Places People and Planning Position Statement

1. INTRODUCTION

1.1 The Scottish Government on 29 June published its response to the recent Planning consultation in the form of a Position Statement[1] on the 20 proposals for Planning Reform. SEStran responded[2] to that previous consultation following its March 2017 Board meeting. The Position Statement is subject to consultation until 11 August and a draft response is appended to this paper.

2. NEXT STEPS

2.1 The Scottish Government has committed to bring forward a Planning Bill this year. The Bill along with other programmes of work aims to strengthen planning's contribution to inclusive growth and empowering our communities. Considering the wide range of views on the proposals, the position statement describes the key changes that Scottish Ministers are now considering taking forward through the forthcoming Planning Bill, secondary legislation under existing powers, and other, non-statutory approaches. No final decisions have been made on the content of legislation at this stage and the proposed response seeks to augment the March 2017 SEStran response as requested by the consultation.

2.2 Scottish Ministers are keen to emphasise that the shared priorities of inclusive growth and community empowerment will continue to underpin this programme of reform. The Enterprise and Skills Review and the emerging review of the National Transport Strategy[3] and Strategic Transport Projects Review have helped to shape the proposals.

2.3 The Enterprise and Skills Review published several documents and a specific paper on Regional Partnerships in June 2017[4]. SEStran had previously responded in Summer 2016[5] to the initial consultation. The Phase 2 review stated that Scottish Ministers intend that stakeholders across Scotland, including at regional level, will be given a greater say in influencing the development of transport policy. This will influence the transport system for the whole of Scotland over the next 20 or so years. It will also consider regional transport governance.

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[1] https://consult.scotland.gov.uk/planning-architecture/places-people-and-planning-position-statement/user_uploads/sct0617488148-1_places_final--2-.pdf
[2] http://sestran.gov.uk/wp-content/uploads/2017/03/17_03_17_sestran_planning_consultation_response.pdf
[3] https://www.transport.gov.scot/our-approach/strategy/national-transport-strategy/#37277
[4] http://www.gov.scot/Publications/2017/06/1584
[5] https://consult.scotland.gov.uk/enterprise-and-skills/call-for-evidence/consultation/view_respondent?show_all_questions=0&_q__text=sestran&uuId=788229653

2.4 We have requested clarification from Transport Scotland and they have highlighted that the mechanism for consideration of any changes to RTPs is the National Transport Strategy Review and not the Planning Review or Enterprise and Skills Review. The Partnership Director is representing SCOTS/SEStran and co-chairing the NTS2 Strategic Framework Group and is representing RTPs/SEStran on the Enabling Economic Growth Working Group. Building upon its NTS2 pre-engagement survey[6], SEStran has responded to the Call for Evidence[7] for the Research and Evidence Working Group. RTPs collectively are represented on all working groups including the Roles and Responsibilities working group, tasked with reviewing transport governance, co-chaired by Transport Scotland and the Society of Local Authority Chief Executives (SOLACE) Scotland.

2.5 The Board should also be aware that discussions around a Model 2 or 3 SEStran following part of an integrated transport and economic development partnership for the South East of Scotland continue, as inferred by the Edinburgh City Regional Deal Head of Terms[8] published on 20 July. The SEStran Partnership Director has produced, for the constituent councils involved, a scene setting report and contributed to the project brief and committed SEStran officer resources to further development work. This should enable a final report on the December 2016 consultation on Model 3 to be brought back to the Board in December 2017.

3.   CONCLUSION / RECOMMENDATIONS

3.1   The paper seeks to invite comment from the Board on the current Planning People and Places Position Statement consultation and proposed consultation response for submission by 11 August.

3.2   The Board is asked to note the update provided on the Enterprise and Skills Review, Model 3, City Deal discussions and the primacy of the NTS 2 Review in any changes to RTPs.

3.3   The Board is asked to note the submission under delegated powers of a response to the NTS2 Research and Evidence Working Group Call for Evidence and that an update paper will be provide to the September Board on progress with the NTS2 Review.

