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**Response to Scottish Executive consultation on
Developing the New Planning Assessment Framework**

22 June 2007

Homes for Scotland represents the home building and residential development industry in Scotland. Our 90 member companies build some 95% of all new homes built for sale in Scotland. Against that background Homes for Scotland is pleased to have the opportunity to comment on the draft framework.

Scotland needs more homes than are currently being provided and to allow the industry to meet the demand there needs to be a real change in attitudes and a planning culture that will encourage rather than obstruct development. Our member companies are fully supportive of the development of a new Planning Assessment Framework to help facilitate the modernisation of the planning system and promote culture change.

Homes for Scotland welcomes the thrust of the proposed new assessment framework.

The suggested use of self-assessment will allow Planning Authorities to continually monitor their performance and identify resource or training requirements to help improve the service that they provide. That is to be welcomed. Our member companies are however concerned about two aspects. Firstly, we are concerned that self-assessments could be self-congratulating and we have reservations about the ability of the producer to judge what he has produced without bias. It is crucial that as part of the self-assessment process the opinion of the consumer is collected, in this case the applicant. Secondly, we are concerned that continual self-assessment may have an impact on already tight resources. Planning Authorities must ensure that time taken to assess their work is not affecting their time to do their work, and the Scottish Executive must support Planning Authorities in this.

The proposed formal assessment by the dedicated assessment unit is fully supported. Our comments on the detail of the assessments are detailed below. Homes for Scotland believe that the success of this framework will depend upon the post-assessment action. To increase confidence in the system it is crucial that not only the reports, but the Planning Authority's response to the recommendations, are published and made available to all stakeholders. All interested parties should see what action will be taken to improve poor performing Planning Authorities.

On another note, our member companies acknowledge the related role of other Local Authority Departments, in particular Roads, and their impact on the planning service. Homes for Scotland would urge the Scottish Executive to consider how the review of related departments could be incorporated into the new assessment framework.

Question 1

Do you agree that there should continue to be a range of quantitative and qualitative measures for monitoring performance?

It is important that assessments take into account both quantitative and qualitative measures. Quantitative information, such as the time Planning Authorities have taken to deal with planning applications, is still of particular interest to the industry and should still be measured. Our member companies do also see the merit in measuring qualitative measures such as innovative approaches to community engagement to encourage best practice and to increase motivation in planning departments.

Question 2

What other effective ways of monitoring performance could be used?

The opinions of stakeholders should be collected. This could be through the use of customer satisfaction surveys for applicants, giving developers the opportunity to review the planning service that they received, and allowing the Authority to measure their performance. All Planning Authorities could use a short, standard pro-forma to send out to applicants to ascertain standardised feedback on how they performed during the application process.

Question 3

What are your views on the proposed set of performance measures in the Annex?

The Annex contains a comprehensive list which appears to cover all relevant areas.

However, given the desire for culture change in planning, the assessment should also contain the customer's perception of the service. This could be measured through the customer satisfaction survey mentioned above.

Question 4

Do you have ideas for additional measures, particularly qualitative?

See answers 3 & 4 above.

Question 5

Do you agree that there should be a rolling programme of general assessments and, if so, is the 5-yearly cycle appropriate?

The suggested 'rolling programme' of assessments seems to offer a useful format for robust scrutiny of Planning Authorities. Our member companies are concerned however that every five years is not frequent enough, particularly for the assessment of identified under-performing Planning Authorities. In five years an Authority's performance has the potential to deteriorate significantly, having detrimental effects on house building programmes.

Five years could also allow for changes of administration in councils and as the assessments should include the political aspect of the process there is a danger that no-one would not take ownership of the performance.

If resources will allow, Homes for Scotland would suggest a 3-yearly cycle.

Question 6

Do you support the proposed approach to determining whether Ministers should initiate a function-specific assessment or an assessment of patterns of decision-making? What kinds of considerations should Ministers take into account in each case?

Homes for Scotland are in support of the suggested approach that Ministers should initiate an assessment where significant concerns have been expressed to Ministers by applicants. It may also be helpful to have a list of triggers to ensure the assessment is initiated pro-actively without the applicant having to report to Ministers and to ensure clarity for both the applicant and the Planning Authority.

