

Local Government and Communities Committee

Planning (Scotland) Bill

Submission from Clydeplan

Clydeplan Response to the Scottish Parliament's Local Government and Communities Committee call for written evidence on the Planning (Scotland) Bill

Question 3

Do the proposals in the Bill create a sufficiently robust structure to maintain planning at a regional level following the ending of Strategic Development Plans and, if not, what needs to be done to improve regional planning?

1. Introduction

- 1.1 Clydeplan is the operating name for the Strategic Development Planning Authority for the Glasgow city region, Scotland's only metropolitan city region. It covers the eight local authorities of East Dunbartonshire, East Renfrewshire, Glasgow City, Inverclyde, North Lanarkshire, Renfrewshire, South Lanarkshire and West Dunbartonshire which represents one third of Scotland population and a third of its GVA.
- 1.2 Clydeplan would wish to respond to Question 3 as set out by the Local Government and Communities Committee.
- 1.3 Whilst Clydeplan wishes to continue to engage positively with the review of the Scottish planning system, it cannot comment on the Bill without firstly setting out the reasons why it disagrees with Section 2, the proposal to remove the statutory basis for regional land use planning. This is then followed by comment on the improvements required to support regional land use planning and related activities.

2. Planning (Scotland) Bill Section 2

- 2.1 The preference of Clydeplan is that a statutory form of spatial planning for Scotland's city regions is retained and therefore Clydeplan does not agree with Section 2 of the proposed Planning (Scotland) Bill which seeks to remove the requirement to prepare a Strategic Development Plan along with its related governance processes.
- 2.2 For over 70 years strategic planning has been central to the regeneration and economic revitalisation of the Glasgow city region through periods of significant structural economic change. The two Strategic Development Plans which have been developed and prepared by Clydeplan have been delivered on time and on budget. Both Strategic Development Plans have been robustly scrutinised through an independent examination process before final approval by Scottish

Ministers. As such they have formed a credible and effective component of the development planning system, guiding and steering Local Development Plans and decision making which reflects the success of Clydeplan's joint working ethos and the commitment of the constituent local authorities and wider stakeholders.

- 2.3 Clydeplan and its joint working process across its eight local authorities can therefore be seen as an exemplar for Scotland in how local authorities can effectively work together on strategic planning issues in support of delivering inclusive economic growth. This successful model should be enhanced as part of the Bill not potentially undermined. There could be a case for the Committee to make specific requirements for partnership working for both the Glasgow and Edinburgh city regions given their wider significance to the future economic growth of Scotland.
- 2.4 The Scottish Government's review of Strategic Development Plans in Scotland in 2014, by Kevin Murray Associates and the University of Glasgow, recognised that *"...the (Strategic Development Plan) system is still bedding in; it is not 'broken', nor is its potential yet fully optimised. A great amount has been achieved, often within very limited resources. However, much more could be achieved in terms of substance and outcomes, if some of the processes and practices could be made more effective"*. The report sets out suggestions for improving and strengthening Strategic Development Plans rather than removing them from the Development Plan hierarchy altogether.
- 2.5 In England the duty to cooperate between authorities has not been considered a sufficiently effective tool for addressing cross boundary regional issues and new measures are now being developed to enhance those duties. Meanwhile in Wales, in July 2015 the Planning (Wales) Act established a tier of regional planning making provision for the production of Strategic Development Plans, to tackle larger-than-local cross-boundary issues, such as housing supply and areas for economic growth and regeneration) for Cardiff, Swansea and the A55 corridor. The approach currently being taken by the Welsh Government is that based on the model of the Strategic Development Plan processes that currently exists in Scotland.
- 2.6 To remove Strategic Development Plans in Scotland would run counter to the prevailing best practice in planning internationally, particularly in Europe, where there has been a shift to planning at the scale of integrated functional regions reflecting housing markets, travel to work and economic catchments areas, in pursuit of the ambition to delivering sustainable economic growth.
- 2.7 Removing the statutory regional planning function from the existing local authority Joint Committee arrangements will place the responsibility for the identification allocation of regional uses and activities primarily in the hands of the lead Minister which may be perceived as Scottish Government centralisation and undermine the collaborative localised partnerships that have been working successfully up until now.

3. Improving Regional Planning

- 3.1 The Independent Panel undertaking the review of planning recommended that Strategic Development Planning is “repurposed”, and whilst this is supported, the more substantive point is that the all levels of the development planning system and related activities require to be “repurposed”, be it national, regional and local. To simply delete the existing tier of regional planning with little justification, without any clearly defined alternative and without considering the potential for adapting and improving on what already exists, seems ill considered.
- 3.2 An alternative approach would be to enhance and build upon the existing Strategic Development Plan processes taking advantage of their established governance and joint working structures. These existing structures and the role of the organisation, could be adapted to enable a greater focus on delivery and infrastructure to be developed.
- 3.3 The review of Strategic Development Planning undertaken in 2014, was a comprehensive and specific review undertaken by Kevin Murray Associates and the University of Glasgow with detailed and considered conclusions around how strategic planning could be improved. This work is commended to the scrutiny process and elements of the conclusions of that research are reflected in the following comments on how regional planning could be improved.

