



UNISON Response: Scottish Government's NPF4 Position Statement February 2021

Introduction

UNISON is Scotland's largest trade union with members across the public, private and voluntary sectors. UNISON represents the full range of staff in local authority planning teams, we are the largest trade union in health, local government, and the gas and electricity sectors and we represent staff in the Scottish Environmental Protection Agency - to name just a few areas where UNISON members deliver vital services.

If the Scottish economy is to recover by creating a greener, fairer and more inclusive society, then our members will be central to that process. UNISON is a member of the Stop Climate Chaos Scotland (SCCS) coalition, and of the Just Transition Partnership (JTP) with the STUC, with other unions, and with Friends of the Earth Scotland and WWF Scotland. UNISON is also part of the coalition of over 80 civic organisations calling for a Just and Green Recovery from Covid-19.

It is vital that the National Planning Framework is fit for purpose to tackle the challenges of climate change and a just and sustainable economy. We welcome the chance to contribute at this stage, while the thinking is still being developed.

Overview

Q7 General comments about the contents of the Position Statement.

UNISON believes we cannot divorce planning and the planning framework from the fiscal situation. The under resourcing of local authorities and our wider public services vastly restricts our capacity to respond to the climate emergency. For years UNISON has highlighted how the planning system has been undermined by cuts which have disproportionately fallen on so-called 'backroom' functions, including planning.¹²³ Local authority planning teams play a vital role in ensuring that the decisions about how, when and how our communities change are democratically decided upon. It is a vital public service which needs to be invested in. There must also be funding to boost councils' capacity for economic development.

The NPF4 position statement rightly places emphasis on community engagement and participation around place. Since NPF3, a regional level of economic governance has developed which is conducted at two removes from local electors. Audit Scotland has observed that while the channels for upward accountability are clear, there is no such clarity around downward accountability to citizens and even less around mechanisms

¹ https://unison-scotland.org.uk/briefings/b035_BargainingBrief_CutsInPlanning_Jun2013.pdf

² <https://www.unison-scotland.org/response-housing-to-2040-february-2020/>

³ According to the Royal Town Planning Institute Scotland between 2009 and 2016, local authorities lost, on average, 23 per cent of planning staff, and over the same period, planning services' budgets were cut by an average of 32.5 per cent.

for democratic participation.⁴ It is important that this deficit is resolved, to strengthen democratic governance and improve the transparency and accountability to the public of the evolving system of economic planning.

Addressing climate change in the timescales left to us requires public sector leadership and direction. During the pandemic we have learnt that an effective emergency response is best achieved through national and local government initiative, direction and control. We have witnessed the catastrophic result in England of a government throwing money at the corporate sector for it to coordinate and deliver the response to a public health emergency. That learning must now be applied to the climate emergency and to our economic recovery from Covid-19.

This is the time for action – not enabling, encouraging, and hoping that others do the right things. The position statement is very disappointing in this regard, and far too timid.

When we need to get things done at scale and at speed, then ownership and control over planning and delivery becomes critical. That is why we favour the application of community wealth building principles and the adoption of a CWB approach at regional and local level to achieve the outcomes needed. We need a planning framework that enables that approach, building back better through a programme of public sector led investment in health, education and housing, to drive economic recovery and strike a blow against inequality.

The NPF4 is to build on the Scottish Government's updated Climate Change Plan, but there are problems with this plan (see answer 1, below) and with the impact of years of public spending cuts. As we said in our response on the CCPu:⁵

“There would be much to commend in this update if some of the fine words were matched with the necessary actions, particularly on a just transition, key to a just and green recovery. There are also numerous funding issues at present, particularly for local government. Our members across Scotland are clear that public services must not face further cuts. Too many had been cut to the bone before the pandemic. Services must be protected and enhanced to deliver a green recovery and workers' pay must rise to provide decent living standards and support spending in local economies.”

If the overarching goals are to address climate change, achieve net-zero emissions, a wellbeing economy, resilient communities, and better, greener places, then in developing NPF4 we must identify the main barriers and ensure that the revised National Planning Policy contains solutions to these in planning terms that can guide the action that is needed.

We provide comments under each of the four headings and propose solutions to what in our view are some of the main barriers.

1. Do you agree with our current thinking on planning for net-zero emissions?

UNISON welcomes the statement that climate change will be the “overarching priority” and the promise in the Programme for Government that the NPF4 will be

⁴ <https://www.audit-scotland.gov.uk/report/scotlands-city-region-and-growth-deals>

⁵ <https://www.unison-scotland.org/wp-content/uploads/UNISON-CCPu-Responses-Jan-21.pdf>

“aimed at radically accelerating emissions reduction.” It is clear that Scotland, and the world, must prioritise rapid urgent action to bring down emissions if we are to meet the Paris Agreement goals.

