH 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										
5	Enforcement charter										
6	Continuous improvement										
7	Local development plan										
8	Development plan scheme										
9 & 10	LDP Early Engagement	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
2013-14	1	5	7
2014-15	2	4	7
2015-16	2	3	8
2016-17	1	3	9
2017-18	3	3	9
2018-19	3	3	9
2019-20	2	4	9
2020-21	0	4	9
2021-22	2	2	10
2022-23	5	2	6

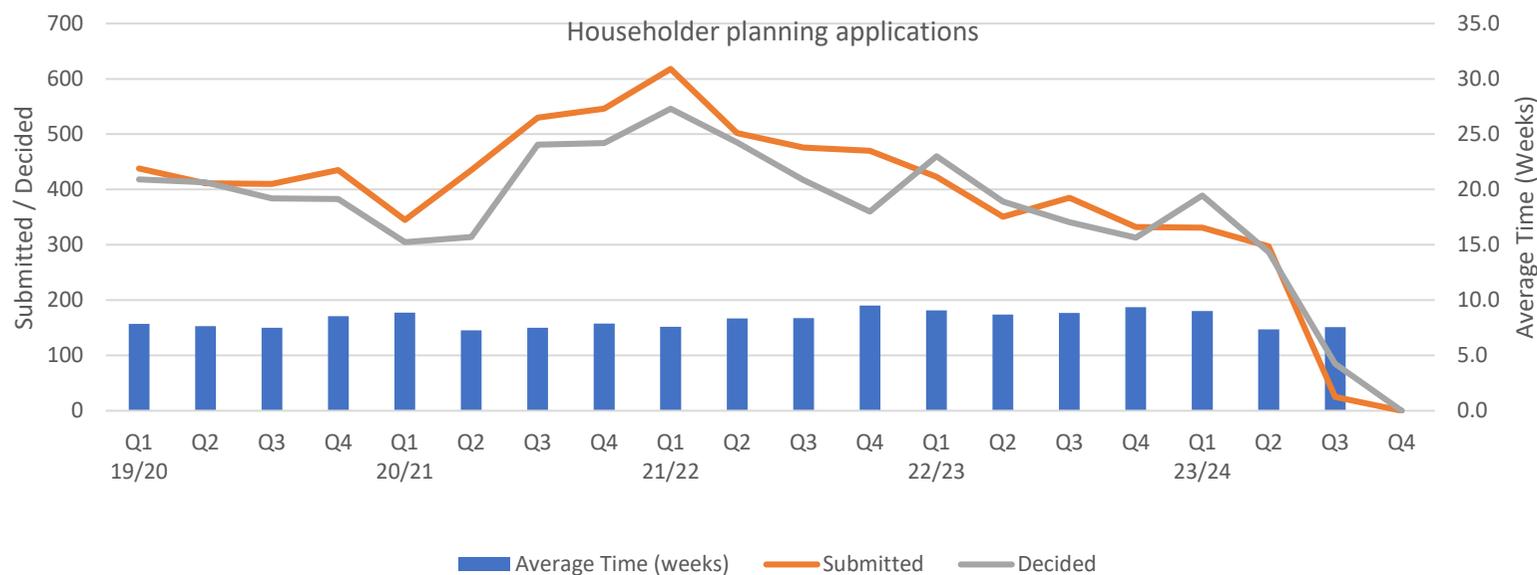
Decision Making Timescales (weeks)

	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	27.9	26.5	33.6	43.0	56.3	61.1	45.7	49.0	24.9	46.8	39.5
Local (Non-Householder) Development	10.7	11.6	11.6	12.4	14.7	16.8	15.6	13.1	13	15.8	14.4
Householder Development	7.5	7.7	8.0	8.3	8.8	8.5	8.1	7.6	8.1	8.8	8.9

