

WEST DUNBARTONSHIRE COUNCIL

Report by the Executive Director of Housing, Environmental and Economic Development

Planning Committee: 12 June 2012

Subject: Scottish Government Consultation Paper: Development Delivery

1. Purpose

- 1.1** The Committee is requested to consider the Scottish Government consultation paper on Development Delivery and to agree the Council's response.

2. Background

- 2.1** Development contributes to economic growth and it requires supporting infrastructure to: service the development; provide transport connectivity and ensure quality of place. In the current economic climate both public and private sector funding is curtailed and there have been growing issues in relation to the funding and delivery of infrastructure which is necessary to enable and service associated development. This consultation seeks initial views from all sectors of the development industry in relation to current issues and opportunities for facilitating development and infrastructure provision.

The findings of this consultation will inform a second consultation which shall investigate the detail of potential proposals or measures to assist development delivery.

- 2.2** In reference to West Dunbartonshire's context, a previous report was considered by the Housing Environmental and Economic Development Committee in March 2012, regarding an Infrastructure Investment Plan for the area's key regeneration sites which will be used as a framework for engaging with partners and developers. In addition these sites feature heavily within the current Local Development Plan Main Issues Report.

3. Main Issues

- 3.1** The consultation paper contains 6 specific questions on which the Council's views are sought. The recommended responses are attached in Appendix A. .
- 3.2** The main issues are as follows:

Committed Actions

The Planning etc (Scotland) Act 2006 contained the most significant changes to the planning system in 60 years however the economic context in which the 2006 Act was drafted has changed dramatically. A range of actions are currently being programmed to strengthen the contribution that planning can make to support sustainable economic growth. The following actions will be taken forward:

- "Stalling Sites Initiative"-to assist in unlocking developments delayed due to the lack of enabling infrastructure;

- Revision of Circular 1/2010:Planning Agreements to clarify the operation of planning obligations and to guide on the use of deferred contributions;
- Pilot standard templates to assist with unilateral obligations;
- Pilot a further range of reforms aimed at simplifying and streamlining consents; and
- Support stakeholders to better understand development economics and viability issues

Whilst the above actions and measures will help to stimulate the delivery of development, the consultation seeks views on the current planning system and whether it supports and hinders the delivery of development and it also seeks ideas for additional measures to support development and infrastructure.

Developer Contributions

- 3.3** Contributions are sought from developers towards the cost of enabling development infrastructure and this is often achieved through the use of Section 75 planning obligations. Guidance is provided by Circular 1/2010 Planning Agreements which sets out Scottish Government policy on the use of obligations made under section 75 and the circumstances in which they can be used. The negotiated nature can sometimes cause uncertainty in the level of contributions to be sought for development and issues have raised regarding the delay in the process of agreeing contributions through section 75 obligations. Developers have raised the issue of development viability as a key factor affecting the delivery of development and infrastructure. This relates to the requirement for contributions upfront. The Government is keen to gauge the extent of these issues and whether more needs to be done to address them.

Innovative Approaches to Development and Infrastructure Delivery

- 3.4** The main emphasis of planning reform was culture change as opposed to legislative change and the Government are seeking ideas for what additional measures or support could be undertaken to facilitate the provision of development and infrastructure within the current legislative framework.
- 3.5** The government are aware that some authorities are using innovative approaches to infrastructure funding and delivery. In light of the current economic climate the Government has been investigating issues around innovative approaches and have supported the work undertaken by Fife Council in relation to infrastructure funding. The Government is interested in seeking other innovative approaches to infrastructure delivery which are being considered or progressed. The Government is also investigating the potential of Development Charges in the planning system such as a “roof tax”, “a tariff” or “infrastructure levy”. Some approaches to Development Charges include use of alternative funding sources to fund required infrastructure however other approaches may not include this.

4. People Implications

- 4.1** There are no personnel issues.

5. Financial Implications

5.1 There are no financial implications to the Council at this time, if some of the measures are implemented this would have financial implications for the Council.

6. Risk Analysis

6.1 There are no known risks to the Council

7. Equalities Impact Assessment (EIA)

7.1 No equalities issues.

8. Strategic Assessment

8.1 Investigating ways to the delivery of development and infrastructure is in keeping with the strategic priority of regeneration and growing the local economy.

9. Conclusions and Recommendations

9.1 This consultation seeks initial views from all sectors of the development industry in relation to facilitating development and infrastructure provision in the current economic climate. It encourages Councils to suggest innovative approaches to the delivery of development and infrastructure. This Council is generally supportive of the measures proposed in the consultation paper. The findings of this consultation will inform a second consultation regarding proposals and measures to assist with development delivery and infrastructure provision.

9.2 It is recommended that the Committee notes the content of this report and agrees that Appendix A forms the Council's response to the consultation paper.

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Date: 29 May 2012

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Appendices: Appendix A – Response to Consultation Paper

Background Papers: 1.Scottish Government consultation paper
Development Delivery

2. West Dunbartonshire Local Development Plan Main Issues Report, March 2012
3. Infrastructure Investment Plan report, HEED Committee, 7 March 2012

Wards Affected:

All.