George Eckton
Partnership Director
11th August 2017

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[6] https://www.transport.gov.scot/media/39243/ntsearlyengagementconsultationsurvey-june-2017.pdf

[7] http://www.sestran.gov.uk/wp-content/uploads/2017/07/20170718_SEStran-RTS2-Evidence-1.pdf

[8] https://static1.squarespace.com/static/55c87967e4b05aa55020f656/t/5970b329579fb359ca3c1969/1500558123546/Edinburgh+and+East+of+Scotland+City+Region+Deal+HOTA+-+MASTER+COPY+FINAL....pdf

Policy Implications	Potential changes to the planning system which could have impacts on other planning systems including transport planning.
Financial Implications	None
Equalities Implications	None
Climate Change Implications	None

Places People and Planning Position Statement - Draft SEStran response

1) Aligning community planning and spatial planning

SEStran welcomes the continuing recognition of the priority for securing greater collaboration and stronger alignment between community and spatial planning. We continue to emphasise the need for spatial planning though to include land-use and transport and labour market amongst other policy areas within that definition. This would recognise the outcomes desired of communities especially around transport which is derived from land-use and economic choices. Therefore, it would be vital that in this greater alignment, land-use planning takes account of the existing plans of community planning partners such as Regional Transport Strategies (RTS) and their associated publications, given the significant impact of origin-destination trips from new housing and other land-uses on regional travel to work/study/service transport networks. This would seem to fit with the recent suggestion of RTPI and TPS members of the need to focus on planning place not planning different sectoral aspects of place[9]

SEStran welcomes the two-way process and it could potentially be helped by a duty to have regard, or stronger, to the new set of Local Outcomes required by the Community Empowerment Act. In relationship to Proposal 4, this 5-yearly timescale could be a clear "trigger" for a review of a new 10 year Local Development Plan, if Scottish Government changed the national set of outcomes and Community Planning Partnerships (CPPs) were subsequently required to review their set of local outcomes. The current consultative proposal for the Local Development Plan to be a focus for the socio-economic duty[10] for planning potentially offers a vehicle for alignment, alongside the recognition of the RTS as a key sectoral strategy.

2) Regional Partnership Working

We welcome the retention of some aspects of regional strategic planning and, as stated previously, we recognise the need for some form of focussed change to existing arrangements. Therefore, we welcome the proposal to retain and strengthen certain aspects of regional planning to enable all regions of Scotland to deliver the inclusive growth agenda for Scotland. It is fundamentally important to SEStran and its constituent councils to retain and strengthen regional planning and associated strategies, within a wider package of transport, land-use, enterprise and skills proposals, managed locally for the widest regional benefit.

We welcome that the proposal for reform, does include provision for strong regional planning where needed and required by local councils and communities. It would seem to strike a balance in terms of not placing Scotland as a whole at a strategic disadvantage to other economies with whom we are competing for inward investment. However, in line with the power to advance well-being in the Local

[9] http://rtpi.org.uk/briefing-room/rtpi-blog/can't-we-all-be-place-planners/
[10] http://www.gov.scot/Publications/2017/07/8131/downloads#res522478

Government (Scotland) Act 2003, it would be useful to have the ability to work together and develop strategies, extended to plan preparation where significant development issues arise now and in the future, which would have statutory weight. Making regional plans still possible but discretionary, especially given the statutory requirement for regional transport strategies.

In general, the position proposed by Scottish Ministers points to the potential for a regional perspective on planning and we welcome the view of a need for a clearer relationship between the planning at a regional level for all types of infrastructure and services: physical - large transport projects or cross-boundary transport routes and social - childcare facilities and employability. We would welcome clarity on the proposals outlined in June 2017 for the Enterprise and Skills Review, on how Scottish Ministers intend to give greater input to the business community in terms of governance of regional transport in the context of what is proposed for Strategic Development Planning Authorities. How does this relate to the semi-regulated public appointment process for Regional Transport Partnership (RTP) Boards?