Question 7

Do you agree that planning managers and others should be involved as advisors on the assessment team?

It makes sense to have those with the relevant experience involved in the assessment process therefore the inclusion of planning managers is supported. Given the current resource constraints in many Planning Authorities, however, it is important that the best planners are not removed from the service to become assessors.

Ideally the team should also include someone with experience in the private sector, perhaps as temporary 'advisers'. At the very least, those forming the independent assessment team should take part in the work placement scheme offered by the Improvement Service. This will equip them with first hand experience and understanding of the planning process from different perspectives.

Question 8

How should advisers be selected for involvement?

See answer 7 above. No further comment.

Question 9

What other assessment methods might be employed by the assessment team?

Homes for Scotland supports the use of questionnaires, interviews and focus groups with stakeholders and our member companies are committed to participation where this will aid the improvement of the planning service.

Question 10

What other ways of marking performance could be used?

It would be helpful if the Planning Authorities are given markings for each section assessed. It should not, for example, be acceptable for Authorities to perform exceptionally well in some sections – people, participation and policy and very poor in others – performance, process and product, giving them an average result. If Authorities are found to be performing badly in any section action should be taken to ensure improvement. Furthermore, it is important that the markings on different sections are transparent and published for information for interested parties. This may well be the intention of the assessment but it is not currently clear in the consultation document.

Question 11

Do you support the proposed approach to post-assessment action?

Homes for Scotland supports the proposed approach to post-assessment action but would take it further and press for the publication of the report and more importantly, the Local Authorities response to the recommendations. To increase confidence in the system it is important that stakeholders are aware of how improvements are to be made.

Our member companies also believe that it is crucial that the response comes from the Chief Executive of the Local Authority. To achieve real improvement it must be a considered, holistic approach and therefore corporate buy-in to any changes will be required.

Question 12

How often should performance information be collected by the Scottish Executive?

More frequent reporting of performance information would be welcomed by Homes for Scotland to ensure data is up to date at the time of publication. We would however want to avoid information overload and measurement for measurement sake and do not want to add further pressure to already scarce resources in Planning Authorities. We therefore suggest six monthly reporting.

Question 13

What issues might be raised by extending the amount of performance information collected and changing the way in which it is gathered?

Homes for Scotland would support new ways of reporting including the use of new technology if it provides a more transparent system which places less burden on individual authorities. More regular reporting could then take place and the collection of performance information could then become a regular building block process to achieve betterment and not merely an added burden.

Question 14

What ways of sharing good practice would you find most useful?

Homes for Scotland would encourage the sharing of good practice to highlight good performance and motivate others to improve. The use of the internet and publications as suggested would be helpful as well as rewarding individuals and Authorities for their achievements and publicising the rewards widely.

Question 15

What other measures might be used to support planning authorities?

We are of the view that poor performance should be highlighted quickly to ensure support is implemented as efficiently as possible and the service improved. If the assessment report identifies training needs or skills gaps action must be taken to address this. Initiatives such as the Work Placement Scheme, organised by the Improvement Service should be utilised to increase experience and understanding where appropriate.

A realisation that the Planning Authority is not always to blame is important. The industry must also play its part and our member companies recognise that they too must contribute to the culture change. If the assessments identify national patterns in poor performance relating to specific issues of which developers play a part the issue should be raised and addressed by all concerned. If for example applications submitted are constantly being returned due to incompleteness the issue should be raised through either COSLA or the Scottish Executive and Homes for Scotland. We would all gain from further guidance and a consistency in approach to the planning process.

Homes for Scotland also wish to acknowledge its awareness of the role that statutory consultees can have in delays to the planning process.

Question 16

What sanctions might be appropriate against poor performance, particularly non-financial options?

Our member companies believe that Planning Authorities performing well should be rewarded and incentives should be given to improve. We understand that sanctions could further de-motivate Authorities but firmly believe that the stick needs to be introduced along with the carrots. The public sector should take a more private sector orientated approach where poor performance is not tolerated. If all support mechanisms fail further action against non-performing Authorities/individuals should be taken, including the option of Ministers intervening to secure the effective operation of the service, as happens in other areas of local government activity.