Appendix 2 - Planning Time Performance Quarterly Bulletin - Q3 2023/2024

Note: Figures for Q3 2023/24 are up to 24 October 2023 only

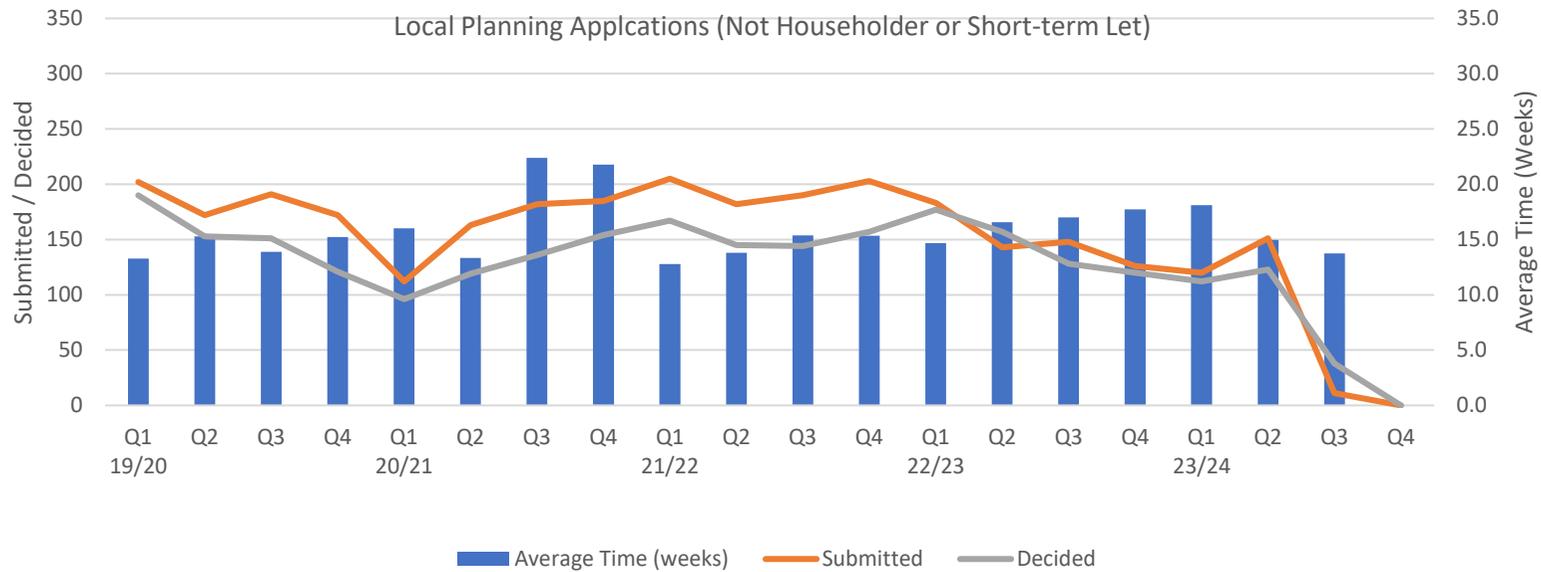
Householder																				
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4												
Average Time (weeks)	7.8	7.6	7.5	8.6	8.9	7.3	7.5	7.9	7.6	8.4	8.4	9.5	9.1	8.7	8.8	9.4	9.0	7.3	7.5	
Submitted	438	411	410	435	345	435	530	546	618	502	476	470	423	351	385	332	331	297	25	0
Decided	418	413	384	383	305	314	481	484	546	485	417	360	460	378	341	313	389	287	85	0
12 Month Totals:	Sub: 1694 Dec: 1598				Sub: 1856 Dec: 1584				Sub: 2066 Dec: 1808				Sub: 1491 Dec: 1492				Sub: 653 Dec: 761			
Decided over 2 months (no agreements / extensions)	76	41	26	43	133	51	70	74	78	126	111	155	203	116	108	130	110	59	15	0
Appeals against non determination									0	0	0	0	0	1	2	0	0	1		



Commentary:
Average timescales for processing householder applications for Q2 (7.3 weeks) was improved in comparison with Q1.

Note: Figures for Q3 2023/24 are up to 24 October 2023 only

Local (Not Householder or Short-term Let)																				
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4												
Average Time (weeks)	13.3	15.3	13.9	15.2	16.0	13.3	22.4	21.8	12.8	13.8	15.4	15.4	14.7	16.6	17.0	17.7	18.1	15.0	13.7	
Submitted	202	172	191	172	112	163	182	185	205	182	190	203	183	143	148	126	120	151	11	0
Decided	190	153	151	121	96	119	136	154	167	145	144	157	177	157	128	120	112	123	38	0
12 Month Totals:	Sub: 737 Dec: 615				Sub: 642 Dec: 505				Sub: 780 Dec: 613				Sub: 600 Dec: 582				Sub: 282 Dec: 273			
Decided over 2 months (no agreements / extensions)	85	63	48	58	59	52	66	64	71	73	90	103	116	107	74	86	87	72	29	0
Appears against non determination									0	0	0	0	3	0	0	0	3	4		



Commentary: There has been an improvement in average timescales for processing local (not householder or short-term let) applications to 15 weeks in Q2.