4. Retaining and Improving Existing Arrangements

- 4.1 It is agreed that change and improvement at all tiers of development planning is required, particularly to focus on delivery. This could, in part, be achieved by retaining and building upon the existing statutory Strategic Development Plan processes.
- 4.2 Alternative arrangements that have not been explored include moving to a 10 year preparation cycle to align with Local Development Plan and National Planning Framework preparation. This would have the benefit of both retaining the established joint working structures and practices in support of the preparation of the Strategic Development Plan and enhancing them around a focus on delivery.
- 4.3 Potential other improvements to existing regional planning arrangements, including the duties, powers and resources required are covered within the following.

5. Improving Regional Collaboration

- 5.1 The Bill proposes a new flexible duty for regional collaboration by two or more planning authorities to assist Scottish Ministers in preparing the National Planning Framework. This regional collaboration between the local authorities and the National Planning Framework currently exists within the existing established Strategic Development Plan processes.

5.2 If it is intended that regional collaboration goes beyond just what is proposed in terms of the Planning (Scotland) Bill into areas such as transport, education and skills and enterprise the new regional partnerships will require a clarity around their purpose, role and responsibilities, governance, accountability, and resourcing to ensure effective activities and democratic accountability. The experience, skills and resources of regional bodies such as Clydeplan with their established joint working processes around strategic planning should be seen as asset to any future regional partnership and this should be supported by the Planning (Scotland) Bill.

5.3 In this context there is the potential for a wide range of partners and partnerships. To ensure an effective role in supporting strategy development, delivery at a city region level and the development of an enhanced National Planning Framework, any form of regional partnership collaboration will require to be established with the following:

- a clear statutory duty placed upon local authorities to work together to consider matters they deem to be relevant in support of the Purpose of the Scottish Government and the National Planning Framework;
- a formal duty to co-operate on other public bodies in support of the work of the regional partnership;
- a clearly defined geography;
- a clear role and remit; and,
- a single governance structure with associated supporting dedicated resources.

5.4 The above are characteristics of regional partnerships that are currently established in statute including regional transport partnerships and marine planning partnerships. The Policy Memorandum states that strategic planning is essential and that removal of the mandatory detailed processes “*will leave planning better placed to actively engage with its wider context*”. However with no clarity around how that is to be achieved, and given the resource constrained times in which public services operate, some statutory prescription along with the ability to develop locally distinctive regional arrangements, would be more likely to result in the development of effective regional partnerships.

5.5 An appropriate duty might be a requirement on the local authorities to submit a joint proposal to establish a regional partnership along with a clear geography, structure and remit to be considered and endorsed by Scottish Ministers.

6. Aligning with Wider Policy Objectives

6.1 The approach to regional working should be framed under a number of general duties and powers relevant to spatial planning including:

- contributing to the achievement of the National Outcomes as set out by the Scottish Government;
- creating well-designed and sustainable places;
- contributing to inclusive economic development;

- addressing climate change duties and act in a manner that contributes to achievement of the carbon emissions targets;
- securing environmental protection and management;
- reducing inequality; and,
- improving health and well-being.

6.2 The above duties and powers would reflect the Scottish government national outcomes and in particular consideration should be given to framing the Planning Bill under the delivery of the national outcomes, as set out in the Community Empowerment (Scotland) Act 2015, in order to encourage and support organisational alignment between planning and community planning. Indeed a key recommendation of the Kevin Murray Review was to align and integrate the Strategic Development Plan strategy and project components with the work of the respective Community Planning Partnerships and Single Outcome Agreements.

7. Improving Regional Planning Activities

7.1 Regional planning can add value through effective joint working and managing cross boundary issues, by setting out a spatial development strategy which supports inclusive economic growth whilst mitigating against adverse environmental impacts and ensuring the efficient use and development of infrastructure.

7.2 The range of activities that should be set out as specific to the regional role include:

- development of a regional land use spatial strategy which sets out regional priorities by addressing strategic planning issues in respect of housing, transport, flood risk management, climate change, and biodiversity and supporting the development of priorities for the National Planning Framework;
- ensuring alignment of regional strategies including economic, transport and land use strategies;
- supporting housing delivery;
- supporting inclusive economic growth;
- identifying strategic infrastructure interventions;
- preparing delivery plans; and,
- any other activities considered relevant to the planning of development in city regions.

7.3 The above activities should be delivery focussed, however, the extent to which the regional partnerships can have a direct influence on delivery will depend on their duties, powers and importantly resources.

