Local Government and Communities Committee
Planning (Scotland) Bill
Submission from the Freight Transport Association

Freight Transport Association

The Freight Transport Association (FTA) is one of Britain’s largest trade associations, and uniquely provides a voice for the whole of the UK’s logistics sector. Its role, on behalf of over 16,000 members, is to enhance the safety, efficiency and sustainability of freight movement across the supply chain, regardless of transport mode. FTA members operate over 200,000 goods vehicles - almost half the UK fleet - and some one million liveried vans. In addition, they consign over 90 per cent of the freight moved by rail and over 70 per cent of sea and air freight. FTA works with its members to influence transport policy and decisions taken at local, national and European level to ensure they recognise the needs of industry’s supply chains.

Introduction – Planning and Freight

It is important that any review of a planning system takes account of the needs of freight movement and understands how it fits into and supports the supply chain and trading patterns of the nation.

What freight needs is a planning system that:

a. Has an “infrastructure first” approach that puts a presumption in favour of infrastructure development to underpin and support economic growth
b. Builds in statutory protection for industrial land use from encroachment by housing development and associated restrictions on hours or times of operation: also noise and other environmental mitigation measures for these new residents need to be paid for by the residential developer, not the incumbent freight operator
c. Protects currently un-used brownfield sites for future freight use: a strategic list of these sites needs to be drawn up and protected

It is important that this is delivered so as to facilitate freight in supporting Scottish economic growth.

Connectivity and planning

Scotland is a net exporter competing in European and global markets. A huge proportion of the goods leaving Scotland for non-UK destinations are moved by ships and aircraft which leave from England. The most significant airport for the Scottish supply chain is Heathrow, and the most significant ports are the English southern ports (Felixstowe, London Gateway, Southampton and Dover). It is important that Government understands this relationship and the trend in international shipping and aviation to hub out of key central locations in northern Europe. With Scotland geographically too far north to be a main shipping port of call, it is therefore reliant on
quality road and rail links to these hubs. Improving Scotland’s international supply chain is not exclusively about airports and ports in Scotland. This is equally true of the need for high quality road and rail links cross border to link to these gateway ports and crucially, the Scottish terminal facilities that service them.

1. **Do you think the Bill, taken as a whole, will produce a planning system for Scotland that balances the need to secure the appropriate development with the views of communities and protection of the built and natural environment?**

   While as a trade association dealing with freight transport it is not necessarily for us to comment on the detail of the mechanisms of the system, we can comment on the desired outputs from a freight perspective. Freight capital investment generally has a long pay-back period on investment, and while shorter for road freight (five to ten years) it can typically be ten years for railway infrastructure investment or wagons and up to thirty for locomotives. It is therefore essential that the planning system can accommodate these investment timescales and the planning review takes into account of the needs of freight. This will allow those shipping and transporting freight to make cost effective environmentally sound modal choices.

2. **To what extent will the proposals in the Bill result in higher levels of new house building? If not, what changes could be made to help further increase house building?**

   This is not an issue within the direct competence of FTA.

3. **Do the proposals in 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?**

   Local planning concerns are, of course, important but should not prevent the development of much-needed nationally significant infrastructure. This can be the case with many developments of importance to the supply chain in general, and road and rail freight in particular. Plans to develop road - rail freight interchanges or port developments are rarely popular locally; however, they bring huge national economic and environmental benefits. FTA urges Government when considering changes to the planning system to balance the concerns of local residents with the need to develop national infrastructure of an international quality. While not expert on the technical mechanisms of planning we would ask that such can deliver against these objectives.

4. **Will the changes in the Bill to the content and process for producing Local Development Plans achieve the aims of creating plans that are focussed on delivery, complement other local authority priorities and meet the needs of developers and communities? If not, what other changes would you like to see introduced?**

   Any review of the future role and function of Strategic Development Planning Authorities must address the national versus local issues outlined above in
regard to freight spatial developments of terminals or facility connections to national or local networks. Issues such as existing freight facilities that are encroached upon by housing schemes and protecting for example currently unused railway or industrial land for freight purposes is required in order that specific freight considerations can be explored.

5. **Would Simplified Development Zones balance the need to enable development with enough safeguards for community and environmental interests?**

The planning horizon needs to look at least ten years hence to account for capital investment pay-back periods in freight as described above.

An “infrastructure first” approach needs to be embedded with a presumption in favour of infrastructure development. This is particularly important in regard to issues with housing development that may encroach railway land and operations.

Again, issues such as existing freight facilities that are encroached upon by housing schemes and protecting for example currently unused railway or industrial land for freight purposes is required in order that specific freight considerations can be explored.

6. **Does the Bill provide more effective avenues for community involvement in the development of plans and decisions that affect their area? Will the proposed Local Place Plans enable communities to influence local development plans and does the Bill ensure adequate financial and technical support for community bodies wishing to develop local place plans? If not, what more needs to be done?**

This is not an issue within the direct competence of FTA.

7. **Will the proposed changes to enforcement (such as increased level of fines and recovery of expenses) promote better compliance with planning control and, if not, how these could provisions be improved?**

This is not an issue within the direct competence of FTA.

8. **Is the proposed Infrastructure Levy the best way to secure investment in new infrastructure from developers, how might it impact on levels of development? Are there any other ways (to the proposed Levy) that could raise funds for infrastructure provision in order to provide services and amenities to support land development? Are there lessons that can be learned from the Infrastructure Levy as it operates in England?**

Experience of Section 106 agreements as a means of requiring and securing developer funding contributions has not proved to be a wholly satisfactory method of securing necessary road or rail freight infrastructure upgrades. This is because the money is not certain till certain trigger points are met in the developer permission and therefore the infrastructure investment comes second
in the process rather than being the focus of a Government funded investment. Section 106 is an inevitably legal process that is subject to contractual trigger points regarding traffic growth and when the infrastructure investment has to be paid for by the developer, as well as clauses that break the obligation if certain circumstances pertain. Experience of this with Felixstowe is cited in rail freight circles for example as evidence of this.

Consideration also then needs to be given as to how to protect the developer’s investment in such infrastructure upgrades, so that their traffic gets to use the upgraded infrastructure that they have paid for, so for example rail freight paths are reserved for the developer’s traffic and not available to other freight users. “Access Options” designed to address this have never proven wholly satisfactory, because it cuts across the normal track access policy and reserves a “quantum” of access for the party holding the option. It can therefore work against the overall efficient use of the network which is normally available to all. The use of an Access Option for Crossrail on the lines out of Paddington proved contentious for freight for the reasons stated above.

9. **Do you support the requirement for local government councillors to be trained in planning matters prior to becoming involved in planning decision making? If not, why not?**

While this is not an issue within the direct competence of FTA, this would appear to make logical sense. However, it is important that the planning needs of freight are included in such training.

10. **Will the proposals in the Bill aimed at monitoring and improving the performance of planning authorities help drive performance improvements?**

This is not an issue within the direct competence of FTA.

11. **Will the changes in the Bill to enable flexibility in the fees charged by councils and the Scottish Government (such as charging for or waiving fees for some services) provide enough funding for local authority planning departments to deliver the high –performing planning system the Scottish Government wants? If not, what needs to change?**

This is not an issue within the direct competence of FTA.

12. **Are there any other comments you would like to make about the Bill?**

Scotland’s supply chains service its economy and help it compete in wider UK, European and global markets too. It is vital that planning policies in Scotland recognise this and support the work of the freight and logistics sector in its key role of delivering an efficient and competitive supply chain for Scotland that assists Scottish economic development and individual living standards.

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