3) Improving national spatial planning and policy

SEStran feel that in terms of regional policy, especially around transport and connectivity issues, there is a need for developing and stating distinctive regional policies and initiatives within the existing regional document i.e. the Regional Transport Strategy (RTS). Whilst, understanding the rationale for reducing duplication, there are unique transport issues for each region of Scotland and for us the continuing need for a strategic and statutory approach to their resolution through a RTS with specific regional policies, reflecting and co-ordinating national, regional and local outcomes.

4) Stronger Local Development Plans

We would welcome the opportunity of being included in new proposals for an early review of a 10 year local plan. This would be to reflect the regional perspective or, as outlined in our response to Proposal 1, to reflect a new national outcome context or as part of a discretionary regional spatial strategy outlined in Proposal 2 or a 4 yearly review of the relevant RTS. However, this level of strategic trigger would provide clear evidence, whilst ensuring certainty to development and the delivery of quality outcomes, for stakeholders and communities. It could also enable the striking of a balance between certainty of delivery and targeted involvement, as only consulting communities once a decade could be seen as proactively focussing on implementation, at the expense of local democracy.

On the issues of examination and gatecheck, it will be critical to look at transport services, routes and capacities at such an intervention to enable prevention of negative outcomes. In a South East of Scotland context, the heavily constrained nature of road and rail networks, the lack of public transport, especially bus, and the

need for greater development of walking and cycling networks at a strategic level, place barriers to further positive outcomes for communities. It will be critical that if the local plan is a decade-long plan that Regional Transport Strategies and Partnerships have a clear gatecheck role in the examination process, to ensure we are Key Agencies in the process as highlighted by the Independent Panel's report.

5) Making plans that deliver

SEStran would support the proposals for enhanced engagement in respect of a site or wider proposal which has not be allocated in the development plan when brought forward as an application. This would seem to seek to address the longer periods between consultation on a decade-long development plan and could also seek to proactively engender the involvement of currently under-represented groups and cement their involvement at times of plan preparation and consultation. We would hope the place standard and #codesign methodologies can be utilised in this enhanced engagement context alongside other participatory approaches.

6) Giving people an opportunity to plan their own place

SEStran welcomes the position that local place plans should be introduced following the outcomes identified in our work with Young Scot, West Lothian Council and Sustrans Scotland on the X-Route report. We also welcome the recognition of the need to ensure that local place plans are used to promote appropriate development rather than as a vehicle to prevent it. It would also be useful to have guidance on how proposals for local place plans would work for those CPP partners who are subject to legislation around participation requests from community groups and it would be helpful if the proposed guidance could address this issue.

7) Getting more people involved in planning

We welcome the proposals to get more people involved in planning and in particular children and young people given our aforementioned X-Route work with Young Scot. We view it as vital that involvement in planning of communities starts earlier given the proposals for local plans to only be subject to once a decade consultation and, as outlined in response to Proposal 5, enhanced engagement proposals could play a critical role in this regard.

8) Improving public trust

SEStran welcome the proposal for provision of feedback to communities following engagement. This will hopefully provide a platform for greater "dialogue" within the planning system and an enhanced two-way conversation. We welcome and recognise the need for all parties in the planning system, including other Key Agencies, to continue to seek to improve our community engagement processes.

9) Keeping decisions local - rights of appeal

SEStran welcomes the proposal for stronger early engagement rather than the introduction of equal or third party rights of appeal and the overall ethos for planning of all forms, to drive inclusive growth across Scotland.

10) Being clear about how much housing land is required

SEStran would welcome the setting of housing figures at a sub-national level which recognises the impact that major land allocations can have on the peak demand on transport networks through the addition of origin-destination trips from major developments. This sub-national context, albeit potentially contained within an enhanced National Planning Framework, would enable the enhanced level of regional working outlined in Proposal 2 and the allocation of housing land in the most relevant market area which does not always align with local development plan boundaries. This would enable a greater sustainable transport response to the planning for delivery of effective housing land in our South East of Scotland context.

