

TAYSIDE AND CENTRAL SCOTLAND TRANSPORT PARTNERSHIP**23 OCTOBER 2007****CONSULTATION ON STRATEGIC DEVELOPMENT PLANNING
AUTHORITIES : DESIGNATION ORDERS AND STATUTORY GUIDANCE****Report by Director**

This report seeks the Partnership Board's approval of a proposed response to a consultation on Strategic Development Planning Authorities: Designation Orders and Statutory Guidance.

1 RECOMMENDATION

- 1.1 That the draft response set out in the Appendix, amended as necessary to reflect comments by the Partnership Board, is submitted as TACTRAN's response to the consultation on Strategic Development Planning Authorities: Designation Orders and Statutory Guidance.

2 DISCUSSION

- 2.1 At its meeting on 21 August 2007 the Partnership Board noted the publication of a Scottish Government consultation on Strategic Development Planning Authorities: Designation Orders and Statutory Guidance (Report RTP/07/30 refers). The consultation document can be viewed or downloaded at Scottish Government's website www.scotland.gov.uk/Consultations/current. The deadline for responses is 26 October 2007.
- 2.2 The consultation sets out proposals for creating four Strategic Development Planning Authorities (SDPAs) or "City Regions" around Dundee, Edinburgh, Glasgow and Aberdeen. Within these areas Structure Plans will be replaced by Strategic Development Plans (SDPs), under the Planning etc (Scotland) Act 2006. SDPs are intended to be "high level" strategic documents. Within SDPA areas, Local Development Plans (LDPs) will support the SDP by providing detailed policies and guidance on Development Management. Outwith SDPA areas, LDPs will provide the sole Development Plan for these areas.
- 2.3 The consultation specifically seeks responses on the proposed membership of SDPAs; arrangements for establishing Joint SDPA Committees and dedicated teams of officials to service these Committees; proposed Plan boundaries; funding of SDPAs; and any other issues which consultees consider Statutory Guidance should cover. Main issues raised by the consultation are highlighted below. A draft response addressing these and 6 specific questions set out in the consultation document is set out in the Appendix.
- 2.4 One "City Region" grouping of authorities covers Angus, Dundee City, Perth & Kinross and Fife. Stirling Council does not fall within any proposed SDPA area. Fife is also included within another grouping covering Edinburgh City, the Lothians and Scottish Borders. The Act states that no area will be

covered by more than one SDP, raising questions as to how Fife will be addressed in terms of both the “Dundee City Region” and “Edinburgh City Region” SDPs.

- 2.5 The exact SDP area boundaries are to be for SDPA authorities to agree and submit proposals to Ministers. These boundaries can include all or part of the specified authorities. In the interests of maximising consistency of boundaries with strategic transport planning regions, it is desirable that the “Dundee City Region” should include all of Angus (excluding the Cairngorms National Park area, which is excluded under the Act), Dundee City and Perth & Kinross plus the travel to work area of north and north east Fife.
- 2.6 The proposed SDP Governance arrangements indicate a 5-yearly review cycle, which is out of step with the statutory 4-yearly review cycle for Regional Transport Strategies. SDPAs will be governed by Joint Committees who will oversee the development and implementation of the SDP. It is recommended that these Joint Committees include 2 Councillor Members from each authority. In the interests of ensuring close integration of strategic land use and transport planning, it is considered that the Guidance should be strengthened to include statutory consultation/liaison relationships between the SDP Joint Committees and RTPs.
- 2.7 The Guidance promotes the concept of dedicated teams of officials to service the Joint Committee, under the general direction of an SDP Manager. It is understood that the “Dundee City Region” Councils are considering the appointment of an SDP Manager, supported by a jointly resourced team, rather than a dedicated team. Whatever the eventual arrangements locally, it is essential that there is close liaison between the Joint SDP Committee and its support staff and TACTRAN, preferably reinforced by a statutory joint working duty as indicated above.
- 2.8 The Partnership Board is invited to approve or amend the Draft response set out in the Appendix, for submission to Scottish Government by their deadline of 26 October 2007.

3 CONSULTATIONS

- 3.1 The report has been prepared in consultation with the Chief Officers Liaison Group, who are in agreement with the proposed response.

4 RESOURCE IMPLICATIONS

- 4.1 This report has no direct resource implications.

Eric Guthrie
Director

For further information email ericguthrie@pkc.gov.uk or tel. 01738 476544

NOTE

The following background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (and not containing confidential or exempt information) were relied on to a material extent in preparing the above Report; (list papers concerned).

Strategic Development Planning Authorities: Designation Orders and Statutory Guidance Consultation by Scottish Executive – July 2007

APPENDIX

Rosie Leven
Scottish Government
Planning Division
Victoria Quay
EDINBURGH
EH66 6QQ

Dear Ms Leven,

STRATEGIC DEVELOPMENT PLANNING AUTHORITIES : DESIGNATION ORDERS AND STATUTORY GUIDANCE – CONSULTATION PAPER

The above consultation was considered by the Tayside and Central Scotland Transport Partnership at its meeting on 23 October 2007, at which time the Partnership agreed to submit the following comments.

