planning performance framework

ANNUAL REPORT 2016 - 2017



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INTRODUCTION

This is the sixth Planning Performance Framework (PPF) prepared by Scottish Borders Council for its planning service and covers the period 1 April 2016 to 31 March 2017.

The Minister for Local Government and Housing, Mr Kevin Stewart, commenting on last year's PPF stated "...that Scottish Borders performance report was of a high standard." In the Performance Markers RAG (Red, Amber, Green) report issued by Scottish Government for 15 identified Performance Markers, we were awarded 2 red, 1 amber and 10 green RAG ratings (2 Markers being excluded as not applicable for that year's report). In response to this feedback, we identified a series of priority actions to address the red and amber ratings and these are set out in the table below, along with a commentary on the outcome of implementing the actions.

In considering the Minister's report, the Planning & Building Standards Committee was pleased to note that the significant efforts of the Planning Service to deliver improvements in performance had been acknowledged. This improvement had been delivered progressively over a number of years and the service was commended on its positive and pro-active performance management approach.

This year's PPF sets how we are helping to deliver the Council's <u>corporate priorities</u>; enabling good quality development in the right locations, balancing the needs of the community, the economy and the environment. It also addresses how we are continuing to improve performance in the challenging budgetary environment and adapting the service to meet the needs of the Borders.

PERFORMANCE MARKER ACTION OUTCOMES

Performance Marker 7 - Local development plan less than 5 years since adoption

SBC Actions:

On 17 December 2015, Scottish Borders Council accepted the proposed modifications recommended by the Reporter set out in the Reporter's examination report and agreed to proceed to adopt the Plan. Following the extended period required by Scottish Government officials following the Council's Notice of Intention to Adopt the Plan the plan was adopted in May 2016. Whilst the service delivered on its work programme, set out in the Development Plan Scheme, the delays in receiving the Reporters report in particular meant that the Local Development Plan was not delivered within the timescales originally envisaged and the statutory 5 year period.

Performance Maker 8 - Development plan scheme - next LDP:

SBC Actions:

We have ensured that this year's PPF refers to the details of the Development Plan scheme and that the programme of work highlighted within it is referenced in the document.

Action Outcomes:

Action Outcomes:

Local Development Plan adopted May 2016.

Work has commenced on the next Local Development Plan and the Development Plan scheme was published in May 2016 to ensure that the new LDP is produced within the statutory timescales. It is anticipated that the Main Issues Report will be published by the end of 2017. Work has commenced on public engagement, policy and guidance development as well as the necessary key research.

SBC Actions:We have ensured that we advertise the use of
processing agreements on our website.https://www.scotborders.gov.uk/downloads/download/729/planning processing agreementsother consents]. This is one of the highest figures
for any Scottish Local Authority, and demonstrates
a commitment to partnership working with the
development industry.

PART 1 - DEFINING AND MEASURING A HIGH QUALITY PLANNING SERVICE

QUALITY OUTCOMES

The development policies in the 2016 Local Development Plan and a range of <u>supplementary</u> <u>planning guidance</u> documents set out our aspirations for quality development, including guidance specifically on <u>Placemaking and Design</u>. We also produce <u>planning briefs</u> for individual sites. The Local Development Plan identified a list of Supplementary Guidance to produce along with a priority programme for its production (which has been subsequently reviewed in response to staffing constraints and changing priorities) and several of these documents have been progressed over the year. A list of approved and draft guidance is available to view on our <u>web site</u>.

The following draft Supplementary Guidance documents were prepared and consulted on last year and are due to be approved by Council in the second half of 2017 before being sent to Scottish Ministers: the <u>Housing SG</u> which allocates sites for housing to ensure a full supply in the Scottish Borders; the <u>Renewable Energy SG</u> which provides a range of information and guidance on renewable energy developments and their planning; the <u>Tweedbank Simplified Planning Zone</u> which will assist the delivery of employment development at Tweedbank near the new Borders Railway terminus, and Sustainable Urban Drainage guidance.

Work continues with partners to maximise the economic benefits of the railway set out in the <u>Borders Railway Blueprint</u>. The <u>Borders Railway Prospectus</u> outlines a range of development opportunities along the railway corridor and we are contributing to the Masterplanning of options for Lowood Estate and the Central Borders Business Park at Tweedbank, where, as mentioned above, we are progressing our first Simplified Planning Zone, and for the redevelopment and regeneration of central Galashiels, as key inward investment opportunities linked to the railway. We have also contributed to the Council's prioritised documents to aid the speedy delivery of high-quality development: the Former Kelso High School Concept Design Statement, Eyemouth High School, and the Jedburgh new school campus masterplan.

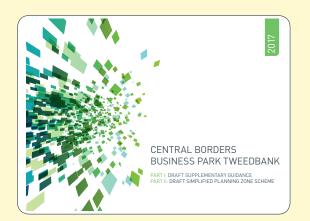
Case Study 1 - Central Borders Business Park, Tweedbank

The Local Development Plan 2016 identifies two Business and Industrial Safeguarding sites at Tweedbank: Tweedside Business Park (zEL59) and Tweedbank Industrial Estate (zEL39). Supplementary Guidance (SG) has been developed to provide a framework vision for the future development of these sites and a related Simplified Planning Zone (SPZ) permits development to take place without the need for full planning consent, provided any development complies with development parameters and conditions. These documents will create an employment led redevelopment, providing choice and quick delivery for businesses considering locating in the Scottish Borders.

The Central Borders Business Park is adjacent to the new Tweedbank Rail Station which has brought new opportunities to the area and these documents will help ensure that the full benefit is realised. Redevelopment of existing buildings will provide modern manufacturing, office and other facilities to meet the needs of current and new businesses.

The SG is being prepared in order to outline how the sites could be developed, creating a development vision. This includes identifying opportunities, highlighting potential constraints and encouraging high quality design and layout. The SG will guide prospective developers and other interested parties, and will be a material consideration in the determination of any planning applications. The SG must be read in conjunction with other Local Development Plan policies and guidance that encourage good place making and design.

An SPZ effectively grants planning permission in advance for specified types of development within defined areas. It offers the opportunity to change the use of premises, build new premises and/or alter and extend existing buildings, without the need for a formal planning application subject to compliance



with detailed parameters and conditions detailed in the associated document. Within the SPZ area, permitted uses include business, general industrial, storage/ distribution, hotels and limited retail floor space within specific zones. Any development proposals which fall outwith the scope of the SPZ would have to apply for planning permission in the normal way. All proposals will be required to go through the building standards process.

The Draft documents are currently undergoing a process of public consultation and will be presented to the Council for approval in Summer 2017.

