

REPORT TO: PLANNING & TRANSPORT COMMITTEE - 22 OCTOBER 2007

**REPORT ON: STRATEGIC DEVELOPMENT PLANNING AUTHORITIES:
DESIGNATION ORDERS AND STATUTORY GUIDANCE -
CONSULTATION PAPER BY THE SCOTTISH EXECUTIVE
JULY 2007**

REPORT BY: DIRECTOR OF PLANNING & TRANSPORTATION

REPORT NO: 497-2007

1 PURPOSE OF REPORT

1.1 To present Dundee City Council's comments on the Scottish Government's Consultation Paper on proposals for the new Strategic Development Planning Authorities.

2 RECOMMENDATION

2.1 It is recommended that the Committee

- a Agrees to forward the comments contained in Appendix I of this Report to the Scottish Government in response to its Consultation Paper.
- b Agrees that these comments may be made public as part of the Scottish Government's Report on Responses to Consultation Paper.

3 FINANCIAL IMPLICATIONS

3.1 There are no direct financial implications from this report. The eventual creation of a Strategic Development Plan Authority for Dundee City Region will, however, have significant financial implications.

4 BACKGROUND

4.1 Previous Committee Reports have commented on the provisions of the White Paper on 'Modernising the Planning System' (504/2005), the Planning (Scotland) Bill 2005 (07/2006) and the Formal Dissolution of the Dundee and Angus Structure Plan Panel (188/2007). The latter indicated that more detailed information would be forthcoming on the proposed operation of the new system.

4.2 The Planning etc. (Scotland) Act 2006 now confirms the Scottish Government's new system of Development Plans for Scotland to replace the current Structure and Local Plan system. Strategic Planning will be restricted to the four main 'City Region' areas around Glasgow, Edinburgh, Dundee and Aberdeen. This Consultation Paper presents the details of how it is anticipated that this will operate in terms of boundaries, governance and professional and administrative support.

4.3 The period for Consultation on the Paper runs to 26 October 2007 and there are six specific questions in the paper which are addressed directly in Appendix I of this Report. Nevertheless the following comments are made with regard to the general provisions of the paper.

- 4.4 The Consultation Paper proposes that political leadership of the Strategic Development Planning Authority be by a joint committee of equal numbers of elected members from the constituent planning authorities. It recommends that 2 councillors from each authority may be appropriate, but that this may be increased where the SDPA is made up of a small number of planning authorities.
- 4.5 Dundee City Council previously agreed that the appropriate number of councillors for a Dundee City SDPA would be 3 from each authority (Report 188/2007, para 6.6 refers) and it is proposed that this remain the same.
- 4.6 The Consultation Paper, however, again puts forward the proposal that this committee be serviced by a small dedicated team of officers (Consultation Paper paras 9 & 14 – 16). Dundee City Council has previously commented that these arrangements should be more flexible.
- 4.7 It is recognised that the 2006 Act requires that a 'Strategic Development Plan Manager' be appointed and that Member Authorities must assign appropriate staff to assist in the plan preparation process. It is felt, however, that the details of these arrangements should be discretionary so that each authority can modify structures appropriately to suit their individual circumstances.
- 4.8 Apart from these concerns the remaining provisions contained in the guidance would appear to be generally satisfactory and in line with expectations of how the new system would operate from previous consultation documents.
- 4.9 It is therefore proposed that the Council proceed with preparations for the implementation of the new system in 2008 as previously outlined in Report 188/2007 and that the answers to the specific questions posed in the consultation area as set out in Appendix 1 be forwarded to the Scottish Government as this Authority's formal response.
- 4.10 On a number of these questions there is already a consensus between the Authorities regarding the proposed response to the Scottish Government and it is intended to prepare a summary paper of these areas of agreement for a separate submission as it is felt that these will carry more weight with the Scottish Government as a combined response.

5 POLICY IMPLICATIONS

- 5.1 This Report has been screened for any policy implications in respect of Sustainability, Strategy Environmental Assessment, Anti-Poverty and Equality Impact Assessment.

5.2 Sustainability

Strategic Land Use Planning is fundamental to the aims of Sustainability Policy and the proposed Strategic Development Plan Authority will contribute directly and substantially to the achievement of all such aims both within Dundee City Region and beyond.

