Appendix 3: Response to the Finance and Constitution Committee Call for Written Evidence

Consultation

1. Did you take part in any consultation exercise preceding the Bill and, if so, did you comment on the financial assumptions made?


2. If applicable, do you believe your comments on the financial assumptions have been accurately reflected in the FM?

N/A

3. Did you have sufficient time to contribute to the consultation exercise?

The Council had sufficient time to contribute to the consultation exercise.

Costs

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

The Council consider that the costs for administering discretionary charging have not been included in the financial memorandum. These costs need to be also estimated to ensure that Councils are fully aware of the potential financial costs if they choose to implement discretionary costs.

5. Do you consider that the estimated costs and savings set out in the FM are reasonable and accurate?

No. Although the Council agrees that there will be savings from some of the provisions of the Planning Bill, for instance, the removal of Strategic Developments Plans, the production of the Local Development Plan within the new legislation; the removal of supplementary guidance, these will be replaced by the other requirements of the Bill or required to supplement the extra responsibilities and work Councils will require to undertake due to the loss of the Strategic Planning Authority. The Council’s views on these are set out below:
Removal of Strategic Development Plan (SDP) examination and publishing costs.

There will obviously be a saving with the removal of the statutory requirements for a SDP and their subsequent examinations. However, the majority of these costs (minus the costs of an Examination) will be required to meet the costs of a Regional Partnership and the costs associated with spatial planning, infrastructure and other related work, for example, to help to provide information to inform the next National Planning Framework (NPF). Therefore, the Council does not agree that these costs are accurate as the cost of administrating and the work of the Regional Partnerships.

More importantly, these costs do not take into account that the majority of the work that SDP Authorities undertake will be transferred to Councils i.e. the requirement to prepare an Housing Need and Demand Assessment, etc. Therefore, the costs of the removal of the SDP may lead to increased costs on the Council to undertake the work of the SDP. Therefore, the estimated savings does not take account of the staff and financial resources required in this instance.

Moving to a 10-year cycle of Local Development Planning

The costs associated with the move to a ten year development plan are incorrect.

The removal of the Main Issues Report and Monitoring Statement will save some costs, but these are to be replaced by the preparation and production of the Evidence Report and also the time and staff resources associated with the Gateway Check of the Evidence Report.

Although there is no longer a requirement to prepare development policies to meet the requirements of Scottish Planning Policy within the Local Development Plan there will be a requirement to focus on place and delivery of development which will require development/place based policies to be formulated and projects to be developed in order to take forward the delivery of the Plan. This is arguable more resource intensive especially in terms of the delivery of projects. There is also the likelihood of the involvement of the Planning Authority in the formulation of the new Scottish Planning Policy and this has staff resource implications, which has not been acknowledged. Therefore, the amount of staff resources and costs to undertake the above new requirements are likely to subsume the majority of the savings estimated by the Scottish Government and may even require additional resources.

The 10 year Development Plan period will also allow more focus on delivery and project related work. At a minimum, this will involve the same level of staff and financial resources that are currently supported by the Council. However, dependent on what is required to deliver the
Plan, additional resources and finances may be required as discussed above.

There will be savings on examination costs and staff costs associated preparing for an examination if the plan is not reviewed within the 10 year period. However, it is likely there will be a review within the 10 year period and there will be costs associated with this. There will be an associated cost with the Gateway Check which the Council is not sure has been taken account of within the financial statement.

Printing costs will be roughly the same at present potentially with minimal savings as a result of the removal of the requirement to produce a Main Issues Report, given that most authorities print the Report internally and produce minimum paper copies. Consultation costs and associated resources are also likely to be the same should there be no review within the 10 year period. However, should there be one or two reviews, printing and consultation costs may rise back to present levels resulting in no or little savings being made.

In summary, the estimated costs of the new Local Development Plan process are considered not to take into account that the majority of the savings will be subsumed into the new requirements in relation to the preparation, production and delivery of Local Development Plans.

The Planning Bill itself will not reduce the resources required to produce a Local Development Plan and deliver on it. The likely outcome is that it will increase costs due to the focus on place and delivery.

**Removal of Statutory Supplementary Guidance**

The removal of supplementary guidance will not remove costs it will just divert them to having to ensure that the detail that was contained within Supplementary Guidance documents will now be within the Local Development Plan. Therefore, the Council is of the view that these estimated costs are misleading.

6. **If applicable, are you content that your organisation can meet any financial costs that it might incur as a result of the Bill? If not, how do you think these costs should be met?**

The Council is of the view that the financial costs of implementing the new planning system could require additional resources, as detailed in the sections above. Within the climate of financial constraints, there may be substantial issues faced by the Council to be able to meet the financial costs associated with the additional resources required to implement the new Planning Bill and its Secondary Legislation.

7. **Does the FM accurately reflect the margins of uncertainty associated with the Bill's estimated costs and with the timescales over which they would be expected to arise?**
The Council is of the view, that the Financial Memorandum does not reflect the margins of uncertainty associated with the Bill’s estimated costs and with the timescales over which they would be expected to arise?

Wider Issues

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

The Council consider that the costs for administering discretionary charging have not been included in the financial memorandum. These costs need to be also estimated to ensure that Councils are fully aware of the potential financial costs of this aspect of the Planning Bill. Also no costs are identified for producing the annual Planning Performance Framework or for the assessments which will be carried out by the planning performance assessor and who will meet the cost of this post.

9. 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?

As the Planning Bill is very light on detail, the Council expect that there may be future costs when the content of Secondary legislation is known, which will provide more detail on what is expected of Councils within the new planning system. There may also be costs associated with moving towards the implementation of the new planning system and the Council is of the view that these anticipated costs should accompany the transitional arrangements.