SPZ PLAN 1 – SPZ AREA



The GIS team supports the planning policy team's work on the Housing SG and the retail, employment, vacant/derelict land, and housing land audits, which are all kept consistently up-to-date by the planning team. We continue to make improvements to the procedures for these audits, particularly the HLA which is one of the largest pieces of work we undertake.

We continued to a focus on design quality throughout 2016/17 and ran a very successful <u>Design Award</u> <u>Scheme</u> as part of our contribution to the Year of Innovation, Architecture and Design / Festival of Architecture. The scheme recognised and promotes good building design within the Scottish Borders. We received 31 entries which resulted in 5 Awards and 4 Commendations that are set out in cae Study 2:

Case Study 2 - Borders Design Awards

The Council ran its biennial <u>Design Award Scheme</u> in summer 2016 planned as part of the planning service's contribution to the Year of Architectural, Innovation and Design and the Design Festival. A total of 31 entries were received across three categories; New Build (split into commercial and residential), Placemaking (new developments that contribute to creating a sense of place) and Works to Existing Buildings. The independent judging panel, comprising representatives of the RTPI and RIAS under a local lay chair, visited a total of 13 shortlisted entries and subsequently made the following awards and commendations:

Design Award for New Build Residential: The Wave, Kirkton Maner



Design Award for New Build: New Sports Hall, Peebles High School



Commendation for Works to an Existing Building: Born in the Borders, Lanton Mill



Commendation for Placemaking: Old School Place, Lauder



Commendations for New Build Residential: Little Lindisfarne, Hawick



Maple Tree House, Darnick



Design Award for Works to an Existing Building: Blakeburn by Gattonside



Design Award for Placemaking: Leet Haugh, Coldstream



Special Award for Conservation and Design; Marchmont House, Marchmont



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The Chief Architect of the Scottish Government toured the Scottish Borders on 12 December 2016 visiting a number of award winning developments.

Following on from our highly successful award winning Kelso Townscape Heritage Initiative, we continue to focus on developing our heritage based area regeneration strategy. We are currently operating a Conservation Area Regeneration Scheme (CARS) in Selkirk, where we have provided 51 grants, enabled 36 properties to be repaired, secured wider civic improvements and for a total grant provision of approximately £1m we have levered in eligible works for a total project investment of £1.8m, thus far. A Doors Open Day was centred in Selkirk and organised via Selkirk CARS and attracted more than 1,300 individual visits across 16 venues and 5 related events on 17 September 2016.







Before

After

We have also been successful in our bid for a CARS scheme in Jedburgh. This 5 year project will commence during summer 2017. The scheme will secure a total investment of around £2.5m through CARS grants, associated public works and private investment to deliver a number of key regeneration projects within the town.



Jedburgh CARS Launch



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We were successful in our bid for external funding to Historic Environment Scotland (HES) and the Forestry Commission Scotland to fully fund a post to polygonise all our records within the Historic Environment Records for the Scottish Borders, Clackmannanshire and part of Stirling as a Scottish pilot for the Mapping of the Archaeology of Scotland project being run by HES.

We supported the Borders Heritage Festival in September 2016 which attracted over 20,000 visitors across 130 events during the 30 days of the festivals and working in partnership with Archaeology Scotland and Historic Scotland, developing a £250,000 interpretation project for Stobs Camp, Hawick.

We also supported a lecture on Peter Wolmersley, architect, at the Galashiels Campus.

In collaboration with colleagues in Economic Development and other Council departments, we have contributed to the development of the Hawick Action Plan. This plan is funded by a Scottish Government grant of £3.26m aimed at helping to deliver a variety of business infrastructure projects, to help drive the local economy and to encourage business growth and new investment in the town. It is anticipated these projects will provide new



job opportunities to benefit the local community as well as act as a catalyst for further potential property development in the future. Whilst the Plan identifies a broad range of actions to be delivered by the Council and partners, in Phase 1 of the project we have progressed the purchase of the former Almstrongs store, in the town centre, which was in a very poor condition and will be progressing the redevelopment of the site and buildings for incubator business units plus, the refurbishment of Tower Mill and the building of employment units at Galalaw industrial Esatate. We are also assisting in phase 2 of the plan, relating to the commissioning and delivery of feasibility studies on other important buildings in the town. We are also collaborating with Economic Development colleagues on a bid for a THI scheme for Hawick Town Centre.



Empty shops in Hawick High Street

The Selkirk Flood Protection Scheme is now completed and had its formal opening earlier this year. Staff from Development Management, Ecology, Landscape and Heritage and Design all had input to various aspects of the design and implementation of the scheme. The skills, knowledge and design capability have allowed the team to add further value to the flood scheme for Hawick that the Council is now promoting.





QUALITY OF SERVICE AND ENGAGEMENT

In recent years we have invested a significant amount of time and energy in dealing with preapplication enquiries and have provided 100%+ equivalent of pre-applications to applications receive each year and we managed to achieve 85.5% in 2016/17. However, the pressure the service is under to continue to improve processing times for applications, linked with the consequences of the staff and budget cuts delivered in 2016/17, has meant we have had to temporarily remove the pre-enquiry service for customers. This has not been done lightly, as we acknowledge the benefit this plays in improving the quality of submitted applications, but it does allow officers to focus their efforts on determining applications. We are currently developing a more formalised pre-application process with a charging schedule which will enable clearer and more focussed engagement with the planning service which we will be introducing in Autumn 2017.

As part of the People Planning process we carried out a review of Planning & Related Services and have an agreed programme for the re-structuring of the wider planning service. In particular, it has given us the opportunity to redesign the Development Management Service to re-distribute staff and operate on an East /West basis. It has also allowed us to identify an officer to deal with major applications and to service the Local Review Body. We continue to have a named Development Management officer for all applications. We provide their contact details for applicants, consultees and respondents on all correspondence. All information on planning applications is made available on **Public Access.** including details of any officer from the wider planning service that has commented on the application.

We are a strong advocate for the use processing agreements for both local and major developments and provide guidance on their use to our customers. We determined 271 applications with agreements last year: 7 major applications, 236 local applications and 28 for other consents. We have used processing agreements pro-actively to manage legacy cases.

Study 2 outlines the details of an application managed through this process which delivered on quality standards and timeously, and was views as a positive experience by applicants, as the following newspaper article relates:



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The council has from the region barries are experiment, on a site overhooking the tweed wailey in Precess, will look when complete the green light. Gueensherry Properties would have to use matching building materials for the prime site overhooking the tweed values. There is also a distinct charucter the next and with statutorily listed were reserved on the dag is have were as a nation, dispensed were reserved on the dag is have were as a nation, dispensed were reserved on the dag is have and building lue formed by the existing houses in this location, being precomments in this location, the new development respected whose normpleted. It is unlikely the new development respected these factors in the design and miting of the detached houses along another is south covering with for ourself is a purpose. There council has its own jargen for the formate.