5.3 Strategic Environmental Assessment (SEA)

Any future Strategic Development Plan for Dundee City Region will be required to fulfil all the requirements of SEA.

5.4 Anti Poverty

A Strategic Development Plan will contribute positively to the Council's Anti-Poverty Strategy by positively encouraging economic growth within the City Region.

5.5 Equality Impact Assessment

No Equality Issues are associated with this report.

6 CONCLUSIONS

6.1 The provisions of the Planning etc. (Scotland) Act 2006 introduce a new system of development planning in Scotland.

6.2 With a minor exception, Dundee City is generally supportive of the proposed arrangements as contained in the Consultation Paper.

6.3 In the circumstances it is therefore proposed that Dundee City Council, in partnership with the other constituent authorities of the proposed new Strategic Development Plan Authority for Dundee City Region, proceed with the necessary preparatory work in anticipation of the appropriate legislation in 2008.

6.4 A Report in similar terms will be put before Angus, Fife and Perth & Kinross Councils for approval.

7 CONSULTATIONS

7.1 The Chief Executive, Depute Chief Executive (Support Services), Depute Chief Executive (Finance) and Assistant Chief Executive (Community Planning) have been consulted and are in agreement with the contents of this report.

8 BACKGROUND PAPERS

Making Development Plans Deliver: A Consultation Paper Scottish Executive, April 2004
Modernising the Planning System, Scottish Executive, June 2005
Planning etc. (Scotland) Act 2006
Strategic Development Planning Authorities: Designation Orders and Statutory Guidance – Consultation Paper July 2007

Mike Galloway
Director of Planning & Transportation

Ian Mudie
Head of Planning

IGSM/IJ/ES
Dundee City Council
Tayside House
Dundee

10 October 2007

APPENDIX I**QUESTIONS FROM THE CONSULTATION PAPER**

Q1 Do you support the proposed membership of the Strategic Development Planning Authorities and if not, why not?

A1 Yes, it is felt that the Authorities identified adequately represent the areas where cross boundary and strategic issues exist.

Q2 Do you have any concerns about the proposed arrangements for joint committees?

A2 No, the arrangements for joint committees would appear to be appropriate and flexible enough to accommodate individual circumstances.

Q3 Do you have any concerns about the proposed arrangements for the effective establishment of dedicated teams?

A3 In previous comments on consultations Dundee City Council has indicated that, while it is generally supportive of the proposals for modernisation, it had some reservations with respect to the establishment of a dedicated Strategic Planning Team. It is not considered that this is necessary in every case and that a more flexible approach may be appropriate in some instances (Report 504/2005, paras 6.6-6.7 refers).

The Consultation Paper, however, again puts forward this proposal (paras 9 & 14-16) in order to service the Joint Committee of members from each of the authorities that is proposed for political leadership. It is recognised that the 2006 Act requires that a 'Strategic Development Plan Manager' be appointed and that Member Authorities must assign appropriate staff to assist in the plan preparation process. It is felt, however, that the details of these arrangements should be kept flexible so that each authority can modify structures appropriately to suit their individual circumstances.

Q4 What issues do you anticipate in agreeing plan boundaries?

A4 The issues relating to agreeing suitable boundaries are varied and complex and for that reason Dundee City Council is in agreement with the advice set out in the Consultation Paper in this respect, in particular;

- Plans deal with genuinely cross-boundary issues
- Proposed boundaries must allow the SDPA to effectively address these issues.
- Widely drawn boundaries are preferable and more practical than tightly drawn boundaries.
- Wide boundaries may cover areas not affected by or having an influence on cross boundary issues.

- The absence of cross boundary issues in one part of an area does not necessarily mean that the boundary should be drawn to exclude that part.

Taking these comments into account Dundee City Council supports the view that the most logical and robust boundaries are those of the existing constituent authorities. This is with the requisite exclusion of the parts of Angus within the Cairngorm National Park and the Fife area within the Edinburgh City Region Area, given that no area may be in two SDPA's.

Q5 Should funding for the SDPA be shared equally across the constituent authorities and if not, why not?

A5 Yes, any other arrangement would be likely to give rise to anomalies and complications. It is considered, however, that the resource implications will be significantly more than a straightforward 'redistribution of existing resources' as anticipated in the Consultation Paper.

Q6 What other issues would you like to see covered in the statutory guidance for SDPAs?

A6 None