11) Closing the gap between planning consent and the delivery of homes

We welcome the proposal for further guidance on development viability and we would support also recognition, within any viability assessment, of the ability for residents of new homes to make sustainable transport choices from the start of a development and also the opportunities for them to access efficiently existing or new transport services, so that a reduction in car-borne, especially single occupancy vehicle, commuting trips can be achieved. This would be a preventative measure in terms of reducing demand on existing constraints on key points of the South East of Scotland transport network.

12) Releasing more "development ready" land for housing

SEStran would wish to highlight the need to ensure that any large scale zoning of land for housing, needs to ensure it's well served not only by infrastructure but also by services and marketing to ensure sustainable travel choices are embedded from the beginning through the master planning process.

13) Embedding an infrastructure first approach

SEStran welcomes the view of Scottish Ministers that proposals for moving strategic development planning towards regional partnerships for infrastructure governance and co-ordination. The clear identification of the need for transport infrastructure but also service planning for all types of transport is vital as they require strong justification for intervention. The regional perspective also covers inevitable cross

boundary impact. We also welcome Scottish Ministers proposals outlined in the Enterprise and Skills Review for enabling greater private sector involvement in regional transport governance and would welcome further detail on these matters and proposals, in particular how they sit with the mechanisms for non-elected membership of our Board as outlined in Transport (Scotland) Act 2005 and associated regulations and guidance.

14) Creating a fairer and more transparent approach to funding infrastructure

SEStran support the proposal from Scottish Ministers to give further consideration to the options for a levy or charge. We would propose that any work with Scottish Futures Trust, enabling RTPs to feed into the process and see how our current regional Delivery Plan documents required by the Transport (Scotland) Act 2005 could fit within any development contribution frameworks to provide a clear strategic context for levy/charge investment.

15) Innovative Infrastructure Planning

In terms of other proposals emerging from the Climate Change Plan (RPP3), SEStran would also seek to highlight the need for innovative behavioural mechanisms for the use of infrastructure. We have highlighted in our response to RPP3 the need for consideration of charging for parking or road use to manage demand on current transport infrastructure networks. It would be appropriate to consider further actions on how prevention and early intervention could ensure most effective and efficient use of infrastructure planned for delivery in the future and ensure the longevity of existing infrastructure for as long as possible.

16) Developing skills to deliver outcomes

SEStran welcomes the proposal to continue to scope further work on skills development. In terms of developing more effective sharing of expertise in specialisms, RTPs could provide a basis for sharing skills concerning the transport aspects of planning across a wider regional geography. SEStran continues to have discussions with our constituent City Deal partners around the sharing of services for transport and wider interplay with the NTS2, Planning and Enterprise & Skills review.

17) Investing in a better service

SEStran welcome the proposals from Scottish Ministers to ensure better resourcing of the planning service. Hopefully this could be extended to other services such as transport planning where relevant costs are incurred by other public sector bodies such as RTPs.

18) A new approach to improving performance

SEStran would also welcome, alongside the proposal to monitor outcomes such as health and well-being, climate change and carbon emissions, that the impact of accessibility and air quality are also included in a wider outcome performance framework. Could monitoring outcomes also form part of the linkage between community and spatial planning outlined in Proposal 1? We recognise that different local authorities may identify different outcomes to address, but there could be a core set of outcomes identified.

19) Making better use of Resources: efficient decision making

SEStran has no specific comments on this proposal.

20) Innovation, designing for the future and the digital transformation of the planning service

SEStran supports Scottish Ministers view that digital technologies and other innovations could support greater inclusion in all forms of planning for infrastructure and services. We have recently undertaken a Hackathon[i] as part of our Social Car EU Horizon 2020 project and would be happy to share the outcomes report with the proposed Digital Task Force if helpful. We are also in discussions with Scottish Roads Research Board and Scottish Enterprise CAN DO challenge fund about bidding for funding for an App that could collate data on infrastructure (road) condition and network pinch points, which could form part of ongoing consultation points for planning of infrastructure and services and a digital dialogue with communities. In this context, we also recognise the need to be continually mindful of current levels of digital exclusion.

SEStran

August 2017.

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[i] http://www.sestran.gov.uk/news/transport-games-results/