FINANCE COMMITTEE CALL FOR EVIDENCE
REGULATORY REFORM (SCOTLAND) BILL: FINANCIAL MEMORANDUM
SUBMISSION FROM ARGYLE AND BUTE COUNCIL

Consultation
Did you take part in either of the Scottish Government consultation exercises which preceded the Bill and, if so, did you comment on the financial assumptions made?

Do you believe your comments on the financial assumptions have been accurately reflected in the FM?

Did you have sufficient time to contribute to the consultation exercise?
1. The Council responded to the original Better Regulation consultation but many of the comments related to enforcement principles although we, as a Council, were opposed to performance linked charges for planning. There was adequate time to respond to the consultation.

Costs
If the Bill has any financial implications for your organisation, do you believe that these have been accurately reflected in the FM? If not, please provide details?

Do you consider that the estimated costs and savings set out in the FM and projected over 15 years for each service are reasonable and accurate?

If relevant, are you content that your organisation can meet the financial costs associated with the Bill which your organisation will incur? If not, how do you think these costs should be met?

Does the FM accurately reflect the margins of uncertainty associated with the estimates and the timescales over which such costs would be expected to arise?
2. The financial memorandum refers to nominal set up costs and that these should be cost neutral as a result of them being absorbed into existing workstreams. These ancillary costs relate to staff training, amendments to enforcement policies and possible IT costs associated with changes to reporting. The extent to which they can absorbed will only become clear over time. Within the overall quantum of local government costs and funding the amounts subject to consideration in the financial memorandum are marginal but in a period of significant financial challenge any additional costs which cannot be offset will simply create a budgetary pressure or increase the amounts a service or organisation has to make. Local authorities have gone through a period of significant budgetary review so it is unlikely there is scope to simply absorb additional costs. Any such costs must realise efficiencies elsewhere. Whilst there may be costs to local authorities where they operate activities regulated by SEPA this can be mitigated by close working relationships between SEPA and Local Authority environmental health services.
3. The issue that concern us most relates to the proposals around planning fees. Firstly it is our view that performance gauged on the Planning Performance Framework (PPF) not just ‘speed of determination’ statistics. It is also of concern that the implied reduction in fees will lead to performance improvement as this is not evidenced by experience in England where scrapping of the ‘Planning Delivery Grant’ in England and resulting penalisation of poorly performing local authorities led to higher staff turnover, negative perception and a continuous cycle of decline in many scenarios rather than the improvements anticipated from the Bill. As yet there is still no detail of what constitutes ‘poor performance’ or clarity when such a clause would be enacted. Planning performance is qualitative not just quantitative so care must be taken to ensure fair comparison is made between authorities – rural nature, geography (Islands), type of applications dealt with. Planning is also effected by the numerous external stakeholders involved in the planning process such as SNH, Transport Scotland, Historic Scotland.

Wider Issues
Do you believe that the FM reasonably captures costs associated with the Bill? If not, which other costs might be incurred and by whom?

Do you believe that there may be future costs associated with the Bill, for example through subordinate legislation? If so, is it possible to quantify these costs?

4. No comment to make on these last 2 questions.