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Case Study 3 - Peebles Hydro housing development - 14/00136/FUL

This was a full planning application seeking permission 13 houses and 17 flats on an unallocated site on Innerleithen Road in Peebles. The 1.16ha site is an especially prominent one occupying a location on the primary route into the town from the west and particularly so as it lies on landscaped grounds to the front of the Category B Listed Peebles Hydro Hotel. The immediate character of the site was defined not only by the landscaped setting, but also by the large detached and semi-detached stone villas along the road frontage.

The application followed a significant period of productive pre-application discussion with the applicants' agent, which also involved separate engagement with the local community.

The scheme comprised three distinct elements. To the front, eight detached houses were proposed, while to the rear, two different character areas were indicated – one showing five more modest houses, and the other containing two larger blocks comprising a total of 17 flats, this number having been reduced from an originally proposed 21.

The application drew a relatively small number of still quite significant objections, including from the Community Council, over issues ranging from principle – including the loss of open space and the scale of the development – to detail, including the relationship of the development with the Hydro Hotel and some of the existing houses around the site.

Although this was a significant windfall development, the fact that the site was largely concealed and had served little public purpose as open space, meant that its development was not unacceptable in principle. The site was already separated from the more formal grounds of the Hydro, although care still needed to be taken to ensure that the relationship, including in longer range views, remained acceptable.

The submitted scheme followed many of the elements that were encouraged at pre-application stage, among them the use and position of house types that were reflective of the grander houses already in existence along the road frontage. Some repositioning was required to align them with those houses and the increased use of natural materials, but this aspect otherwise remained largely unchanged from pre-application stage.

Through discussion, a central avenue into the site was created, serving the dual purpose of providing a grand access into the site, while retaining views into the site and to the Hydro





Hotel beyond. In addition, and recognising concerns over the flatted part of the development in particular, the scale and height of the blocks were reduced which, with some repositioning, allowed for a more appropriate relationship and less dominant scale for these parts the proposal.

The evolution of the development was the result of a very positive working relationship between developer and Council officers, which included engagement with recommendations by roads and landscape professionals. The result is a high quality development fitting of a sensitive location which has received positive feedback for both developer and Council, including in the pages of the national press.



The service produces a range of information and advice for customers published on <u>our web</u> site and this information continues to be reviewed to ensure that it is up to date and relevant. An extensive range of planning information is made available in this way, but the service also makes available a full range of guidance and information for other Council services. Customers have been encouraged to self serve and utilise the benefits of the web site and Public Access and the majority of our Community Councils now interact with us electronically. The service has developed Local View Fusion which is badged as FindIt on the Council's website, which makes environmental information available to customers in a spatial format. We have now added the Land Use Strategy information onto Local View Fusion/FindIt. The Council's Public Access portal and the information on our web pages continues to be well used and appreciated by customers

The Scottish Awards for Quality in Planning are held annually and is one of the Scottish Government's most prestigious events. The purpose of these awards is to celebrate and recognise achievements in planning. This year the event was held on 8th November at The Double Tree Hotel, Bread Street, Edinburgh with a theme to reflect the "Year of Innovation, Architecture and Design". A record number of over 60 applications were submitted of which 32 were shortlisted.

The Council submitted two applications which were featured as case studies in last year's Planning Performance Framework. We are delighted that both applications won awards in their respective fields. Two members of staff within the Council's Plans and Research team played key roles regarding the winning submissions.



Award ceremony with Mr Kevin Stewart Ministerfor Local Government and Housing

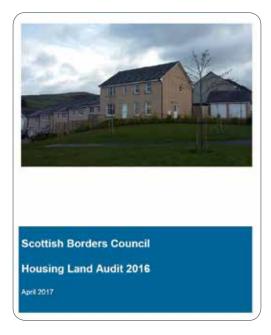


Sharon & Trish with their awards

Sharon Renwick's submission entitled "Identifying Potential Heat from Waste Water Projects" won an award within the "Process" category. The project identified where heat energy could be obtained from waste water pipes to heat council owned buildings through new, innovative technology. The purpose of the project was to look at updating ageing heating systems reduce heating bills and to reduce the council's carbon footprint. Using an interactive map six potential sites were identified for a consequent feasibility study. This work was carried out with assistance from Scottish Water Horizons.

Trish Connolly's submission entitled "Supplementary Guidance: Glentress Masterplan" won an award within the "Partnership" category. The Masterplan guides the future sustainable development of the Glentress forest visitor attraction. The Masterplan presents the strategic context for the area, sets out the proposals for development to enhance the visitor attraction and includes indicative proposals for an enhanced recreation centre, a new site for cabins and parking. The Masterplan was developed in partnership with Forest Enterprise Scotland.

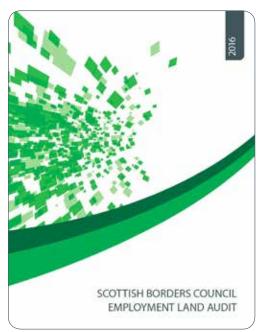
The Housing Land Audit 2016 confirms that the established land supply is 8,994 units and the 5-Year Effective Housing Land Supply is 3,389 units. The land supply figure identified in Part 1 of the PPF reflects calculations based on the 5-Year Effective Housing Land Supply contained within the Housing Land Audit 2016 and the 5-Year Housing Land Requirement (HLR), as set out within SESplan Supplementary Guidance: Housing Land. However, the recent LDP Examination concluded that there was a shortfall of housing land within the Scottish Borders and that the LDP did not identify sufficient land to meet the requirement contained within the SESplan (SG). The Reporter recommended that the Council prepare and submit a Housing SG in order to identify additional sites to provide for a further 916 units, as set out in Policy HD4 of the LDP. The Council are currently preparing the SG on Housing, to take forward the shortfall in effective housing land. With the addition of the 916 units, the LDP will meet the HLR set out within SESPlan and will ensure that there is a 5-Year effective housing land supply within the Scottish Borders, to provide for



the region's needs. Completions have reduced from 659 in 2008 to 373 in 2016/17. However, this figure was an increase of 101 units on the number of houses completed in 2015/16 and reflects an increase in development activity within the Borders.

The Employment Land Audit 2016 confirmed that we are comfortably meeting employment land need. The established Employment Land Supply is similar to last year at 110.1Ha and the volume of employment land take up for employment use was lower at 0.7Ha. The SPP and SDP requirement to provide a broad range and choice of site is addressed in the Local Development Plan.