Note: Figures for Q3 2023/24 are up to 24 October 2023 only

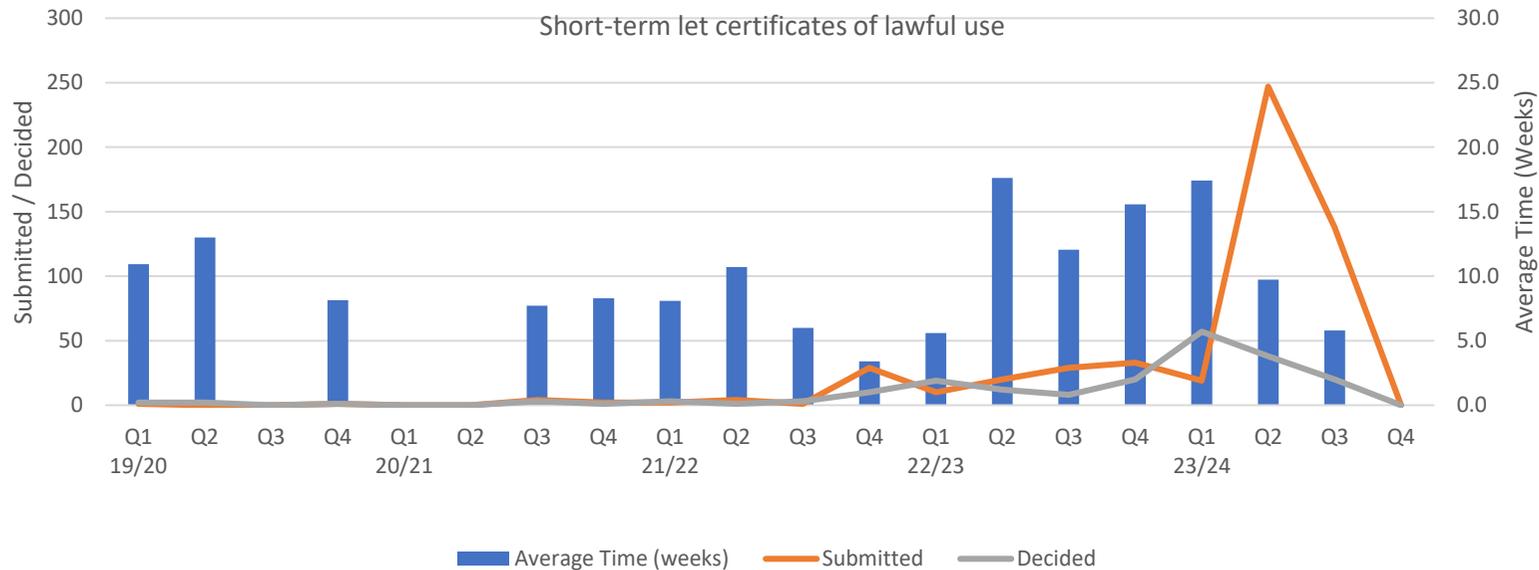
Short-term Let Applications for Planning Permission																				
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Average Time (weeks)	13.4	12.7		25.8	9.4	12.6	14.1	7.1	11.7	12.3	10.5	11.7	8.8	17.8	19.5	21.5	24.2	16.7	8.1	
Submitted	4	0	3	2	4	3	3	6	7	7	6	103	66	71	88	53	40	137	34	0
Decided	3	2	0	3	1	2	3	1	6	4	3	5	13	19	81	31	102	76	34	0
12 Month Totals:	Sub: 9 Dec: 8				Sub: 16 Dec: 7				Sub: 123 Dec: 18				Sub: 278 Dec: 144				Sub: 211 Dec: 212			
Decided over 2 months (no agreements / extensions)	1	1	0	3	1	2	2	0	5	4	3	3	2	19	76	30	101	49	8	0
Appeals against non determination																				



Commentary: There has been an improvement in processing timescales for short-term let planning applications to an average of 16.7 weeks for Q2. This is better than the previous 4 quarters.

Note: Figures for Q3 2023/24 are up to 24 October 2023 only

Short-term Let Applications for Certificate of Lawful Use																				
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Average Time (weeks)	10.9	13.0		8.1			7.7	8.3	8.1	10.7	6.0	3.4	5.6	17.6	12.1	15.6	17.4	9.7	5.8	
Submitted	1	0	0	1	0	0	4	2	2	4	1	29	10	20	29	33	19	247	138	0
Decided	2	2	0	1	0	0	3	1	3	1	3	10	19	12	8	20	57	38	20	0
12 Month Totals:	Sub: 2 Dec: 5				Sub: 6 Dec: 4				Sub: 36 Dec: 17				Sub: 92 Dec: 59				Sub: 404 Dec: 115			
Decided over 2 months (no agreements / extensions)	2	2	0	0	0	0	0	0	1	1	0	0	2	11	6	12	47	8	2	0
Appeals against non determination																				