General Comments

TACTRAN lies at the heart of the Scottish transport network and includes, or has borders with, all four of the proposed SDPAs. The need for improved and effective integration of transportation and land use planning is a major theme within the TACTRAN Regional Transport Strategy and the National Transport Strategy. These crucial policy linkages are also reinforced in various Planning Policy and Guidance documents, including SPP17 and PAN75 Planning for Transport.

In order to encourage and support improved integration between strategic land use and transport policy/planning, the Orders and/or Statutory Guidance should establish a statutory duty on SDPAs and Regional Transport Partnerships (RTPs) to cooperate and have respect to SDPs and Regional Transport Strategies (RTSs) as complementary, statutory strategic transport policy and delivery plans. This would be consistent with a similar existing duty placed on RTPs and Health Boards to cooperate on matters affecting transport and accessibility.

Question 1: Do you support the proposed membership of the Strategic Development Planning Authorities and if not, why not?

Answer: The proposed grouping of Angus Council, Dundee City Council and Perth & Kinross Council in the same SDPA is fully supported. The inclusion of part of Fife in this grouping, as an area containing a significant travel to work population, and part of the catchment for access to Health, Education and other regional services and facilities, is also supported. See also answer to question 4 on Plan boundaries below.

Question 2: Do you have any concerns about the proposed arrangements for Joint Committees?

Answer: It is noted that the proposed membership of Joint Committees will be 2 Councillors per authority, which is at variance with the arrangements for Councillor representation on RTP Boards, which are similar bodies.

The Guidance on membership and servicing of Joint Committees should provide for specific involvement of RTP Lead Officers as statutory Advisers on the Joint Committees, with a similar role for SDP Managers on RTP Boards.

In terms of Governance, the proposed 5-yearly review cycle for SDPs is at odds with the statutory 4-yearly review period for RTSs, creating the potential for major review of related statutory documents becoming increasingly out of step through time. In

line with comments above, on the need for close integration of policy planning, it is suggested that similar review cycles are adopted for statutory regional land use and transport plans.

Question 3: Do you have any concerns about the proposed arrangements for the effective establishment of dedicated teams?

Answer: The need for, and establishment of, dedicated teams is primarily a matter for constituent authorities to agree in light of local needs and circumstances. If a dedicated team is created, the Guidance preference for a neutral location highlights an opportunity which exists to co-locate these with dedicated RTP teams, who are already in neutral locations, with the added potential benefit of shared and more efficient joint working.

The appointment of a dedicated SDP Manager is supported. The Guidance should require close operational cooperation between SDP Managers/teams and RTP teams.

Question 4: What issues do you anticipate in agreeing plan boundaries?

Answer: The proposal that SDP boundaries are determined by SDPAs is supported, subject to the comments below (see Question 6), regarding RTPs having statutory “key agency” status, in relation to SDPA engagement with “relevant interests” on this. In the interests of maximising consistency of strategic transport and land use planning geography, it is desirable that the SDP area should include the whole of Angus (excluding the CNP area), Dundee City and Perth & Kinross.

The Act prevents more than one SDP covering the same area. Fife is included in Designation Orders No. 3 (“Dundee City Region”) and No. 4 (“Edinburgh City Region”). There are significant travel to work, access to regional Health, Education and other catchment relationships, which support north Fife being included in the same SDP area as Dundee City and Perth & Kinross.

Question 5: Should funding for the SDPA be shared equally across the constituent authorities and if not, why not?

Answer: The funding of SDPAs is a matter for constituent authorities. However, the situation of Fife being the only authority listed in, and potentially being divided between, two SDPAs, calls into question the proposed ethos of equal contributions by all constituent authorities.

Question 6: What other issues would you like to see covered in the statutory guidance for SDPAs?

Answer: As indicated above, it is essential that the Statutory Guidance includes a duty on SDPAs and RTPs to work jointly in the interest of ensuring efficient and effective integration of strategic land use and transport planning. In this regard RTPs must be clearly defined as having “key agency” status in terms of Section 23D of the Act, and all related Sections, for the purpose of having statutory body status throughout the process of development and review of the SDPs. Whilst not part of this consultation, RTPs should have similar statutory status in relation to LDPs.

As referred to in answer to Questions 2 and 3 above, the Guidance should require SDPAs and RTPs to put in place effective policy and operational liaison arrangements, such as direct involvement of SDP Managers as Advisors to RTP Boards and similar involvement of RTP Lead Officers on SDPA Joint Committees

The above response has been prepared in consultation with TACTRAN's constituent authorities, Angus Council, Dundee City Council, Perth & Kinross Council and Stirling

Council. Should you wish to discuss any aspect of this response, or require further clarification, please do not hesitate to contact me.

I enclose the completed Respondent Information Form.

Yours sincerely,

Eric Guthrie
Director
TACTRAN