We also have a programme for producing technical guidance notes on specific topic areas. The following case study highlights the work we have done on guidance for protected species and which we will be developing for other topic areas so case officers have the ability to self-service and up-skill in these subjects. This has the added benefit of freeing-up capacity for specialist officers to undertake more pro-active project work, such as our innovative off-set woodland planting scheme.



Case Study 4 - Protected Species - Technical Advice Notes

Dealing with the impacts of development on biodiversity can be complex, particularly where the surveys to assess impacts can only be carried out at certain times of year. This can be particularly challenging for Planning Authorities where European Protected Species may be affected by development. Legislation requires that planning authorities must establish whether European Protected Species (such as bats and otters) are present on development sites and what the implications might be. Adequate survey information is required to fully consider potential impacts on bats and otter prior to determination of a planning application. The requirement for a survey can often be overlooked by developers, who may not be familiar with protected species legislation, meaning that if the issue only comes to light once an application has been submitted, projects can be delayed. In order to raise awareness and to make clear what is likely to be required as part of a submission at the outset, the Council has begun the production of a series of Technical Advice Notes covering a range of protected species.

Seasonal constraints

Whilst a preliminary assessment can be carried out for bats at any time of year, further surveys may be required e.g. to establish presence or absence to inform an impact assessment and design of mitigation. In accordance with new revised national bat survey guidelines, these surveys can only be carried out between May-September, with most being required between May-August. For otters the surveys can be carried out through most of the year, although evidence is emerging of specific otter breeding seasons.

Types of development and information Required

Bat species and otters are widespread in the Scottish Borders with the potential for impacts to arise for many developments. In order to be proportionate but also to provide clarity to developers, the Ecology service within the Council has produced Technical Advice Notes (TANs) https://www.scotborders.gov.uk/ technicaladvicenotes.

These summarise nationally recognised guidance, which by their nature can be quite lengthy, and set out the types of development where bats and otter are likely to be affected, e.g. in the case of bats, conversion, alteration or removal of buildings and for otter, proposals affecting riparian habitat along rivers and burns. They clearly identify the type of survey required and the time of year when this can be carried out. They also provide a summary of the key information that is required in a survey report, which will also help to raise the standard of ecological reporting in accordance with recognised guidelines .

If protected species are found, the advice notes set out the information required in a Species Protection Plan which may also provide the necessary information to support a European Protected Species licence that may be required by SNH, helping avoid delays.

Stakeholders

The TANs were produced by a steering group involving Planning Officers and the Ecology team. Stakeholders were also consulted including local ecological consultants, SNH and the Bat Conservation Trust.

Planner's checklist

To improve the process, a checklist was produced for planners to help them identify at an early stage of the planning process when a protected species survey is required, providing enabling early advice to developers so they can plan ahead to commission the relevant surveys in advance of submitting their planning application. This should help avoid unnecessary delays enabling the Planning Authority to reach a timeous determination.



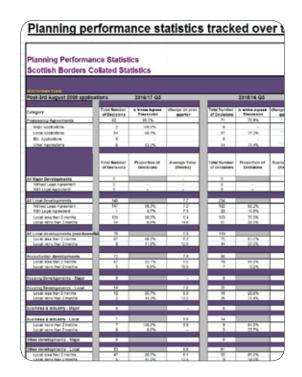
In order to streamline current enforcement services and make customer delivery more relevant, changes have been made to different aspects of the enforcement function. The enforcement team within development management will continue to undertake the planning enforcement role and condition monitoring and will also retain Section 27 (work without a warrant) under building standards legislation. This ensures that a joined up process continues to exist when dealing with unauthorised work and developments affecting both areas of legislation.

The Building Standards service currently deal with frontline enforcement for dangerous structures and will continue to do so, but will also take on the role of dealing with dangerous buildings when notices and follow up remedial work may be required. This ensures one team will deal with the report of a potentially dangerous structure through to public protection and remediation where necessary. Making these changes bring consistency to the customer and greater transparency of each team's roles.

We have produced a <u>Development Management Charter</u> and an <u>Enforcement Charter</u> which is available on the Council's web site.

We continue to promote electronic submission of applications with agents and developers through stakeholder meetings, letters and offers of training on the system. The yearly average of applications received on-line now stands at 66%. We also have an active programme of engagement with stakeholders to increase the use of the system including e-consultation and communication on applications. We have also re-engineered our working practices in preparation for the launch of eBuilding Standards in August 2016 and have started a project to revisit our ePlanning processes for Development Management to make full and effective use of the system. Officers in Building Standards and Development Management are now using mobile table devices for site visits.

In terms of public engagement, we have held stakeholder meetings for Community Councils and agents for a number of years and intend to have separate meetings during the late summer 2017; once our proposals for the new provisional enquiry system are developed further. Also as part of the



evidence gathering stage for Local Development Plan 2, the Forward Planning Section worked closely with the Council's Localities Team to enhance the quality of the community engagement undertaken. In doing so they, other sections of the Council and the Community Planning Partners were able to work together and benefit from the use of the Place Standard Tool. A total of nine workshops were held during February/March 2017. Short and long versions of the survey were available and in total over 230 responses were received. It is intended that these responses will contribute to the production of the Main Issues Report. The Place Standard Tool has been developed in partnership by Scottish Government Architecture & Place, NHS Health Scotland and Architecture & Design Scotland. We are also a partner in the pilot project "Making Places – Bringing the Gap" where PAS (Planning Aid Scotland) are working in partnership with Galashiels Academy to introduce students to the concept of placemaking through the use of the Place Standard.

The Main Issues Report will be progressed in 2017 in advance of Local Development Plan 2. In addition to the public consultation already mentioned above we will carry out further presentations, workshops, and attend local area forums to ensure that as many Scottish Borders residents as possible have the chance to make an informed representation to the plan process and that the

Council fully considers the most relevant planning issues. All Councillors have been given training in planning matters, and Members of the Planning and Building Standards Committee and Local Review Body have tailored training sessions before they are able to sit on these Committees. The Council has an established Development Plan Working Group, which engages Members in the development plan process from an early stage.

We have progressed a programme to communicate spatial information corporately and to the general public. As part of this, the GIS team has continued to develop SBC web-maps, 'Find it' and 'WebGIS', producing new mapping applications for the proposed Tweed Path, Roads & Transport, and Emergency Planning. At the same time we have been working towards upgrading the system to new technology, ArcGIS Online/Portal. This will provide a modern user experience with enhanced functionality and new opportunities. We plan to use the new system to expand and improve the use of our spatial data on the Council's website and engage with the public in new ways using Story Maps.

The GIS team supports the Countryside Access Management System and has developed a series of new reports to provide clear management information on the state of our paths. As SBC's only dedicated GIS resource the team also provides general GIS and data management support to colleagues across the Council. We continue to develop our capabilities through training and use of new technologies such as FME and the OS Integrated Transport Network.

