

Places, People and Planning consultation

1. INTRODUCTION

- 1.1** The report seeks to summarise the key issues emerging from the recently published Scottish Government's publication "Places, people and Planning: A consultation on the future of the Scottish planning system" and seeking to start the process of collating a SEStran response by the deadline of the 4 April 2017.

2. Proposals for Change

- 2.1** The proposals outlined in the consultation seek to deliver a planning system for Scotland which helps growth to happen and unlocks the potential of our people and places. The proposals have been developed in response to the independent review of planning report published in May 2016, which was the subject of a report to the SEStran Board in June 2016. A copy of the consultation can be accessed at this link:

<http://www.gov.scot/Publications/2017/01/3486>

- 2.2** In the Consultation the Scottish Government outline four key areas of change and 20 specific proposals within these areas, not all of which are of direct relevance to SEStran and in that regard the rest of the report focuses on proposals and question of greatest appropriateness to SEStran:

- Aligning Community Planning and Spatial Planning (Proposal 1)
- Regional partnership working (Proposal 2)
- Infrastructure Planning, Funding and Innovation (Proposals 13, 14 & 15)

- 2.3** However, there are other aspects of the 20 proposals, Chief Officers may wish to discuss. For example, Proposal 4 on Stronger Development Plans has a suggestion that at an early stage there should be an audit of existing infrastructure levels and necessary interventions, including the plan's transport appraisal. As discussions progress, there will be similar aspects of the proposals identified and brought into the final response, but it was felt best to focus on core issues.

- 2.4** As community planning partners, is it proposed that SEStran should support the proposal for a statutory link between land-use and community planning. It would also be a clear opportunity to discuss the infrastructure requirements of transport service delivery, within a context of an outcome-focussed approach to service delivery which could be significantly beneficial to those stakeholders suffering transport connectivity and accessibility inequalities at present, through the integration of land-use and other forms of service delivery. It is welcomed that the proposal references spatial planning and not just land-use planning as the requirement for greater alignment.

- 2.5** The Royal Town Planning Institute in their 2016 “Poverty, Place and Inequality” report highlight the significant severance effect of area-based disadvantage for individuals. Those living in certain less affluent areas are from evidence less mobile, more reliant on public transport and less able to commute to job opportunities given expensive and/or fragmented transport networks. Previous studies have highlighted that those who are least skilled or most remote from the labour market have the least locational flexibility in seeking new job or training opportunities and that this rather than lack of skills or training has particularly afflicted some communities and individuals within them in terms of receipt of positive outcomes. RTPs could be a key mechanism for addressing these gaps and delivering the outcomes required across several Local Outcome Improvement Plans (LOIPs) on the strategic and cross-boundary issue of transport infrastructure and services from the proposed greater alignment.
- 2.6** In terms of regional partnership working, Scottish Government have agreed with the Independent Panel that the duty to prepare Strategic Development Plans (SDPs) are removed from the planning system. However, it is welcomed that Scottish Government have recognised that strategic planning has an important contribution to make to a successful planning system in Scotland. Going forward, it is proposed that the National Planning Framework (NPF) sets out regional planning priorities and that in the place of SDPs it is proposed that new duties or powers for local authorities to work together as introduced to able the definition of regional priorities. The consultation invites views on what needs to be done at this scale including co-ordination of delivery programmes especially housing delivery, cross-boundary infrastructure investment audit, and potential co-ordination of a regional infrastructure levy and a widening of the partnerships to involve business representatives to provide a forum for discussion of regionally significant matters.
- 2.7** The consultation advises that Scottish Government is open to considering making these actions discretionary powers which local authorities could decide to enact, if deemed of value in a regional context. However, the consultation does state that they are keen to avoid creating new partnerships where tasks can be achieved through existing arrangements. In the consultation paper and the ongoing review of the National Transport Strategy with its proposed consideration of transport governance / regional partnership working, Scottish Government also outline that they would welcome views on the potential to reconsider the roles, responsibilities and areas of influence of regional transport partnerships in relation to land-use planning and associated transport appraisals, prioritisation and delivery. In that context, the report highlights the discussions SEStran and SESPlan have had regarding the increasing alignment of regional transport and planning functions, linking to economic development and proposals for a City Region Deal.
- 2.8** They would also welcome views on certain aspects of the scale or regional partnership working. Firstly, in terms of a greater flexibility for localities to

define their own geography of partnership working, rather than having it defined by legislation, allowing strategic planning to better align with City Deals. Or conversely, using the NPF to identify priority areas where future regional partnership working should take place. There is also mention about how regional partnerships and Enterprise regional working in the South of Scotland could fit with this geography.

