

Planning Bill

Introduction

The new Planning Bill completed Stage 2 of the parliamentary process on November 14th. UNISON has been concerned about the Scottish government's whole regulatory reform programme since its inception. It has been clear from the beginning that, rather than improved regulation, the programme was aiming for less regulation in response to complaints from businesses. This despite the fact that there is no evidence that regulation is harming businesses. The Scottish government is now undertaking a reform of the planning system only 12 years after the last reform. The main problems in planning are caused by severe cuts to planning budgets and staff shortages. It is resources they need not reorganisation.

Key Points

The Scottish government states that the Bill aims to:

- Empower people and communities to get more involved and to have a real influence over future development,
- Strengthen the strategic role of planning in co-ordinating and supporting the delivery of infrastructure needed to support development, including much-needed housing,
- Reduce complexity, whilst improving accountability and trust in planning processes and decision-making.

Local authority planning teams play a vital role in ensuring that the decisions about how, when and where our communities change are democratically decided on. It is a vital public service. Without it the rich and powerful could build or knock down anything they wanted. There has been substantial lobbying by both businesses and supporters of increased community input to the planning process. UNISON still has some concerns about the proposed changes and more significantly the ability of planning teams to implement the changes with current funding and staffing resources. The proposal is also for separate further public consultations and stakeholder engagement on new planning fee regulations. This means there could be a considerable time gap between planning departments implementing the proposed changes and the new funding regime to support that change being in place.

Planning decisions impact on communities for decades it is no surprise that there has been so much interest in the proposals from MSPs, community groups and businesses. Stage 2 of the parliamentary process saw over 200 changes made to the original Bill. The Local Government Committee took seven meetings and several contested votes to work through all of the amendments that were tabled. UNISON members' concerns are more focused on how the changes will work in practice and how planning teams will be resourced in order to meet the new demands.

KEY POINTS:

- **The new Planning Bill has now been significantly amended at stage 2**
- **The Bill will do little to deal with the real problems of staff shortages and budget cuts in planning teams**
- **Planners are concerned about the levels of personal abuse they already suffer in the work place**
- **The proposal risk a loss of local decision-making and prioritise development over local choice**



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UNISON Concerns

UNISON have raised a range of concerns about the proposals and some of the amendments that have been put forward. On a positive note proposals for “third party rights of appeal” were not in the original Bill and amendments round this were not passed. UNISON members in planning were concerned that these proposals would add extra time, costs and conflict into the process.

UNISON believes that the route to improved participation in planning is through democratic policy setting in the first place and ensuring that those policies are adhered too. This would be a much more effective route than extended appeals which the wealthy, be they businesses or individuals, have the resources to fund and therefore override local authority planning decisions. Planners already indicate that they suffer a great deal of personal abuse on the phone, by email/letter and on social media. They believe that further layers of appeal will further increase the adversarial tone of planning debates Other issues include:

- Funding: there is very little information about the costs of implementing these changes. Planning teams are already struggling with their workloads. Planning departments need substantial extra funding to manage the current work load and moving to a new system will bring upfront costs before any of the promised savings can be realised.
- Strategic development plans/city region plans appear to be optional with no clear link to local development plans. This particularly matters round our cities with so many travelling in and out of them for work and leisure every day.
- Natural heritage protection is still limited
- Distinction of place: it's not just island communities that are distinct; there is still too little scope to ensure that all our places don't end up looking the same.
- Time scales for development plans are unrealistic within the current resources
- Enforcement powers are still too weak. They need to be powerful enough to act as a deterrent
- There is still too strong a presumption that “developments” are good thing.
- Full cost recovery is vital and needs to be part of the Bill.
- Guidance far from being “red-tape” is vital for planners to enable them to undertake their day-to-day work. Big developers can employ planning professionals to go through legislation but good guidance is a key support for ordinary people to work their way through the process.
- If all communities are to develop place plans many will need support both financially and with expertise. How will this be funded?

Action for Branches

The Bill will now move back to the Scottish parliament for final decisions. The date has not yet been confirmed for the stage three debate. Without appropriate funding for local government and planning teams in particular the Bill will do little to improve the planning process. Branches are encouraged to discuss the Bill with planning staff and to meet with councillors and MSPs in their own areas to raise members' concerns about the Bill and its impact on staff who are already over worked and stressed by the level of abuse many suffer during the process. If you require further information contact Kay Sillars: k.sillars@unison.co.uk

Further info

Links to the Bill, Policy Memorandum and amendments etc.

<http://www.parliament.scot/parliamentarybusiness/Bills/106768.aspx>

BBC report on Amendments to Bill

<https://www.bbc.co.uk/news/uk-scotland-scotland-politics-46046014>

UNISON response to Planning Bill consultation

<http://www.unison-scotland.org/the-planning-bill/>

Briefing on cuts in planning teams

http://www.unison-scotland.org.uk/briefings/b035_BargainingBriefs/CutsInPlanning_Jun2013.pdf



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