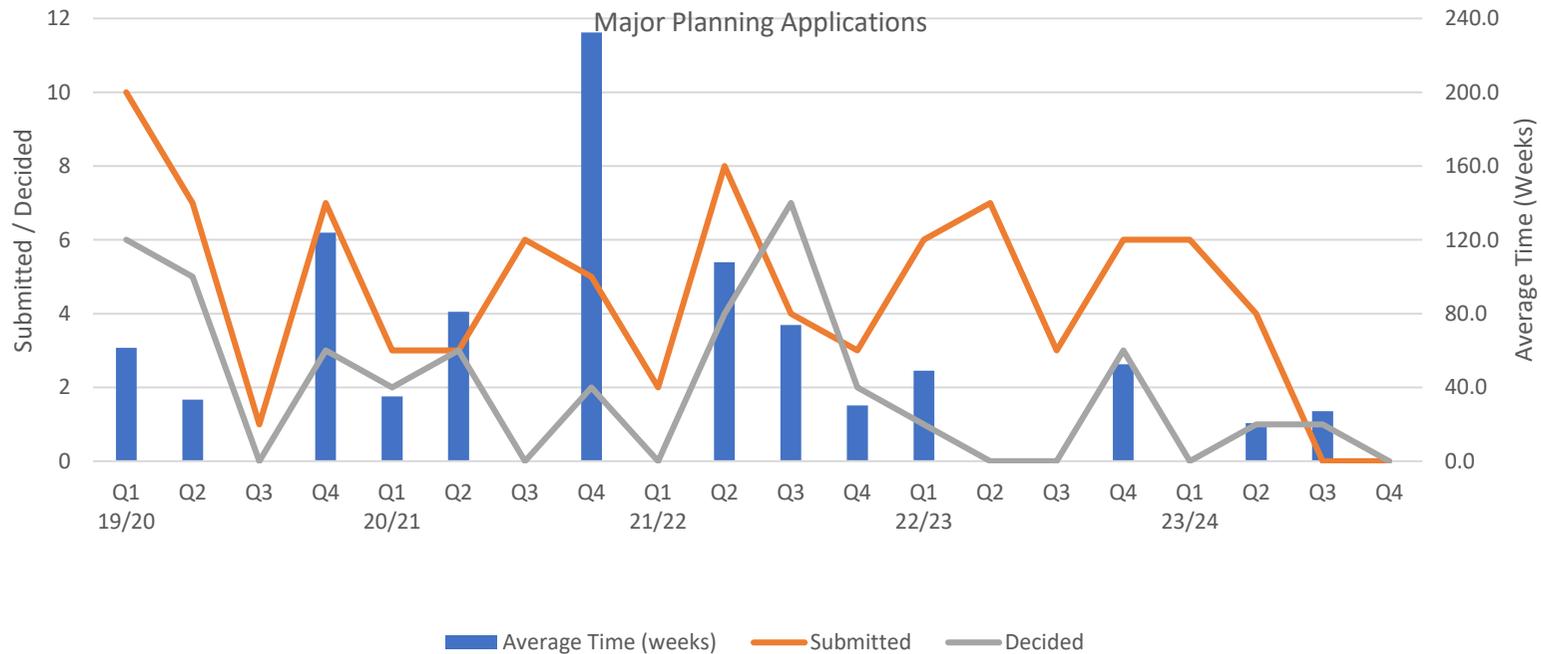


Commentary: Short-term let certificate of lawful use applications for both existing and proposed uses are shown in this business bulletin for the first time. There has been a marked increase in numbers submitted. Average timescales have improved for progressing these with the Q2 figure at 10 weeks.

Note: Figures for Q3 2023/24 are up to 24 October 2023 only

Major																				
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Average Time (weeks)	61.5	33.4		124.0	35.1	81.0		232.5		107.9	73.8	30.1	49.1			52.5		20.6	27.1	
Submitted	10	7	1	7	3	3	6	5	2	8	4	3	6	7	3	6	6	4	0	0
Decided	6	5	0	3	2	3	0	2	0	4	7	2	1	0	0	3	0	1	1	0
12 Month Totals:									Sub: 17 Dec: 13				Sub: 22 Dec: 4				Sub: 10 Dec: 2			
Decided over 2 months (no agreements / extensions)	6	3	0	3	2	3	0	2	0	4	6	2	1	0	0	3	0	1	1	0
Appeals against non determination										0	0	1	0	1	0	1	0	1		

Total Time (excluding EOT / PPA) = 167 0 372 70 243 0 465 0 432 516 60 49 0 0 157 0 21 27 0