The Council has a formal complaints procedure and has the facility for customers to complain using an <u>on-line form</u>. In terms of complaints reporting, we received 15 complaints about Planning & Related Services last year, which is a reduction of 5 from 2015/16. The majority of the complaints were not sustained but the 3 that were upheld all related to a failure to respond timeously to a customer's enquiry or complaint. As result we have put in place procedures to monitor on-going and outstanding investigations to ensure that customers receive responses within a reasonable timescale or are advised if a response will take longer to provide, together with the reasons why.

GOVERNANCE

The Planning & Building Standards Committee and the Local Review Body (LRB) are held on a monthly basis, normally sitting on the first and third Monday, respectively, of each month during the day. The Planning & Building Standards sat 12 times to determined 40 cases and undertook 5 site visits and the Local Review Body met 11 times to determine 29 cases and undertook 2 site visits.

Our delegation rate remains high resulting in 96.9% of all planning applications being determined by officers. We have an overall approval rate of 95 % which is comparable with 2015/16. The figures reported in the National Headline Indicators table in Part 4 below, demonstrate that the determination periods for the main reporting categories of planning application saw improvement in 2016/17, with householder development seeing only a modest increase in timescale by 0.1 weeks. The Official Statistics table, in Part 5 below, also shows there has been an improvement in the determination of all other categories of application. This reflects a sustained improvement in performance from a position in 2012/13 when major applications were taking 60.8 weeks to determine, local applications (non-householder) were taking 26.8 weeks and local developments were taking 8.6 weeks. Our figures also relate well when compared to the Scottish national performance figures.

We continue to promote the project management approach to handling planning applications. We use processing agreements for all types of application, not just major applications, which has brought about greater certainty to the application process. In the last two years, there has been a significant increase in their take up by developers. Of those applications subject to an agreement, 84.7 % of the major applications were determined within the agreed timescale in the processing agreement and for all other applications, 84.1% overall were determined within the agreed timescale in the processing agreements, together with agreement templates are

available on the <u>Council's website</u>. We are continuing to refine our internal processes and improving dialogue with applicants to ensure that all applications subject to such agreements are determined on time.

We have continued to focus efforts on removing legacy cases (applications more than a year old) from the planning system. In 2016/17, a total of 60 legacy applications were dealt with, leaving a total of 74 still within the system. This is a drop of 10 in the outstanding figure from last year. This has been as a consequence of the traffic light system we introduced two years ago to manage and monitor caseloads (which has been shortlisted in this year's Quality in Planning Awards). We continue to refine this system to ensure we maintain a focussed and effective management of outstanding cases. The disproportionate influence such legacy cases have on performance figures, has been reduced by a reduction in their numbers and, where withdrawal has not been possible or appropriate, mitigated to a large extent by their management through the use of processing agreements.

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The introduction of a more streamlined process, which allowed twin-tracking of planning applications and the legal process of concluding section 69 or 75 agreements, has led to further improvement in determination times and was featured in a case study in last year's PPF. The new process is delivering benefits and continues to be developed and improved upon and again many of the legal agreements are now managed by using processing agreements. The approach has been sufficiently well regarded nationally as to be the subject of a presentation by Council officers to the national Development Management Forum. The remaining applications subject to legal agreement but not covered by a processing agreement have seen a reduction in the time period for determination from 51.2 weeks in 2015/16 to 19.6 weeks last year.

The structure of Planning & Related Services continues to evolve through our People Planning process and has moved to a leaner management structure with 2 divisions: Development Standards and Planning and Implementation. The review has allowed a re-examination of current working relationships and enabled us to develop potential for greater cross sector collaborative working, where we should direct resources and to identify potential models for future delivery. The current structure is set out in Part 6 below. The improvements in performance in all categories of planning application we have delivered have been influenced by this collaborative working and the more effective management of the new service. The service integration we have delivered already means we can provide more effective responses to development proposals, have greater consistency of decision making and achieve a wider understanding of the cross linkages and relationships within the Council that help deliver planning and corporate objectives.

We continue to face significant budget pressures due to wider Council funding efficiencies and the continuing low levels of planning fee income. This required significant savings to be made last year that resulted in the loss of 6 full time posts within the service and this has had consequences in terms of the capacity and organisation of the service. The budgetary pressures will continue into 2017/18 and further savings will need to be delivered. In this regard, we have stringent budget monitoring processes to monitor and report on budget pressures on a monthly basis. There is a close working relationship between budget holders and finance staff to address these issues. The Council has also recently introduced a new financial management system called Business World, which will provide more effective financial control.



We have had to adapt the development contributions system due to the loss of the Development Negotiator post. We have re-distributed the tasks to other officers within the service to ensure we retain an effective collection and allocation of contributions, while embedding this aspect within the wider planning application and enforcement process. The funds generated are monitored on a monthly basis and reported periodically to Corporate Management Team and the Council.

We have a number of working protocols in place with other Council services most notably with Housing Strategy, which enables effective working on affordable housing policy and investment decisions through the Strategic Housing Investment Plan (SHIP) process. The Peer Review Group, of senior planning managers, is also a mechanism for cross service debate and discussion on issues, applications and procedures. Key members of staff are also involved with a range of corporate transformation projects and projects within the Council's capital investment programme.

We continue to explore ways to work more effectively and we positively engage with other authorities and agencies to share knowledge, information and best practice. There are a number of working protocols in place with bodies such as SNH, SEPA and Scottish Water and a selection of the key organisations and groups that we are involved with are listed in Part 3 of this report.

CULTURE OF CONTINUOUS IMPROVEMENT

How we delivered last year's improvement actions is set out in Part 3 of this document, as is the list of improvements actions we intend to deliver this year.

In terms of staff training, our training budget is sufficient to ensure they meet their Continuing Professional Development obligations. There are also opportunities for staff to undertake longer term study which is funded in full, or in part, by the Council. We have gone through an extensive People Planning process for the service which is helping develop our workforce planning with the aim of up-skilling staff and addressing succession planning in the service. As part of the restructuring of the service, we are using some of the savings delivered to create technician/support posts and to develop opportunities for the service to "grow its own" staff and to encourage more young people to enter the service in a way that enables succession planning.

Team meetings are used as a method to ensure that all staff are aware of relevant changes at both national and local level. Information from a weekly manager meeting is cascaded down to the relevant teams and this allows a medium for discussion and feedback on these topics.

The Council's staff appraisal process enables planning managers to reinforce the performance culture at all levels of the service. Using this process, staff have been encourage to be involved in projects to assist in the delivery of the aims set out in this Planning Performance Framework, but also wider departmental and corporate objectives.

