

Glasgow and the Clyde Valley Strategic Development Planning Authority

**To: Glasgow and the Clyde Valley Strategic Development Planning Authority
Joint Committee**

On: 9th September 2019

**Report by
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Planning (Scotland) Act 2019

1. Summary

- 1.1 The purpose of this report is to update the Joint Committee on the Planning (Scotland) Act and the implications for the role and work of Clydeplan.

2. Recommendation

- 2.1 It is recommended that the Joint Committee:
- note the enactment of the Planning (Scotland) Act and the new statutory duty to prepare a Regional Spatial Strategy; and,
 - consider the potential implications of the Planning (Scotland) Act on the Joint Committee's future governance.

3. Planning (Scotland) Act 2019 and Regional Spatial Strategies

- 3.1 Since the last meeting of the Joint Committee in June, and after 3 years and 10 months since the appointment of the independent planning review panel, the Planning (Scotland) Bill become an Act on 25th July 2019, <http://www.legislation.gov.uk/asp/2019/13/contents/enacted>.
- 3.2 The Act removes the statutory requirement to prepare a Strategic Development Plan and replaces it with a duty which states that '*a planning authority, or two or more such authorities acting jointly, are to prepare and adopt a regional spatial strategy*'. The Act further states that both the National Planning Framework and Local Development Plans require to '*have regard*' to such a strategy.
- 3.3 Unlike Strategic Development Plans, Regional Spatial Strategies will not form part of the statutory development planning system for Scotland nor will they be subject to any formal examination process.
- 3.4 The first Regional Spatial Strategies are to be adopted '*as soon as reasonably practicable*' after the Regional Spatial Strategies section of the Act comes into force. Thereafter they must be reviewed at least once every 10 years.

- 3.5 Under the terms of the Act, a Regional Spatial Strategy is defined as ‘a long term spatial strategy in respect of strategic development of an area’ which must, in particular:
- (a) specify the area (or areas) of the planning authority (or authorities) to which it relates (“the region”); and,
 - (b) identify, in relation to the region:
 - (i) the need for strategic development,
 - (ii) the outcomes to which the authority (or authorities) consider that strategic development will contribute,
 - (iii) priorities for the delivery of strategic development, and
 - (iv) proposed locations for strategic development, which must be shown in the strategy in the form of a map or diagram.
- 3.6 The consultation requirements are similar to the requirements for the preparation of SDPs and LDPs, but not as specific or prescriptive in terms of details such as timescales and publication requirements.
- 3.7 Before adopting a regional spatial strategy, a planning authority must
- (a) publish, by such means as they consider appropriate:
 - (i) a draft of the strategy,
 - (ii) a summary of the information taken into account in preparing the draft of the strategy, and
 - (iii) a statement inviting representations in relation to the strategy by a date specified in the statement,
 - (b) as soon as practicable after publishing the documents send a copy of them to:
 - (i) the planning authority (other than one involved in producing the report) for any area in which future development is likely to be significantly impacted by the strategic development to which the strategy is to relate,
 - (ii) the key agencies, and
 - (iii) any other person the planning authority (or authorities) producing the strategy consider appropriate, and
 - (c) otherwise, consult such persons as they consider are likely to have an interest in the strategy.
- 3.8 As soon as practicable after a strategy is adopted, the planning authority must publish the strategy by such means as they consider appropriate, and submit it to the Scottish Ministers.
- 3.9 In a Glasgow City Region context, the future Regional Spatial Strategy for the city region will be the spatial expression of its Regional Economic Strategy, currently being refreshed for publication later this year.

- 3.10 On the 29th July 2019 the Chief Planner published an open letter which stated that the Scottish Government is currently looking at the regulations, guidance etc. needed to bring the Act into effect, and that they aim to publish a related work programme in September <https://www.gov.scot/publications/current-workstreams-chief-planner-letter-2/>.
- 3.11 It is hoped that within that work programme, priority will be given to the publication of guidance on Regional Spatial Strategies and also in relation to any regional evidence that may be required for NPF4 purposes. The SDP Manager has offered the support of Clydeplan in the development of such guidance and the Scottish Government's work programme in general.

4. National Planning Framework

- 4.1 The Scottish Government has stated that the NPF will be developed on a 'co-production' basis and in this context the Chief Planner has written to all the Local Authority Chief Executives in Scotland seeking a nomination of a 'lead contact' from each grouping of local authorities who will be preparing the Regional Spatial Strategy with whom they can initially liaise. In this context the Clydeplan Steering Group as indicated that for the Glasgow City Region the lead contact should be Clydeplan. This matter was considered at a meeting of the Glasgow City Region Chief Executives Group to be held on 29th August.
- 4.2 The Scottish Government has organised a joint event with economic and transport interests to be held on 2nd October to discuss regional spatial planning and Clydeplan will be in attendance.

5. Early Considerations

- 5.1 In the context of the development of the first Glasgow City Region Regional Spatial Strategy and in the absence of guidance on their content and preparation, the SDP Manager has initiated early engagement with a number key organisations including SEPA, SNH, Transport Scotland, Scottish Enterprise, Homes for Scotland, Network Rail and Sustrans along with representatives from the legal and consultancy sector.
- 5.2 Other meetings to be arranged include Historic Environment Scotland, Scottish Government's' Key Agencies Group, Glasgow and the Clyde Valley Green Network, Scottish Forestry, Climate Ready Clyde and Strathclyde Partnership for Transport.
- 5.3 From these initial discussions there has been strong support expressed for the previous work and approach of Clydeplan and the need for its organisational joint working ethos to continue.
- 5.4 Common themes emerging from these discussions include frustrations about a number of matters including: the lack of clarity about the role of Regional Spatial Strategies as they will not part of the statutory development plan system; the lack of formal examination as part of its processes; and the lack of clarity of the Scottish Government's technical and policy approach to housing in the NPF.
- 5.5 However despite these frustrations discussions have highlighted that any future Regional Spatial Strategy should have a strong focus on placemaking, climate change and the setting of agreed priorities particularly in relation to infrastructure.

- 5.6 Following the Scottish Government session on 2nd October, Clydeplan will be organising a facilitated workshop session on regional spatial strategies/NPF, along with Steering Group. This session will seek to a) consider the objectives/themes/issues/priorities etc. for the first Glasgow City Region Regional Spatial Strategy and b) help shape future guidance and regulations in relation to regional spatial planning. The outcomes of this session will be presented to a future meeting of the Joint Committee.

6. Joint Committee

- 6.1 Now that the statutory duty to produce a Strategic Development Plan, along with its associated processes has been replaced, there are a number of issues which require to be considered particularly in relation to the future governance of the Joint Committee.
- 6.2 The preparation of the Strategic Development Plan is currently governed under a model of a formal Joint Committee supported by a dedicated Core Team whose work programme is overseen by a Steering Group of senior officers.
- 6.3 The Joint Committee has been regularly briefed on the potential implications of the Planning (Scotland) Act and at all times has expressed its strong support for the continuation of regional spatial planning in the Glasgow City Region. More recently the Joint Committee has expressed an interest in retaining an involvement in the development of the first regional spatial strategy.
- 6.4 In this regard future governance options are currently being assessed in the context of the emerging Glasgow City Region structures and in consultation with the Clydeplan Steering Group, the Chair of the Land Use Group (Chief Executive, East Dunbartonshire Council) and the Director of Regional Economic Growth. Once these options have been reviewed they will be reported back to the Joint Committee for consideration.