

ANGUS COUNCIL

PLANNING AND TRANSPORT POLICY COMMITTEE

29 AUGUST 2002

SUBJECT: REVIEW OF STRATEGIC PLANNING : CONCLUSIONS AND NEXT STEPS

REPORT BY DIRECTOR OF PLANNING AND TRANSPORT

Abstract: This report advises members of the conclusions reached by Scottish Ministers on the Review of Strategic Planning and of how the Executive wish to proceed in reshaping the development planning system in Scotland.

1 RECOMMENDATION

It is recommended that the Committee:-

1. note the conclusions of the Scottish Executive on far reaching proposals for the Review of Strategic Planning in Scotland, including the decision to proceed with:-
 - (i) the introduction of Strategic Development Plans to be prepared for the four largest City Regions (including the Dundee City Region), with the Scottish Executive prescribing those Local Authorities that will be required to work jointly to prepare city region plans, while the boundaries of the areas to be covered by each plan will be for the Councils to agree;
 - (ii) a statutory requirement to establish a joint Committee in each City Region to oversee the preparation of the Strategic Development Plan and that a dedicated officer team be appointed to this task;
2. authorise the Director of Planning & Transport to continue to liaise with Scottish Executive Development Department officials in order to seek further clarification of suggested timescales and arrangements for introducing the proposed changes;
3. note that further reports on issues arising for Development Planning in Angus, including the proposed boundary for the Strategic Development Plan, will be prepared for consideration and agreement by the Committee in due course, taking account of:-
 - (i) experience in preparing the Dundee and Angus Structure Plan, including the role played by the Joint Structure Plan Panel;
 - (ii) proposals arising from other parallel exercises being undertaken by the Scottish Executive on the Cities Review and on Getting Involved in Planning;
 - (iii) implications for local planning and development control, together with the wider linkages to the Local Transport Strategy, Local Agenda 21 and Community Planning.

2 INTRODUCTION

- 2.1 The Scottish Executive have published their conclusions on the Review of Strategic Planning, and have indicated how Scottish Ministers wish to proceed in reshaping the development planning system in Scotland. This follows an analysis, by a consultant commissioned by the Scottish Executive, of the responses received to the Consultation Paper circulated last year (Report No. 1147/01, Planning & Transport Policy Committee, 11 October 2001 refers).
- 2.2 The Executive have concluded that the responses received to the previous consultation paper were generally supportive of the proposals. As a result the Executive intend to proceed to adopt 14 of the 18 proposals in whole or part, with three proposals not being carried forward and one proposal still being considered.
- 2.3 The proposals to be adopted encompass some major changes to the development plan system including:-
- preparation of a National Planning Framework;
 - removal of requirement to prepare Structure Plans for all parts of Scotland;
 - requirement to prepare Strategic Development Plans for the four largest city regions (including Dundee City Region);
 - requirement to establish a joint Committee to oversee the preparation of the Strategic Development Plan and that a dedicated team be appointed to this task;
 - requirement to include an Action Plan for all development plans;
 - requirement to hold a public examination of Strategic Development Plans where objections have not been withdrawn;
 - requirement for a Strategic Development Plan together with a Local Development Plan in each of the four City Regions, with a single tier Development Plan elsewhere.
- 2.4 A copy of the Scottish Executive document on Conclusions and Next Steps is appended to this report.

3 DISCUSSION

- 3.1 Publication of the Executive's conclusions on the Review of Strategic Planning marks an important step which has significant implications for the overall future direction of the planning system both in Angus and throughout Scotland.
- 3.2 It is disappointing, but not wholly unexpected, that several of the Executive's conclusions differ from the views previously forwarded by Angus Council (Report No. 1147/01). In particular the introduction of a tier of strategic planning focussed on four City Regions was not supported by this Council.