We believe that the National Planning Framework should explicitly state that, in having climate change as the overarching priority, it will facilitate the urgent action that is required, prioritising rapid emissions reduction to meet the Scottish legislative targets, specifically focusing initially on the target of 75% emissions reductions by 2030 – just nine years away.

This is right in terms of the climate emergency, but also in building for a just and green recovery following the massive impact of the pandemic. We have seen the impact of Covid-19 on our already very unequal society. Building back better can see public investment in renewable energy, in just transition, in quality public services, energy efficient housing, public transport and more that helps to renew local economies, reduce health and other inequalities and meet climate targets.

The position statement promises to build on the Climate Change Plan, take forward advice from the UK Climate Change Committee, to be informed by the recommendations of the Just Transition Commission and to embed the UN Sustainable Development Goals, among other important related planning. All of that should be expected, but the recent Climate Change Plan update has been widely criticised for not being sufficient to deliver the urgent action needed⁶. Nor is there enough emphasis or action there for delivering a just transition. Our criticisms, including on the need for a Just Transition Action plan and establishing a statutory Just Transition Commission are in our response⁷, which sits alongside the Stop Climate Chaos Scotland responses⁸.

Among the many policies we want to see are: a massive increase in renewables, a publicly owned energy company delivering energy generation, increased municipal energy, a just transition to a fair, healthy and sustainable food system⁹ and a massive expansion in public transport, including through greater public ownership. (See next section for more on public transport.)

The planning framework must enable and encourage such developments and must also prioritise all necessary adaptation work to ensure Scotland has climate resilient public infrastructure. This is much more than flood prevention and requires regular assessments of climate risks, with key preventative action to protect communities and the essential infrastructure we all rely on. This should also be an explicit priority in the final NPF4. (We refer also to adaptation in answer 4.)

2. Do you agree with our current thinking on planning for resilient communities?

We welcome the infrastructure-first approach to neighbourhood planning and the proposal that the impact of new developments on public services be assessed and considered. The need for this consideration underlines our view that the planning

⁶ <https://www.heraldscotland.com/news/19091375.four-year-wait-revolutionary-blueprint-2030-carbon-target/>

⁷ <https://www.unison-scotland.org/wp-content/uploads/UNISON-CCPu-Responses-Jan-21.pdf>

⁸ <https://www.stopclimatechaos.scot/policy/>

⁹ <http://www.foodcoalition.scot/>

framework cannot be divorced from the fiscal situation. As an example, the position statement rightly emphasises the importance to communities and of culture and cultural amenities but this provision has an uncertain future in many areas due to austerity cuts and the impact of Covid-19. These issues have a direct bearing on the delivery of 20-minute neighbourhoods which NPF4 must consider.

As we explain in our response on a wellbeing economy, we are concerned how the recent announcement of greenports for Scotland¹⁰ fits with an infrastructure first approach, given the evidence that freeports can add to regional economic inequalities and create additional pressures on local infrastructure while undermining public finances necessary to support them.¹¹

Social Housing

NPF3 defines affordable housing as “housing of a reasonable quality that is affordable to people on modest incomes.” To tackle homelessness and meet Scotland’s most urgent housing needs, UNISON believes that the priority in NPF4 must be on measures to assist with increasing the supply of housing for social rent. Not “of a reasonable quality” but well-designed local authority and RSL housing built to a high standard of energy efficiency. We think Scottish Planning Policy could help achieve this through measures such as:

- enabling local authorities to buy land at its existing use value for developing new homes and communities. This will reduce the cost to government of funding new housing while overcoming a major barrier to social house building.
- mandating that the first use for land made vacant by the demolition of social housing should be new social housing.
- providing councils and RSLs, at the point of re-sale, with first refusal to buy back homes which were previously for social rent.

Housing and climate change

NPF4 can contribute to net zero carbon emissions by ensuring all new builds, private and social, achieve the highest standard of space and energy efficiency performance using Passivhaus or similar approaches.¹² We must raise energy efficiency now rather than continue to plan for gas heated housing. House construction across all tenures must involve environmentally friendly carbon zero building materials.¹³

With the Existing Homes Alliance and others, such as SCCS, UNISON has long called for a major public sector led programme of retrofitting existing housing, creating jobs and helping tackle fuel poverty. We want to see all homes have at minimum a ‘good’ energy efficiency rating – EPC BAND 3¹⁴, by 2030, sooner if possible.

Planning reform

¹⁰ <https://www.gov.scot/news/green-ports-to-aid-economic-recovery/>

¹¹ <https://www.centreforcities.org/publication/in-the-zone-have-enterprise-zones-delivered->

¹² <https://passivehouse.com/> Passivhaus is internationally recognised as the highest standard of construction for achieving energy efficiency performance.