As has been referred to above, we continue to develop our ePlanning and eBuilding Standards services and officers now use mobile devices for their site visits. We continue to refine our processes and procedures to move towards a fully electronic delivery of services and will be re-engineering our Development Management e-processes this year.

Effective engagement with other authorities and organisations to consider best practice and shared learning has been set out already in this document and listed in Part 2.

The case studies for identified already in this document along with the Quality in Planning Awards we received last year demonstrate that we are willing to examine and investigate new ways of working and engaging with stakeholders, which is also reflected in our work with our Community Planning partners and the use of the Place Standard.

Training continues to be provided in advance of any Member sitting on the Planning & Building Committee and the Local Review Body. This continues to be supplemented by presentations to Members on particular topics and the production of Members Briefing Notes.

PART 2 - SUPPORTING EVIDENCE

Part 2 of this report was compiled drawing on evidence from the following sources:

- Scottish Borders Council Planning Performance Framework 2014/15
- <u>Scottish Borders Housing Land Audit 2016</u>
- Scottish Borders Retail Survey 2016
- Scottish Borders Employment Land Audit 2016
- Scottish Borders Town Centre Footfall Report 2016
- Scottish Borders Rural Facilities Audit.
- Scottish Vacant and Derelict Land Audit 2015
- Place GIS Systems.
- Regulatory Services budget
- Uniform data management system.
- Public Access ePlanning system
- Development Management Workload and Performance Briefing Notes. Monthly bulletin for Members.
- Scottish Borders Council Web Site planning information pages
- Development Management Improvement Plan 2014
- Development Management Charter 2014
- Enforcement Charter 2016 & Guide to Enforcement Charter 2016
- <u>Scottish Borders Council Corporate Plan</u>
- Single Outcome Agreement
- Business Plans for service teams within Regulatory Services.

The documents and information mentioned above are available on-line or by approach to Planning & Related Services.

We engage with a wide range of working groups, agencies and stakeholder and are involved in a number of multi-disciplinary/agency initiatives, a number of the key ones are outlined below:

Organisation	Commentary
Large Rural Authorities Benchmarking Group	We have actively contributed to this benchmarking group for a number for years. The group shares information and best practice over a number of areas. The Group last met in March 2017 and focussed on the Planning Performance Framework and sharing feedback from the peer review partners.
HoPS & sub-Committees	We take an active role in the Development Management sub Committee and the Chief Planning Officer is currently vice chair of the Energy & Resources sub- committee. The Service Director Regulatory Services is on the HoPS executive.
HoPS and knowledge hub	The authority takes an active part in HoPS and contributes to the information sharing on the knowledge hub.
Wind Energy Strategy Group	We formed and manage this group which considers the strategic implications of wind energy development in the Borders/Southern Scotland and North of England. The group's membership has grown to include representatives of adjoining local authorities both in Scotland and England, as well as officers from SNH and Historic Environment Scotland.
New Borders Alliance	This group consists of planning and housing officials from the Council and representatives of all the Registered Social Landlords in the Borders, where sharing information on related issues and research is undertaken. There is the ability to influence the Local Housing Strategy, the Strategic Housing Investment Plan and identify development opportunities for affordable housing.
Affordable Housing Liaison Group	This is an internal group of officers in planning and housing that seeks to share knowledge and information in the development of housing and planning policy and facilitating opportunities for the delivery of affordable housing.
Strategic Housing Investment Plan (SHIP) Delivery Group	This group consists of multidisciplinary group from different departments in the Council, Registered Local Landlords and developers. The purpose of the group is to drive forward the delivery of the affordable housing programme identified in the SHIP.
SESPlan Board and Operational Working group	The authority is engaged in a range of work streams associated with the production of the Strategic Development Plan. This includes joint working, sharing information, best practice and contributing to the development of policy on housing, retail, sustainable economic development etc. The Council currently has the chair of the SESplan Board.
SCOTS Groups	The authority is an active member of the Society of Chief Officers of Transportation in Scotland and we have contributed to the production of the National Roads Development Guide.
Tripartite Working Group	We manage this tripartite forum which was set up with Scottish Water and Scottish Environment Protection Agency to discuss on-going development and infrastructure issues and to enable input into the development planning process.
South East Scotland Archaeological Research Framework (SESARF)	Established South East Scotland Archaeological Research Framework (SESARF) with other neighbouring local authorities with the aim of strengthening our knowledge to assist Development Management decisions.

In addition to involvement with the groups listed above, there is regular dialogue with peers from other authorities about case specific applications, such as the cross border implications of renewables development but also on general matters of policy and procedure.

PART 3 - SERVICE IMPROVEMENTS 2017-18

1. SERVICES IMPROVEMENTS 2017-18

The Planning Service has identified a number of key service and performance improvement measures for 2017/18 and these are set out below:

- 1. Investigate options to improve the monitoring and compliance with planning conditions
- 2. Review effectiveness of internal consultation procedures on planning applications
- 3. Introduce new Provisional Enquiry process for Development Management
- 4. Complete re-engineered ePlanning processes for Development Management
- 5. Roll out design training for staff
- 6. Improve our use of web mapping for public engagement by upgrading to ArcGIS Online, using maps on more webpages, and developing Story Maps.

The improvements set out in the PPF will be monitored effectively and a 6 monthly priority update report will be prepared for the service to ensure that we are on track to deliver the identified improvements on time.

2. DELIVERY OF SERVICE IMPROVEMENT ACTIONS 2016-17

The specific commitments made in the PPF last year, along with the actions taken and progress made, are set out below:

Committed Improvements and Actions 2016/17	Complete?
1. Run Scottish Borders Design Awards 2016 and further design training for staff	Yes
We ran a very successful Design Awards scheme in 2016, the detail of which is set out in case study 2 above. As part of our CARS scheme in Selkirk we also ran a number of well attended technical and traditional skills/ construction seminars. We supported a number of events linked to the Year of Innovation, Architecture and Design / Festival of Architecture, which were attended by staff.	
2. Re-engineer ePlanning processes for Development Management	On-going
The new e-planning on-line submission portal was launched in January 2016 and the e-building standards portal was launched in August 2016. In preparation for this development management, building standards and business support undertook a thorough business process re-engineering exercise to examine what processes needed to be changed as well as to identify where efficiencies could be made. This work included both a Building Standards and Development Management away days which gave all staff an opportunity to take an unbiased and fresh look at what each service does.	
Whilst this exercise identified what needed to be done to take e-development forward in a way that worked for the Council, it also identified what information technology would be required. The Council's Uniform team also participated in this exercise and their input was invaluable in re-writing templates, reports and organising data fields for the system mapping, etc.	
Although there were initial issues surrounding the functionality of the tablets procured for on-site electronic working, these have now been resolved. Building Standards now have a completely electronic end to end system from building warrant application to completion certificate acceptance. This system does not however preclude customers wishing to submit paper applications and these are still accommodated. Development Management is continuing with the process, and will complete the exercise when the current development management restructure is finalised. The conclusion of the e-development process, business process re-engineering and benefits realisation all dovetails into this restructure which should be concluded within the next year.	
3. Introduce new Provisional Enquiry process for Development Management	On-going
For reasons set above, this service has been temporarily withdrawn. The new formalised service with charging framework has been developed and will be finalised for introduction in Autumn 2017.	
4. Continue to update and implement the Development Management Improvement Plan	Yes
This has been completed and the provisions of the Development Management Improvement Plan have been incorporated into the annual business planning process. Delivery actions will also flow from the continuing work in the development of the e-delivery of services and the business process re-enginering that we are continuing into next year	
5. Introduce e-consultation for Community Councils	Yes
This was introduced in 1 July 2016 following on from extensive community engagement process, including stakeholder meetings. Only 9 of the 67 Community Councils in the Scottish Borders are still notified in paper format. This small number had articulated real difficulties in transferring to the electronic system, at this time. We remain committed to working with those bodies to assist in the transition to electronic working at some stage in the future. All Community Council are generally responding to application consultation electronically.	
6. Improve the effectiveness of the Countryside Access Management System (computerised system) in the monitoring and implementation of countryside access priorities.	On-going
In September during our CAMS annual service visit we also had 2 days training. Access Rangers had a ½ day training refresher tailored to their needs and the GIS team had a 1½ days admin training which proved beneficial to all involved. CAMS is continuing to improve in terms of data cleansing and management. Furthermore bespoke management reports have been created to match actions set out in the 'Access Team: Path Asset Management Plan' and are continuing to be refined. Reports have also been created to help Rangers plan their work effectively.	
Undertake a full scale review the housing land supply processes in advance of the forthcoming Local Development Plan.	Review of housing land supply for
A review of the Housing Land Supply is being completed in advance of the MIR. This takes cognisance of the proposed SDP housing land requirements and housing land audit outputs. The anticipated adoption of the Housing SG in 2017 will ensure there is an up-to-date 5 year land supply.	LDP is ongoing. Housing SG to Council August 2017

PART 4 - NATIONAL HEADLINE INDICATORS

Key outcomes	2016-2017	2015-2016
Development Planning:		
 Age of local/strategic development plan(s) (years and months) at end of reporting period (Requirement: less than 5 years) 	SESplan (Approved June 2013) 4 years 1 months old Scottish Borders Local Development Plan (Adopted May 2016) 1 year 2 months old	SESplan (Approved June 2013) 3 years 1 months old Scottish Borders Local Develop- ment Plan (Adopted May 2016) 2 months old
• Will the local/strategic development plan(s) be replaced by their 5th anniversary according to the current development plan scheme? (Y/N)	Yes	The LDP was delivered just outside due to delays in producing the Report on Examination by DPEA
• Has the expected date of submission of the plan to Scottish Ministers in the development plan scheme changed over the past year? [Y-earlier/Y-later/N]	No	Yes
• Were development plan scheme engagement/ consultation commitments met during the year? (Y/N)	Yes	Yes
Effective Land Supply and Delivery of Outputs	Housing Land Audit 2016	Housing Land Audit 2015
 Established Land supply 5-year effective housing land supply 5-year housing supply target 5-year effective housing land supply housing approvals 	8994 units 3389 units 4207 units*1 4.02 years*2 148 1505 units	8516 units 3,020 units -*3 9.3 years*3 447 units*4
• Housing completions in the last 5 years		1,622 units
	Employment Land Audit 2016	Employment Land Audit 2015
Marketable employment land supplyemployment land take-up	110.1 Ha 0.7 Ha	110.9 Ha 2.0 Ha
Development Management		
 Project Planning percentage of applications subject to pre-application advice 	85.5%*5	100% *5
 number of major applications subject to processing agreement or other project plan 	7	1
 percentage planned timescales met 	84.7%	100%
 Decisionmaking application approval rate delegation rate 	95.0% 96.9%	95.8% 96.1%
Decision-making timescales		
 Average number of weeks to decision: major developments local developments (non-householder) householder developments 	0 weeks *6 7.6 weeks 6.8 weeks	27.6 weeks 17.4 weeks 6.7 weeks
 Legacy Cases (applications more than a year old) Number of cases cleared Number of cases remaining 	60 74	166 84
 Enforcement time since enforcement charter published / reviewed (months) Requirement: review every 2 years number of breaches identified / resolved 	13 147/109	1 138/140

Notes

*1 The figure used is the Housing Land Requirement (HLR), as set out in Table 3.1 of the SESplan Supplementary Guidance: Housing Land (November 2014) *2 The recent Examination of the LDP concluded that there was a shortfall of housing land within the Scottish Borders and that the LDP did not identify sufficient land to meet the requirement contained within the SESplan (SG). The Reporter recommended that the Council prepare and submit Housing SG in order to identify additional sites to provide for a further 916 units, as set out in Policy HD4 of the LDP. The Council are currently preparing the SG on Housing, to take forward the shortfall in effective housing land. With the addition of the 916 units, the LDP will meet the HLR set out within SESPlan and ensure that there is a 5-Year effective housing land supply within the Scottish Borders. *3 Previously these figures were calculated by different means

*4 This number is made up of 120 units approved on small windfall sites (units approved in non-allocations with a site capacity 5 and below), 183 on large windfall sites (units approved in non-allocations with a site capacity 5 and below), 183 on large windfall sites (units approved in non-allocations with a site capacity 5 and below), 183 on large windfall sites (units approved in non-allocations with a site capacity 5 and below), 183 on large windfall sites (units approved in non-allocations with a site capacity 5 and below), 183 on large windfall sites (units approved in non-allocations with a site capacity 5 and below), 183 on large windfall sites (units approved in non-allocations with a site capacity 5 and below), 183 on large windfall sites (units approved in non-allocations with a site capacity 5 and below), 183 on large windfall sites (units approved in non-allocations with a site capacity 5 and below), 183 on large windfall sites (units approved in non-allocations with a site capacity 5 and below), 183 on large windfall sites (units approved in non-allocations with a site capacity 5 and below), 183 on large windfall sites (units approved in non-allocations with a site capacity 5 and below), 183 on large windfall sites (units approved in non-allocations with a site capacity 5 and below), 183 on large windfall sites (units approved in non-allocations with a site capacity 5 and below), 183 on large windfall sites (units approved in non-allocations with a site capacity 5 and below), 183 on large windfall sites (units approved in non-allocations with a site capacity 5 and 5