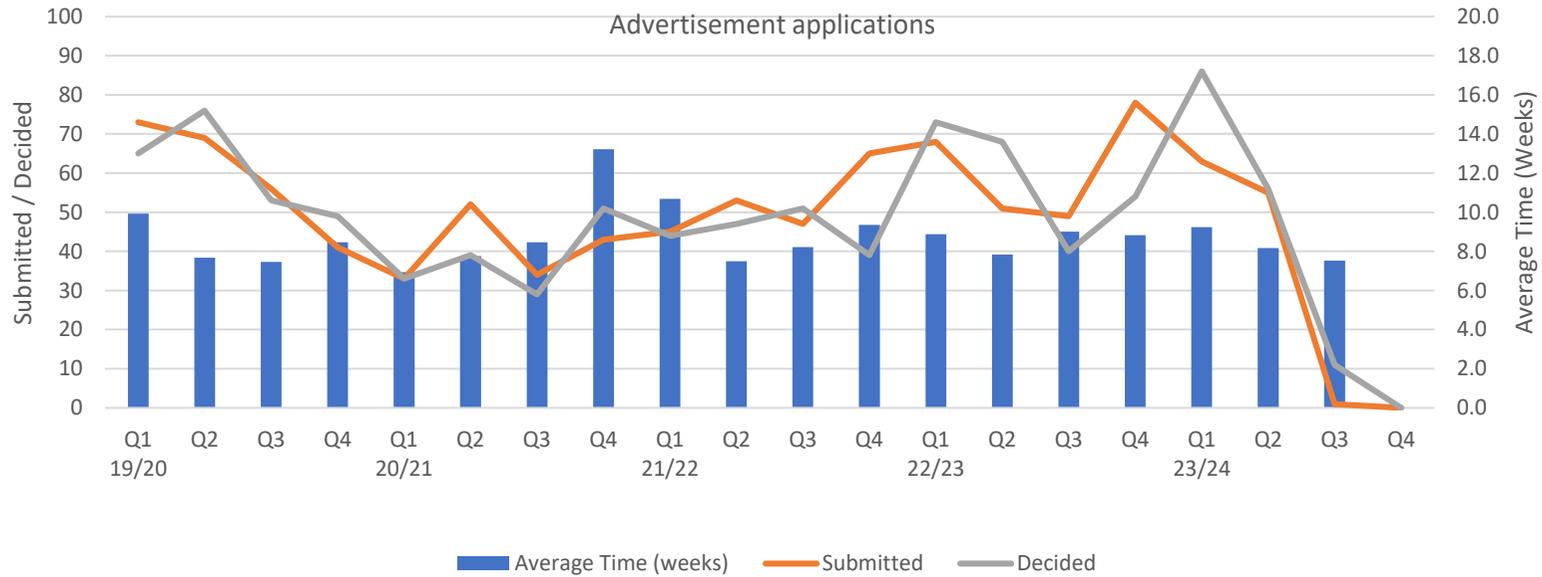


Commentary:
Average timescales for determining major applications has improved in comparison with the year 22/23.

Note: Figures for Q3 2023/24 are up to 24 October 2023 only

Note: Figures for Q3 2023/24 are up to 24 October 2023 only

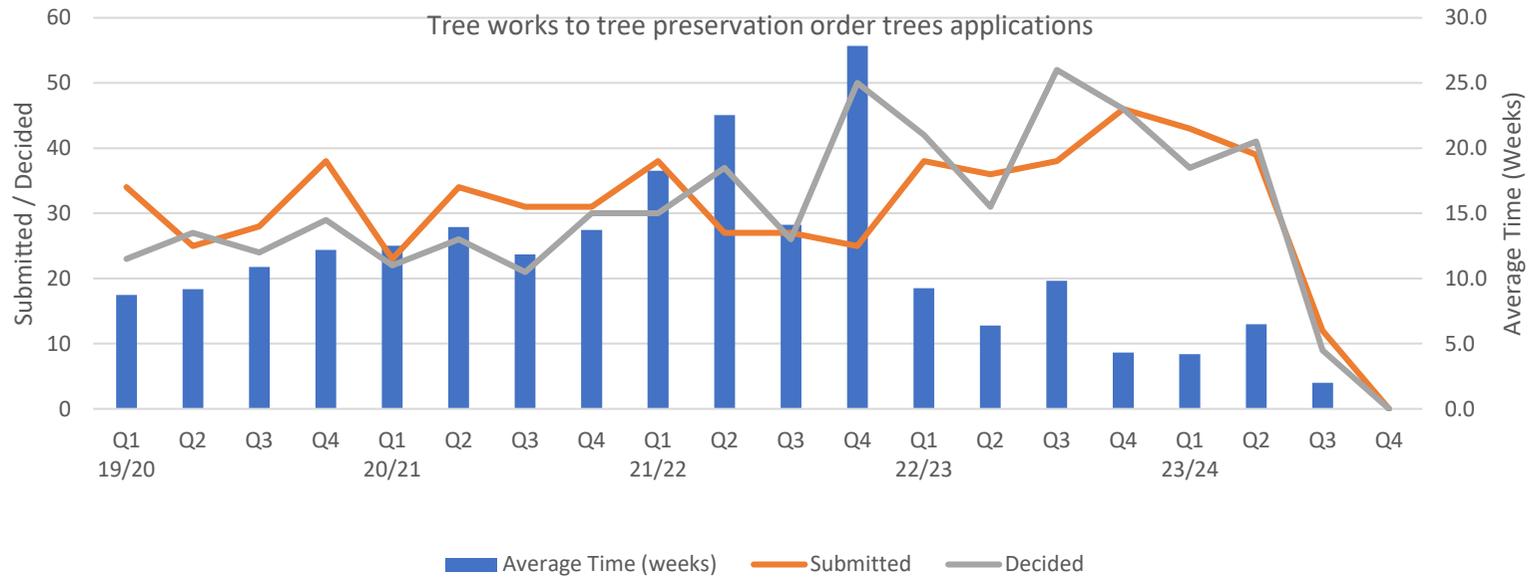
Advertisements																				
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Average Time (weeks)	9.9	7.7	7.5	8.5	6.9	7.8	8.5	13.2	10.7	7.5	8.2	9.4	8.9	7.8	9.0	8.8	9.2	8.2	7.5	
Submitted	73	69	56	41	33	52	34	43	45	53	47	65	68	51	49	78	63	55	1	0
Decided	65	76	53	49	33	39	29	51	44	47	51	39	73	68	40	54	86	56	11	0
12 Month Totals:	Sub: 239 Dec: 243				Sub: 162 Dec: 152				Sub: 210 Dec: 181				Sub: 246 Dec: 235				Sub: 119 Dec: 153			
Decided over 2 months (no agreements / extensions)	17	15	7	7	4	8	4	22	14	13	12	19	21	16	10	17	43	18	3	0



Commentary:
Average timescales for processing advertisement applications has improved for Q2 to 8.2 weeks.

