

Minister for Local Government, Housing and Planning

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James Dornan MSP
Convener of the Local Government and
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Dear James

COMMON FRAMEWORKS: HAZARDOUS SUBSTANCES PLANNING

Thank you for your letter of 27 June, requesting an update on progress to date and what the intentions are for wider engagement, including with the committee and the Scottish Parliament, in developing the above framework.

General background

As you will now be aware, the Scottish Government published the framework outline simultaneously with the UK and Welsh Governments. This reflects the fact that the content of this framework outline is the outcome of joint working between the three governments, together with the NICS in the absence of the Executive, to take forward the Hazardous Substances Planning Framework.

This is one of the 24 policy areas where it was originally considered future legislation might be required, though it is now considered that this will not be the case. This framework has completed Phase 2 of the frameworks development process, and the four administrations felt that it was timely to put this outline in the public domain to increase transparency about the frameworks process and to aid understanding of what frameworks might look like.

Timings for the phased approach are indicative and intended to provide flexibility for policy teams to move through the phases at different speeds depending on the dependencies and circumstances of individual policy areas. The speed at which frameworks have progressed has been determined by a range of influences, not least the impact of no-deal planning and the continuing uncertainty about the legislative timetable.

Further work has now been undertaken to take stock of the progress made to date and to review the timeline for delivery. This review has taken into account the potential impact of the different routes for implementation, decisions that have been taken recently with regard to reviewing frameworks as they develop and the plans for stakeholder engagement discussed below. Although being managed through clear and agreed project management disciplines, in reality the development of frameworks is emerging as a complex ongoing integrated process with significant impacts and dependencies.

Progress to Date on the Hazardous Substances Common Framework

This non-legislative framework is progressing and, as mentioned above, has completed Phase 2 of the development process. A session with stakeholders successfully took place on 19th March and my policy officials are now reviewing the framework in light of the feedback received before the framework moves into the Phase 3 review process.

Officials in the Scottish Government, together with those in the UK Government and the other devolved administrations, are currently in the process of finalising a concordat. This aims to set out arrangements agreed within framework discussions between the Scottish Government, UK Government and the other devolved administrations.

Next Steps on wider engagement on the framework (i.e. phase 3 of the development process)

As the framework moves through the development process, there are plans for further technical engagement with stakeholders, including parliamentary committees, to provide more detail.

I am content with the direction of travel of the outline non-legislative framework and for further stakeholder engagement to take place without prejudice to the views of Ministers. We expect this further engagement to begin shortly which will inform and involve stakeholders in relation to the framework, allowing for their input into the development process and to increase transparency.

How the Scottish Government intends to engage meaningfully with the Scottish Parliament on the Hazardous Substances Planning Framework

The Scottish Government recognises the crucial role parliamentary scrutiny will play in the development, implementation and oversight of the framework and is committed to working with the Parliament to develop this. I do appreciate your important interest in the framework process and I hope that this letter provides you with a useful update. I will write again in relation to our intentions for further engagement shortly, and as the framework progresses Phase 3.

KEVIN STEWART