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- 3.3 In recognition of this possibility, the Committee previously agreed that in the event that the Scottish Executive concluded in favour of Strategic Development Plans to be prepared only for the four largest City Regions, then Angus Council:-
1. would expect to be an equal partner in any joint Committee set up to oversee the preparation of a strategic development plan relating to any part of Angus;
 2. notes that any City Region boundary which dissects a Local Authority area would raise subsidiarity issues and require more problematic arrangements to secure compatibility between the respective Local Development Plan and the Development Plan covering the remainder of the Council area;
 3. requests that further consultation be undertaken on proposed City Region boundaries, and specifically any proposed City Region boundary relating to Angus, prior to any final decision being taken.
- 3.4 In respect of point (3) above it is notable that the Executive have concluded that the Scottish Ministers will prescribe those Local Authorities that will be required to work jointly to prepare City Region Plans, but the boundaries of the area to be covered by each plan will be for the Councils to agree. It is therefore likely that for the Dundee City Region this would involve liaison among Angus Council, Dundee City Council, Perth & Kinross Council and Fife Council.
- 3.5 Similarly the proposed statutory requirement to establish a joint Committee of elected members to oversee the preparation of the Strategic Development Plan which will be undertaken by a dedicated team of officers will require detailed consideration. At this stage it is not entirely clear why or how such statutory requirements need to be introduced where it is the preparation of a Strategic Development Plan rather than the means by which it is prepared which is relevant to the Scottish Executive.
- 3.6 In any event it is likely that the identification of boundaries for a City Region Strategic Development Plan, together with arrangements for a joint member Committee supported by a dedicated officer team, will give rise to controversial issues, not least of which is democratic accountability. This was highlighted in Angus Council's earlier response to the previous Consultation Paper and remains a major concern in addressing how, in practice, the proposed arrangements will ensure that individual Councils retain an appropriate level of control over decisions affecting land within their area in accordance with the subsidiarity principle.
- 3.7 The Statement by the Scottish Executive, in the introduction to the current document, that the responses to the previous Consultation Paper were generally supportive of the proposals also needs some qualification. For example, the detailed Analysis of Consultation Responses, undertaken by a Consultant on behalf of the Scottish Executive, confirmed that more Local Authorities opposed (40%) than approved (34%) of the proposal that only the four largest City Regions should prepare Structure Plans.
- 3.8 The full implications of the Scottish Executive's conclusions will take some time to implement, including actions required for primary and secondary legislation, procedures and practice. It could be at least two years before the full reforms are in place, following a Planning Bill which will not be introduced until after the Scottish

Parliamentary elections in May 2003. In the meantime it is important that further clarification is sought on various aspects of the proposals in order to ensure that this Council is in a strong position to proactively respond to the various issues arising. This will also include consideration of the results of the Cities Review and of the Getting Involved in Planning proposals (Report 314/02, Planning & Transport Policy Committee, 7 March 2002 refers) which are expected in the autumn of this year.

4 FINANCIAL IMPLICATIONS

4.1 There are no financial implications arising from this report.

5 HUMAN RIGHTS IMPLICATIONS

5.1 There are no human rights implications arising from this report.

6 CONSULTATION

6.1 The Chief Executive, Director of Finance and Director of Law & Administration have been consulted in the preparation of this report.

7 CONCLUSION

7.1 The Scottish Executive's conclusions on the Review of Strategic Planning signal some major changes, not only for development planning but also for the Planning system generally in Scotland. Together with other parallel work streams aimed at modernising the planning system, this also has implications for wider linkages, including Local Transport Strategies, Local Agenda 21, and Community Planning.

7.2 Considerable further work is required before the proposed changes can be fully implemented, including legislative requirements. However, it is clear that the Executive is committed to this course of action and will progressively require the introduction of changes some of which will have significant implications for the manner in which the Planning service is undertaken and delivered in Angus.

NOTE

No background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973, (other than any containing confidential or exempt information) were relied on to any material extent in preparing the above Report.

AA/CGR/KW
20 August 2002

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