Note: Figures for Q3 2023/24 are up to 24 October 2023 only

Tree works to Tree Preservation Order Tree																				
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Average Time (weeks)	8.7	9.2	10.9	12.2	12.5	14.0	11.9	13.7	18.3	22.5	14.1	27.8	9.2	6.4	9.8	4.3	4.2	6.5	2.0	
Submitted	34	25	28	38	23	34	31	31	38	27	27	25	38	36	38	46	43	39	12	0
Decided	23	27	24	29	22	26	21	30	30	37	26	50	42	31	52	46	37	41	9	0
12 Month Totals:	Sub: 125 Dec: 103				Sub: 119 Dec: 99				Sub: 117 Dec: 143				Sub: 158 Dec: 171				Sub: 94 Dec: 87			

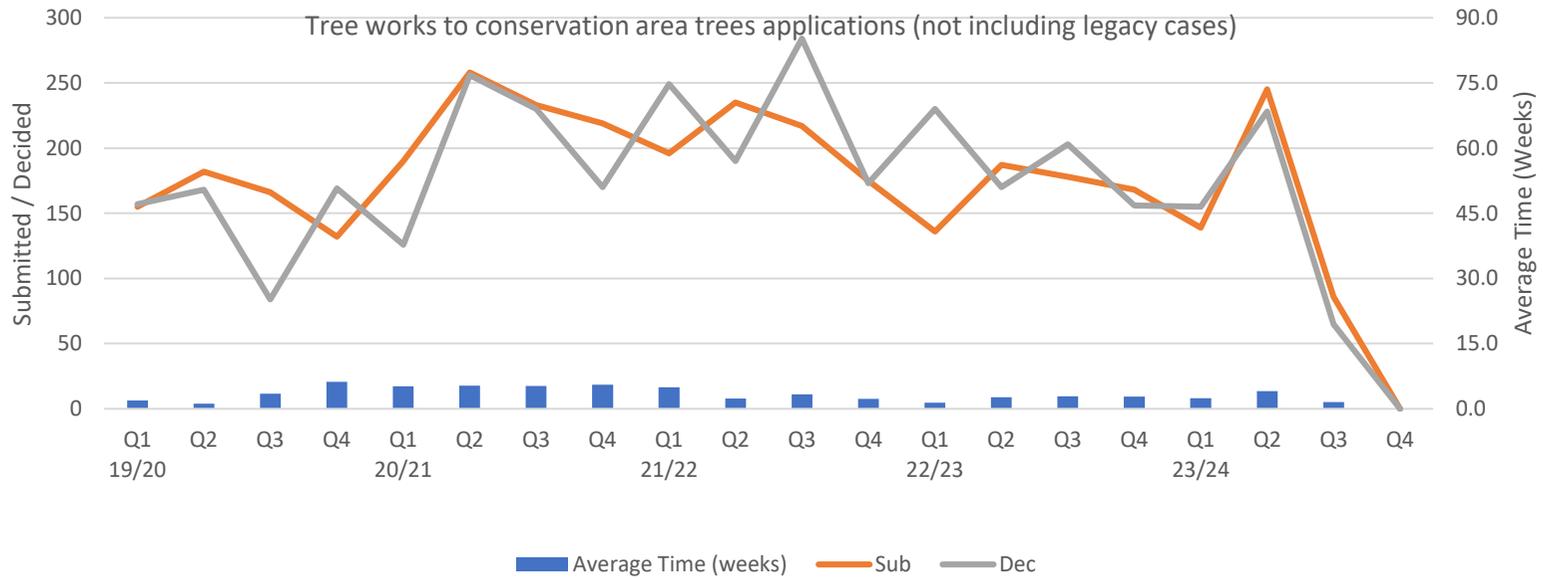


Commentary:

The average time taken to determine applications for trees which are subject of a tree preservation order was 6.5 weeks for Q2. There are xxxxxxxxxxxxxxxxxxxxxxxxxxx remaining legacy cases (older than one year).

Note: Figures for Q3 2023/24 are up to 24 October 2023 only

	Tree works to Conservation Area Tree				Legacy cases omitted															
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Average Time (weeks)	1.9	1.2	3.5	6.2	5.2	5.4	5.3	5.5	4.9	2.4	3.4	2.3	1.4	2.7	2.9	2.8	2.4	4.1	1.6	
Sub	155	182	166	132	190	258	233	219	196	235	217	175	136	187	178	168	139	245	86	0
Dec	157	168	84	169	126	256	230	170	249	190	284	173	230	170	203	156	155	228	65	0
12 Month Totals:	Sub: 635 Dec: 578				Sub: 900 Dec: 782				Sub: 823 Dec: 896				Sub: 669 Dec: 759				Sub: 470 Dec: 448			



Commentary:

Average timescale so for tree works applications for those trees that are in a conservation area increased to 4.1 weeks for Q2 once legacy cases were removed from the count.