SELKIRK FLOOD PROTECTION SCHEME

The Main Works Contract for the Project is being delivered by:



Designer

CH2MHILL

Project Manager Principal Contractor

LICTANC

RJ McLEOD

Construct 2 2

www.selkirkfloodscheme.com

Project funding was provided 80% by the Scottish Government and 20% by Scottish Borders Council



PART 5 - OFFICIAL STATISTICS

A: Decision-making timescales (based on 'all applications' timescales)

Category	Total number of decisions	Average times	cale (weeks)
	2016-2017	2016-2017	2015-2016
Major developments	0	0	27.6
Local developments (non-householder)	302	7.6	17.4
Local: less than 2 months	249	6.5	6.6
Local: more than 2 months	53	12.8	32.8
Householder developments	333	6.8	6.7
Local: less than 2 months	297	6.3	6.2
Local: more than 2 months	36	11.1	10.4
Housing developments			
Major	0	n/a	49.9
Local housing developments	44	8.7	32.7
Local: less than 2 months	35	7.0	7.1
Local: more than 2 months	9	15.2	42.7
Business and industry			
Major	0	n/a	n/a
Local business and industry	36	6.9	8.4
Local: less than 2 months	30	6.4	6.6
Local: more than 2 months	6	9.4	14.0
EIA developments	0	n/a	n/a
Major	0	n/a	n/a
Local	0	n/a	n/a
Other consents*	177	6.0	7.5
Planning/legal agreements**	4	19.6	51.2
Local Reviews	29	7.6	8.1

* Consents and certificates: Listed buildings and Conservation area consents, Control of Advertisement consents, Hazardous Substances consents, Established Use Certificates, certificates of lawfulness of existing use or development, notification on overhead electricity lines, notifications and directions under GPD0 Parts 6 & & relating to agricultural and forestry development and applications for prior approval by Coal Authority or licensed operator under classes 60 & 62 of the GPD0.
 ** Legal obligations associated with a planning permission; concluded under section 75 of the Town and Country Planning (Scotland) Act 1997 or section 69 of the Local Government (Scotland) Act 1973
 *** All applications subject to processing agreements are excluded from the official statistics

B: Decision-making: local reviews and appeals

	Original decision upheld				
Туре	Total number of decisions	201 No.	6-2017 %	2015- No.	2016 %
Local reviews	29	13	44.8	6	27.3
Appeals to Scottish Ministers	2	1	50	2	50

C: Enforcement activity

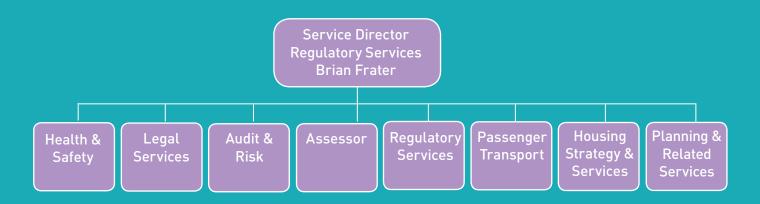
Enforcement activity	2017-2017	2015-2016
Cases taken up	147	138
Breaches identified	147	138
Cases resolved	109	140
Notices served***	10	8
Reports to Procurator Fiscal	0	0
Prosecutions	0	0

*** Enforcement notices; breach of condition notices; planning contravention notices; stop notices; temporary stop notices; fixed penalty notices, and Section 33 notices.

PART 6 - WORKFORCE INFORMATION

Planning & Related Services sit within the Regulatory Services Directorate in the Council structure

Regulatory Services Structure



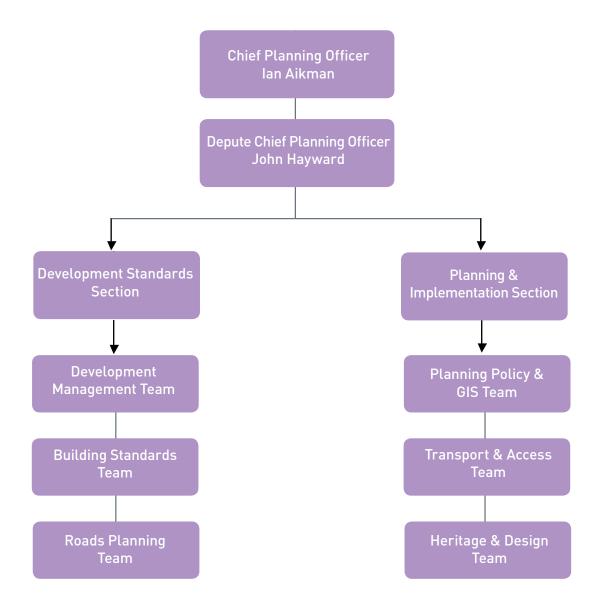
Planning & Related Services Structure

The key teams that deliver the planning function are identified below along with the structure that we are in the process of implementing:

Development Standards: Includes Development Management, Enforcement, Building Standards and Roads Planning Services. In Development Management there are 11 professional planning officers. In Building Standards, there are 12 officers, while Roads Planning has 6 officers, a modern apprentice and one member of support staff. A Registration Team of three officers supports Development Management and Building Standards. The service also includes 3 officers dealing with Planning and Building Standards enforcement.

Planning and Implementation: Includes Planning Policy & GIS, Built Heritage & Design, Natural Heritage and Transport and Access services. The Policy and GIS team has 5 planners, a research assistant, student planner and 3 GIS specialists. In the two heritage teams, there are a total of 7 full time posts and two part time posts providing specialist advice on conservation, design, landscape, biodiversity, trees and archaeology. The Transport and Access Team has 7 officers dealing with transport and access matters and running the rangers service.

Planning & Related Services Structure



Planning Services Statistics

	Tier 1	Tier 2	Tier 3	Tier 4
Head of Planning Service			X	

Note: Tier 1= Chief Executive, Tier 2= Directors, Tier 3= Heads of Service, Tier 4= Managers

		DM	DP	Enforcement	Other
Managers	No. Posts	1	1	1	6
	Vacant	0	0	0	0
Main grade posts	No. Posts	9	8	1	27
	Vacant	1	1	1	1
Technician	No. Posts	0	1	0	1
	Vacant	0	0	0	0
Office Support/	No. Posts	2	0	0	2
Clerical	Vacant	0	0	0	0
TOTAL		13	11	3	37

Note: Managers are those staff responsible for the operational management of a team/division. They are not necessarily line managers.

Staff Age Profile	Number
Under 30	5
30-39	13
40-49	17
50 and over	27
Committee & Site Visits	Number per year
Full council meetings	12
Planning committees	12
Area commitees (where relevant)	N/A
Comittee site visits	5
LRB**	11
LRB site visits	2

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