7.4 There are therefore a number of areas where it is considered that regional planning requires to be enhanced in support of the collaborative approach envisaged by the Planning (Scotland) Bill, namely:

- streamlining the approach to housing assessment;

- integration of the National Planning Framework/Strategic Development Plan and National Transport Strategy/Regional Transport Strategy into a single national/regional strategy;
- integration of regional land use and transport planning which together should become the land use expression of city region economic strategies;
- development of an effective approach to delivery at the regional scale, including importantly infrastructure delivery, which will involve resourcing (ideally through direct funding), as well as duties and/or powers to influence the activities of infrastructure providers as required;
- building greater capacity, awareness and more effective behaviours in strategic planning particularly at the local authority political and corporate level as well as amongst professional leaders and the wider stakeholder community; and,
- boosting the existing skilled regional planning cohort which has seen the pool of skilled regional planning practitioners significantly diminished since the inception of the independent review panel process began over 2 years ago.

7.5 Additionally in support of any change to the planning system other public bodies and the Key Agencies will also require to have a duty to assist in any new process.

8 Resourcing Regional Planning

8.1 Previously the Strategic Development Plan Authorities have been resourced to prepare a Plan which of course does not in itself result in the focus on delivery and infrastructure sought by the planning review. For more effective delivery focussed regional planning, consideration must be given to the duties, powers and resources required.

8.2 The level of human resources available to the four SDPA's has significantly reduced since the commencement of the Planning Review, from 15 professional planners to a resource today of 7. Budgets are related directly to the salaries and related resources required to support the key activity of preparing the Strategic Development Plan itself. The current Strategic Development Plan process has no duties, powers or resources for direct delivery activities. The Kevin Murray Associates Review in 2014 concluded that *"Without the necessary resourcing, we expect that SDPAs will find it difficult to produce plans that will be properly fit for purpose."*, and they recommended that the Scottish Government should consider the scope to provide an extra level of resource.

8.3 The skills required are also an issue for national and local development planning, as the agenda requires a movement away from plan making, thus freeing up time and resources to focus on delivery and infrastructure activities. Whilst this is wholly supported, there is an emerging requirement for the development of behaviours and activities within multi-disciplinary teams that many development planning planners currently do not have. This therefore

requires further consideration if the outcome of delivery orientated development plans and activities is to be realised.

9. Regional Partnerships Approach

- 9.1 Paragraph 36 of the Policy Memorandum to the Planning (Scotland) Bill states that robust regional and strategic planning is needed across the country and that removing the mandatory detailed processes will ensure time and cost savings for those authorities involved in the production and delivery of Strategic Development Plans and leave planning better placed to actively engage with its wider context.
- 9.2 In this context although it is not entirely clear at this stage it could reasonably be concluded that what is intended is that the regional planning role becomes a function of the emerging regional partnerships and City Deals currently being considered around the country.
- 9.3 However, the governance arrangements and activities that are emerging from these non-statutory partnerships are at a very embryonic stage in most cases. It could therefore take some time before these arrangements mature sufficiently to enable them to develop and fulfil an effective regional partnership role particularly in terms of identifying and agreeing regional spatial priorities. In the experience of Clydeplan, joint working arrangements take significant time, resource and goodwill to function effectively. Given the nature of the new approach being advocated this may significantly impact on the timeline for NPF4 which is due to be adopted in 2020.
- 9.4 Given this context it is difficult to see how the removal of the statutory regional tier of planning will assist the process of formation of effective regional partnerships. Indeed it is considered that the existing Strategic Development Planning Authorities for the four city regions could form the core of regional partnerships for land use planning rather than be disbanded. It would therefore seem more appropriate that consideration is given to utilising these existing arrangements to build upon and reinforce the emerging city region partnerships.
- 9.5 Given the now very limited pool of strategic planning experience that currently exists within the four Strategic Development Planning Authorities' dedicated teams, cost savings would likely be negligible. Indeed the proposed model for regional collaboration in terms of strategic planning would still require strategic planning expertise to contribute to both the collaborative work with Scottish Government on the National Planning Framework but also in terms of regional planning considerations within any regional partnership model.

10. Conclusion

- 10.1 Recognising the critical role city regions play in delivering inclusive economic growth by considering important cross boundary issues such as housing and transport and by creating high quality places where people wish to live, work, play and invest strategic land use planning has an important role in supporting the Purpose of the Scottish Government.

- 10.2 Clydeplan considers that the joint working model that currently exists in relation to Strategic Development Plans in support of the delivery of Scotland's development planning system at the regional scale is not broken. An opportunity exists through the new Planning (Scotland) Bill to enhance this model with additional duties, powers and resources, rather than remove it from the Development Plan hierarchy altogether.
- 10.3 Should the current model be replaced, as is proposed, then it is critical that whatever it is replaced by, recognises the important role strategic planning has to play and this role should be firmly embedded in the new Planning (Scotland) Bill as a statutory function.
- 10.4 Consequently, for the reasons set out in this paper Clydeplan considers, given its long standing and successful history of strategic planning in the West of Scotland, that what is being proposed in the Planning (Scotland) Bill is not sufficiently robust to maintain effective land use planning at the regional level.
- 10.5 We commend the suggestions contained in this submission to the Local Government and Communities Committee for its consideration and would be happy to provide further evidence if required.