Note: Figures for Q3 2023/24 are up to 24 October 2023 only

Enforcement		Overall																			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	
Received	258	286	195	195	116	267	188	160	259	225	169	156	198	235	202	185	272	262	83	0	
Closed	62	116	86	87	39	69	93	57	136	107	198	174	174	190	220	188	193	184	68	0	
Notices served	13	17	31	23	0	0	3	0	14	10	14	27	24	20	30	24	31	34	1	0	
Served within target time	8	11	13	15	0	0	3	0	10	7	1	10	19	6	19	19	16	29	1	0	
% in target time	62%	65%	42%	65%			100%		71%	70%	7%	37%	79%	30%	63%	79%	52%	85%	100%		

Enforcement		Short-term Lets																			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	
Received	68	67	52	44	6	64	19	6	26	52	19	13	31	66	52	40	74	84	38	0	
Closed	6	20	29	17	16	5	19	6	5	12	26	37	12	24	51	48	35	49	23	0	
Notices served	5	9	12	15	0	0	3	0	11	10	0	18	13	4	17	19	24	30	1	0	
Served in 6 month target	3	9	6	13	0	0	3	0	9	7	0	9	13	3	16	18	16	27	1	0	
% in target time	60%	100%	50%	87%			100%		82%	70%		50%	100%	75%	94%	95%	67%	90%	100%		

Enforcement		Other cases - not short-term lets																			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	
Received	190	219	143	151	110	203	169	154	233	173	150	143	167	169	150	145	198	178	45	0	
Closed	56	96	57	70	23	64	74	51	131	95	172	137	162	166	169	140	158	135	45	0	
Notices served	8	8	19	8	0	0	0	0	3	0	14	9	11	16	13	5	7	4	0	0	
Served in 3 month target	5	2	7	2	0	0	0	0	1	0	1	1	6	3	3	1	0	2	0	0	
% in target time	63%	25%	37%	25%					33%		7%	11%	55%	19%	23%	20%	0%	50%			

Commentary:

In Q2 there continued to be a very large number of enforcement cases received. There continued to be a high number of notices served.

Enforcement Cases																					
	Q1 19/20	Q2	Q3	Q4	Q1 20/21	Q2	Q3	Q4	Q1 21/22	Q2	Q3	Q4	Q1 22/23	Q2	Q3	Q4	Q1 23/24	Q2	Q3	Q4	Total % 2019 - 2024
Appeal Allowed	1	1									1		1	1	2	2		2			9%
Appeal Dismissed	3	5	2	9	3	2		2	1		8	4	5	9	3	6	7	8	6		72%
Uphold (application refused)																	1				1%
Not Uphold (application granted)																					0%
Mixed Decision			2																		2%
Notice Upheld with Modifications		1										1			1			3	2		7%
Notice Upheld								3								1					3%
Appeal or Review Withdrawn				1									1					1	1		3%
Appeal Withdrawn		1	1																		2%
Notice Not Upheld								1													1%
No DPEA remit																					0%
No Remit																					0%

LRB cases																					
	Q1 19/20	Q2	Q3	Q4	Q1 20/21	Q2	Q3	Q4	Q1 21/22	Q2	Q3	Q4	Q1 22/23	Q2	Q3	Q4	Q1 23/24	Q2	Q3	Q4	Total % 2019 - 2024
Appeal Allowed	1						2		1												1%
Appeal Dismissed													1								0%
Uphold (application refused)	12	15	14	10	5	9	5	10	8	6	4	7	9	14	20	21	17	30	5		74%
Not Uphold (application granted)	3	3	5	6	2	5	3	8	2	2	3	1	4	3	2	3	1				19%
Mixed Decision		2		1		2	2			1		1									3%
Notice Upheld with Modifications												1									0%
Notice Upheld																					0%
Appeal or Review Withdrawn										1									1		1%
Appeal Withdrawn					1								1								1%
Notice Not Upheld																					0%
No DPEA remit																					0%
No Remit							1			1								1	1		1%

Appendix 4 - Mandatory Training on Planning for Elected Members Consultation

Mandatory Training on Planning for Elected Members



Scottish Government
Riaghaltas na h-Alba

Respondent Information Form

Please Note this form **must** be completed and returned with your response.

To find out how we handle your personal data, please see our privacy policy:

<https://www.gov.scot/privacy/>

Are you responding as an individual or an organisation?

Organisation

Full name or organisation's name

City of Edinburgh Council

Phone number

07561 878435

Address

Waverley Court, East Market Street, Edinburgh

Postcode

EH8 8BG

Email Address

jay.skinner@edinburgh.gov.uk

The Scottish Government would like your permission to publish your consultation response. Please indicate your publishing preference:

Publish response with name

Information for organisations:

The option 'Publish response only (without name)' is available for individual respondents only. If this option is selected, the organisation name will still be published.

If you choose the option 'Do not publish response', your organisation name may still be listed as having responded to the consultation in, for example, the analysis report.

We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

Yes

Questionnaire

Question 1: Should the determination of planning applications be the only specified function that elected members are prohibited from doing until training requirements have been completed?

[No]

Please add any comment in support of your answer

The City of Edinburgh Council (CEC) consider Members who are trained on Development Management issues and topics may not be appropriately trained or have the correct knowledge on Local Review Body issues or for the purpose of Planning Committee.

CEC have a Development Management Sub-Committee which decides upon planning (and related) applications, a Local Review Body (LRB) and a separate Planning Committee. Each Committee operates differently, with specific needs and requirements placed on Members. CEC believes that it is important that Councillors have a good understanding of a range of topics and issues, with tailored training provided to allow Members to sit on the relevant Committee's and Local Review Body.