¹³ Concrete, for example, is responsible for between 4-8% of all CO2 omissions world-wide and comprises 10% of the world’s industrial water use, including in “water stressed” regions.

¹⁴ <http://existinghomesalliancescotland.co.uk/wp-content/uploads/2021/02/EHA-LGC-CCPu-evidence-120121.pdf>

We note the ongoing planning reform programme which includes a review of existing developer contributions mechanisms. UNISON supports the introduction of a system of land value capture, so that a significant proportion of the uplift in land value from major public infrastructure works can be made available to local authorities to invest in infrastructure and public services. It is right and fair that the public should benefit from improvements that they have funded.

UNISON's members have reservations about the new centralised system of planning land required for housing at local level including the national targets mentioned in the Position Paper. It is not clear how this will improve things.

Transport

Transport is a crucial area for emissions reduction but progress has been minimal. In our view the Position Statement falls short of what is required to reduce transport related carbon emissions: reducing the need for travel through 20-minute neighbourhoods, persuading people not to make nonessential car journeys, and shifting to electric cars are all important and necessary, but not sufficient.

NPF4 must include a priority commitment to support a modal shift away from private cars and onto public transport, cycling and walking on the scale and at the speed that is needed to meet climate targets. Forty years of evidence shows this cannot be achieved through the failed system of privatised transport delivery. Provision of quality and safe public transport is essential to support this modal shift, given pandemic related fears that private cars are a safer way to travel. Just as it has been necessary to maintain services during the pandemic, public funding will be required to secure the future of passenger transport services during the recovery and to guarantee their continuation. The sensible financial solution – and the most efficient use of public money - is rail nationalisation and municipalisation of bus services within a re-regulated transport system.

UNISON wants to see re-empowered and properly resourced regional transport authorities with the ability to plan the whole system of transport around people's needs, integrating different modes of transport, with integrated ticketing and price caps.

- government must incentivise local government and transport authorities to use their powers to re-municipalise/insource bus services and bring forward secondary legislation to enact re-regulation through franchising.
- government must use its operator of last resort powers to bring ScotRail into public ownership, following the example of Wales. We would oppose what rail unions are warning is likely – that Abellio will be awarded the franchise beyond 2022¹⁵, despite poor performance.

3. Do you agree with our current thinking on planning for a wellbeing economy?

We wish to highlight two main issues here.

The position statement rightly prioritises the need to address regional economic inequalities and commits to policies which “will refocus on community wealth

¹⁵ <https://www.rmt.org.uk/news/scottish-government-set-to-reward-scotrail-failure/>

building and sustainability.” The legacy of deindustrialisation in the 1970s and 1980s persists. It contributes to population ill-health and complex social needs in many parts of Scotland, resulting in significant demands on and costs for public services. The rules on which our economy is run have a clear relationship with public health. We think the framework for economic development should be aligned with public health principles and enshrine a commitment to tackling health inequalities.

In this context we would like to raise the issue of ‘green ports’, announced in January by the Scottish Government and a version of the UK Government’s freeports proposal.¹⁶ One of the key concerns about creating low or no tax and regulation zones is that they risk exacerbating regional inequalities – both within and between regions. The Scottish freeport model and its bidding criteria are still under development – but there is a clear contradiction between this proposal and that of a wellbeing economy and certainly with the community wealth building approach committed to in the Position Statement.¹⁷

Unison welcomes the government’s commitment to the real living wage for greenports. However much stronger mechanisms than those proposed are required to prevent or mitigate the risks associated with freeports, such as furthering economic inequalities, overburdening social infrastructure and public services in the chosen area(s), and undermining public finances. This needs to inform both the model, the bidding process and subsequent enforcement activity. NPF4 must set out a robust framework and set of mechanisms for freeports delivering the promised outcomes. At the very least NPF4 needs to specify strict conditions to safeguard against further inequalities, and to require measures to guarantee no detriment to the public finances and public services.

Second, while we must value and build upon the strengths of Scotland’s ‘natural capital’ as the Position Statement suggests, experience in the energy sector and elsewhere shows that the existence of strong natural assets is not in itself sufficient to ensure community benefits. How these are developed and for whose benefit, matters and needs to be planned for to produce the right results. The recent history of BiFab is a case in point.

We think NPF4 should address this by:

Requiring prior to decisions a clear indication of the pathways and mechanisms by which specific community wellbeing and equalities outcomes will be achieved by developments. This would ensure compliance with the International Convention on Economic, Social and Cultural Rights (ICESCR) a UN treaty which legally obliges the Scottish Government Ministers and MSPs to deliver protection from social and economic disadvantage.¹⁸

The planning system should also place these requirements on all developments aimed at delivering net zero emissions, for example, the retrofitting of homes and public buildings and for Green public works programmes. In this way NPF4 could embed community wealth building as the preferred approach to these programmes. This would ensure that inclusiveness and community wellbeing are the starting point,

¹⁶ <https://www.gov.scot/news/green-ports-to-aid-economic-recovery/>

¹⁷ <https://www.unison-scotland.org/scotlands-economic-performance-the-contribution-of-place-based-economic-development-zones/>

¹⁸ <https://www.unison-scotland.org/soci-economic-duty/>

with CWB principles providing the criteria for deciding by whom and how these programmes are best delivered.