- 2.9** SEStran has previously concluded that there are potential benefits to be realised from a closer integration of strategic development activities and the City Region Deal. These should include more efficient working and a clear alignment of activities. Support arrangements are currently progressed on a joint basis at a regional level for planning, transport, housing and economic development. Similar support arrangements will be required to progress and implement the City Deal. Clearly, there is a strong case for integrating the support and service arrangements for planning, transport, housing and economic development at a regional level. This could result in a single team with appropriate professional expertise which would service the interests of each subject area. However, it's not been possible reach an agreement at present. While the City Region Deal will require an implementation facility, any future joint team could prepare, monitor and support the development strategy and the projects within this for City Region Deal. However, we have previously stopped short of asking for a removal of the statutory footing for Regional Transport Partnerships and in the context of the Independent Panel seeking to recognise RTPs as key agencies it would seem counter-intuitive to remove their statutory status implicitly or explicitly through the consultation when there is also an ongoing review of transport governance.
- 2.10** On the issue of infrastructure planning, the consultation suggests an infrastructure first approach to development, ensuring existing capacity is properly scoped and identifies where additional capacity is needed. The Scottish Government outline that they do not agree with the proposal of the Independent Panel to set up a national infrastructure agency or working group and instead propose the establishment of a national infrastructure and development delivery group. In the first instance this group would contribute to developing more detailed proposals for an infrastructure levy, how this could work with wider funding and finance solutions and also there could be a role for the group in overseeing and considering regional infrastructure audits – including transport, prepared by regional partnerships.
- 2.11** The consultation paper highlights that the Strategic Transport Projects Review (STPR) should work alongside spatial planning to form an essential part of strategic investment planning at both the regional and national scale. It would be welcomed if in further developments there could be greater reference to Regional Transport Strategies, as an existing statutorily required regional planning document and clearly would have a role in a regional audit of transport infrastructure capacity.
- 2.12** The consultation outlines that improvements in Section 75 practice will not fully close a gap in infrastructure funding which has emerged following the 2008 recession and the steep decline in housing delivery that followed. The

Scottish Government recognise that it will not address challenges surrounding securing collective contributions for strategic infrastructure. Therefore the proposal in the forthcoming Planning Bill is to introduce an enabling power for a new infrastructure levy for Scotland, following further detailed consultation on the development types involved, how permission to charge is granted by Scottish Ministers to a planning authority/authorities. It is not proposed that the levy replaces national investment or investment secured via Section 75 agreements.

- 2.13** The consultation also highlights that the Scottish Government wish to explore wider opportunities for innovative infrastructure planning. In this context, the consultation proposes that Land use and transport planning should be integrated to ensure that their impact on connectedness, accessibility and active travel are brought together and used to improve quality of place. The review of transport governance is highlighted and it is suggested that the review should consider the role of regional transport partnerships.
- 2.14** In terms of infrastructure planning and funding it will be fundamental that any arrangements provide a strong focus for a more joined up, sustainable and extensive approach to prevent of negative outcomes. The provision of an infrastructure first approach is welcomed, as a clear commitment to early intervention in line with the ethos of the Christie Commission on Public Sector Reform. It is also welcomed that a focus on the collective nature and impact of infrastructure requirements are in many cases cross-boundary and by implication require joint planning and implementation programmes. The importance of adequately accessible, efficient and affordable transport infrastructure; especially the scale, nature and connectivity of investments linking need and opportunity within – and between – communities can be overstated in its importance to the proposals for change outlined in the consultation paper.

3. CONCLUSION / RECOMMENDATIONS

- 3.1** Chief Officers are invited to comment on the summary of key issues raised by the Scottish Government consultation on the future of the Scottish planning system, ahead of the presentation of a paper to the SEStran Board in March and a subsequent final consultation response.

George Eckton
Partnership Director
26th January 2017

Appendix 1 – Selected Consultation paper Questions

Selected Consultation Questions

- Do you agree that local development plans should be required to take account of community planning?
- Do you agree that strategic development plans should be replaced by improved regional partnership working?
 - How can planning add greatest value at a regional scale?
 - Which activities should be carried out at national and regional levels?
 - Should regional activities take the form of duties or discretionary powers?
 - What is your view on the scale and geography of regional partnerships?
 - What role and responsibilities should Scottish Government, agencies, partners and stakeholders have within regional partnership working?
- Do you agree that rather than introducing a new infrastructure agency improved national co-ordination of development and infrastructure delivery in the shorter term would be more effective?
- Would the proposed arrangements for regional partnership working support better infrastructure planning and delivery?
 - What actions or duties at this scale would help?
- Do you agree that future legislation should include new powers for an infrastructure levy?
 - At what scale should it be applied?
 - To what type of development should it apply?
 - Who should be responsible for administering it?
 - What type of infrastructure should it be used for?
 - If not, please explain why?