Question 2: Should the training requirements vary for elected members depending on whether they participate in a planning committee, Full Council or Local Review Body?

[Yes]

Please add any comment in support of your answer

CEC consider that given the different types of decision making involved i.e. quasi judicial vs. non quasi judicial (reflected by participation in Development Management Sub-Committee, Planning Committee and Local Review Body), associated training requirements should vary.

CEC consider there is a need for members to be trained in all aspects of Planning to reflect the nature of decision making, be it in the relation to Development Management matters or Development Planning / Planning Policy and the Local Review Body.

Question 3: Should the mandatory training be focused on the key principles and knowledge of the planning system?

[Yes]

Please add any comment in support of your answer

CEC consider that Members should have an understanding of the decision making process as a whole relevant to the Planning System. For example, other functions within the remit of the Planning Service including Planning Enforcement, Development Planning and Development Management, the Appeals Process and Local Review Body.

CEC believe that it is important a degree of Planning Enforcement training is included within the content as Members should have an awareness of how planning is enforced as part of developing a detailed understanding of planning functions.

Question 4: Do you agree with the list of topics to cover?

[No]

Please add any comment in support of your answer

CEC consider that there are certain topics not covered in the consultation topics outlined as part of this consultation, these include Planning Enforcement and Local Planning Authority specific topics/areas that arise etc. CEC suggest that revisions are made to the suggested consultation topics list to include the above areas highlighted.

The training should expressly cover the difference between the quasi-judicial nature of taking planning decisions and non-quasi-judicial decisions. The councillor code of conduct is important to highlight and cover, particularly for new councillors.

It is very important to retain a level of flexibility to allow local context, topics and guidance to be considered in training for Members.

Question 5: Are there any other topics that you think should be covered in the mandatory training?

[Yes]

Please add any comment in support of your answer

Please refer to Q4 answer.

Question 6: Which would be your preferred option for how the training should be delivered? (please check all that apply)

- Option 1

Please add any comment in support of your answer

Option 1

CEC believe that the Scottish Government should set the baseline for training content and each Local Planning Authority be afforded the opportunity to adapt and augment the materials and topics accordingly for Members.

Question 7: Do you have any further comments on how the training should be delivered?

[Yes]

Please add any comment in support of your answer

CEC believe that training should generally be delivered in person as this method has the potential to allow for fuller engagement and discussion on the issues covered compared to an online format. However, CEC also notes that care needs to be taken to allow some element of flexibility for Members and their circumstances which may restrict in person delivery. CEC acknowledge that this point is particularly important from an equality/health perspective and should be considered going forward.

CEC consider an interactive approach with opportunities for questions and answers, scenario based exercises, and input from other professions such as Committee Services would work best for the purpose of training delivery as this approach would help to maintain a level of active participation.

Question 8: Should there be a requirement for elected members to have passed a test before being allowed to undertake a planning decision?

[No]

Please add any comment in support of your answer

CEC consider that a nationally set test may mean that locally specific issues are not adequately covered for the purpose of training Members. CEC also note that there may be specific aspects that certain Local Planning Authorities may wish to bring to the fore, which may prove difficult to do in a nationally set test format.

CEC note that if a test is introduced, then it would need to be very carefully crafted to ensure it is not a superficial exercise. CEC consider that the planning judgement element of any test may be difficult to assess or consider as part of a multiple choice exercise format.

CEC consider that a test may indicate and highlight areas requiring further training and

Question 9: How often should elected members be required to retake the training?

Please tick

- once every election cycle

Please add any comment in support of your answer

CEC believe training delivered once every election cycle is appropriate, with content augmented with training on separate topics throughout the term (depending on topics arising).

CEC provide Members with CPD type training throughout their tenure on Committee, and CEC believe that Local Planning Authorities should be free to provide that type of training to Members to complement a set training programme. Additionally, CEC consider that there may be a need for specific training as a result of legislative changes or the introduction of a new development plan in addition to the delivery of a set training programme.

Question 10: Should elected member's completion of the training be made available to the public?

[Yes]

Please add any comment in support of your answer

A standardised confirmation such as a list summarising formal training completion should be utilised as a monitoring tool.

Question 11: If the completion of training is made public, do you think the information being provided within PPF / statutory annual reports and on the Local Authorities website are sufficient?

[Yes]

If no, where should the information also be made available?

N/A

Question 12: Do you have any comments / suggestions on the best ways to monitor the long term effects of the mandatory training of elected members?

CEC believe it will be difficult to monitor the effectiveness of training.

CEC suggest that while there may be aspects that provide some indication of effectiveness such as the outcomes of appeals on cases determined by Committee, these are unlikely to provide a clear picture of how well training is being implemented.

CEC consider Planning judgement a key aspect of awareness that the training needs to address but is difficult by its nature to monitor. CEC suggest this may be a matter the National Planning Improvement Champion could explore through reviewing decision making via council webcasts, and engaging with Members, Planners and Stakeholders across the country.

Question 13: Do you have any comments on the impact assessments undertaken as part of the consultation on mandatory training on planning for elected members?

N/A