UNISON Scotland is a member of the Just Transition Partnership. We believe the following recommendations from the Partnership's 2021 Manifesto can help NPF4 achieve its overarching goals of a wellbeing economy, while also contributing to addressing climate change, achieving net zero emissions.¹⁹

- making it a requirement for infrastructure projects to address the need for reducing emissions in line with climate change targets.
- ensuring conditionality on jobs (including pay and job quality, trade union recognition, skills and training) as well as a requirement for a minimum level of local content within all public procurement contracts awarded for public infrastructure programmes including city region and regional growth deals.

4. Do you agree with our current thinking on planning for better, greener places?

While the Place Principle embedded in NPF4 is sound and admirable, it cannot be viewed in separation from the fiscal situation. Scotland's public realm has deteriorated over the past ten years because of budget cuts. Cities, towns and villages have lost police stations, libraries and public toilets while routine maintenance of public parks, communal areas, kerb sides and pavements has reduced as have public health services such as pest control and cleansing. National planning policy alone cannot deliver the Place Principle, it must be accompanied by increased revenue funding for local services and a sustainable solution for funding these.

UNISON is also concerned that financial pressures on local authorities and culture and leisure ALEOs are already undermining the Place Principles through the transfer of either the ownership and/or the running of community amenities. While the Community Empowerment (Scotland) Act made this possible, we expressed our concerns at the time that this may lead to cuts to jobs, pay and terms and conditions and to changes which may over-ride the needs and wishes of local people.²⁰

We welcome the focus on sustainable regeneration of town centres and the active encouragement of re-use of existing buildings. A measure which can assist with that is zero VAT rating the refurbishment and conversion of existing buildings for housing and community use.

Vibrant communities, with opportunities for enjoying outdoor activities, strong public infrastructure and quality public services, throughout Scotland, are all good for local economies, for mental health and for wellbeing. We should be supporting biodiversity and the richness of nature, including by protecting, enhancing and

¹⁹ (See the 2021 manifesto of the Just Transition Partnership of which Unison Scotland is part). <https://foe.scot/wp-content/uploads/2020/09/JTP-Manifesto-2021-final.pdf>

²⁰ https://unison-scotland.org/wp-content/uploads/CommunityEmpowermentBill_UNISONResponse_Jan2014.pdf

extending existing greenspaces in urban areas to create publicly accessible green networks, especially along our riversides and coastlines.

Planning for this has to keep tackling inequalities as a priority, including in provision of services in rural communities and strong, affordable public transport connections.

Climate adaptation measures are essential and have not been anything like sufficient to date, with examples of current impact including the landslide in August 2020 which saw a landslide derailing a train, and the tragic death of three people. In its interim report into the derailment,²¹ Network Rail said that the impact of climate change on the railway network is accelerating much faster than assumptions.²² Bridges and roads were washed away in 2016 and 2019. Rail unions warn that inspections are not sufficient.²³ Clearly this is an area needing proper investment, with a very real risk to life if that does not happen.

Conclusion

There are many lessons to be learned from how governments have responded to the pandemic, particularly the importance of quality public services and the failings, higher costs and problems over accountability over many contracted out services. These factors add to the strong case for major public investment in a just and green recovery, with expanded public ownership in energy, transport and other areas. We need sufficient funding to deliver the step change in emissions reduction to meet climate targets and deliver a healthier environment for us all, reducing the appalling health and economic inequalities that blight Scotland.

UNISON opposes the proposed greenports for Scotland for many reasons, but we are particularly concerned that freeports can add to regional economic inequalities and create additional pressures on local infrastructure while undermining public finances necessary to support them. There is a clear contradiction between this proposal and that of a wellbeing economy and certainly with the community wealth building approach committed to in the Position Statement.

Finally, it is essential if NPF4 priorities are to be delivered that, as noted above, we have properly funded planning departments and an increase in the capacity of councils to do economic development.

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²¹ <https://railway-news.com/network-rail-publishes-interim-report-on-stonehaven-derailment/>

²² <https://www.bbc.co.uk/news/uk-scotland-north-east-orkney-shetland-54099688>

²³ <https://www.belfasttelegraph.co.uk/news/uk/union-warns-of-terrifying-consequences-of-adverse-weather-on-rail-network-39991910.html>