



**Key Agencies Group**  
20th September 2018

Minutes & Actions

# Meeting Summary and Actions

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## Summary

Members of the Key Agencies Group met on Thursday 20<sup>th</sup> September 2018. The meeting was chaired by Alasdair McKenzie of HES and took place at Clydeplan Offices, West Regent Street, Glasgow. Many thanks to Debbie, David and Clydeplan for hosting this meeting of the group.

## Attendees

Fiona Rice – Scottish Natural Heritage  
Alasdair McKenzie – Historic Environment Scotland (Chair)  
Alison Baisden – Historic Environment Scotland  
Debbie Livingstone – Systra (on behalf of Transport Scotland)  
David Torrance – Transport Scotland  
Mike Williams – Scottish Enterprise  
Kate Givan – Architecture and Design Scotland  
Trevor Moffat – The Improvement Service  
Sophie Day – Scottish Water  
Katherine Lakeman – The Scottish Environment Protection Agency  
Anna Gaffney – The Scottish Environment Protection Agency (Secretariat)  
Alan Farquhar – The Scottish Environment Protection Agency  
Gillian Kyle – Sports Scotland  
Trevor Moffat – The Improvement Service  
Sasha Laing – Forestry Commission  
Andrew Mcallister – Forest Enterprise Scotland

## Apologies

Brenden Turvey – Scottish Natural Heritage  
Peter Hutchinson – Scottish Natural Heritage  
Ivan Clark – Scottish Natural Heritage  
Dara Parsons – Historic Environment Scotland  
Adele Shaw – Historic Environment Scotland  
Helen Bonsor – British Geological Survey  
Steve Smith – Scottish Water  
Johnny Cadell – Architecture and Design Scotland  
Jim Macdonald – Architecture and Design Scotland  
Petra Biberbach – PAS  
David Wood – PAS  
Lorraine Jones – SportScotland

## Actions

| Action   | Who?                              | When?                 |
|--|-----------------------------------|-----------------------|
| The Key Agencies Group should endorse the RTPI/PAS/Scottish Alliance for People and Places 'Purpose of Planning' for inclusion within the Planning (Scotland) Bill | Alasdair McKenzie                 | asap                  |
| David Wood to update the Group on the Local Place Plan research at the next Key Agencies Meeting   | David Wood                        | December              |
| Steve Smith (Scottish Water) to invite the Key Agencies along to the next developers forum at Creiff Hydro   | Steve Smith                       | As soon as applicable |
| Fiona Rice to chase the Scottish Government regarding hosting the Key Agencies Web Page  | Fiona Rice                        | asap                  |
| KAG to develop a brief/offer setting out how we can support of the preparation and delivery of the new SPP/NPF.  | Alasdair McKenzie, Brendan Turvey | For next KAG meeting  |
| All Agencies to consider who is likely to be involved and lead on SPP/NPF4 for their interests and would like to join the new KAG subgroup.                        | All (pass names to Brendan)       | asap                  |
| Anna to discuss with Alasdair with regards to inviting Scottish Government to December KAG.  | Anna Gaffney                      | asap                  |

### 2018 Full meeting dates and locations

- **Thursday 13<sup>th</sup> December 2018**  
Scottish Water, Dunfermline

### New proposed dates (to be agreed on 20<sup>th</sup> Sept) –

- **Thursday 14<sup>th</sup> March, 2019**  
Location TBC
- **June, 2019**  
Date and Location TBC

### Other key dates:

- 24 January 2019 – Key Agency engagement/training event, Engine Shed, Stirling

## Agenda

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|----|---|
| 1. | Welcome, introductions and apologies  |
| 2. | Reflections on the emerging Planning Bill (Stuart Tait – Clydeplan SDPA manager)  |
| 3. | KAG input to Stage 2 of the Planning Bill regarding changes to development planning and other amendments (All)  |
| 4. | Lunch   |
| 5. | Discussion on SESplan and subsequent actions for KAG and/or individual agencies (All)   |
| 6. | Working group updates and discussion: <ul style="list-style-type: none"><li>○ Partners in Planning – event debrief and next steps (Alison Baisden/group members)</li><li>○ Placemaking (Katherine Lakeman/group members)</li><li>○ Environmental Evidence (Helen Bonsor/group members)</li><li>○ NPF 4 (Brenden Turvey/group members)</li></ul> |
| 7. | Outstanding actions/updates   |
| 8. | A.O.B <ul style="list-style-type: none"><li>○ HES's Policy Statement and Corporate Plan (open consultations)</li><li>○ Agree future meeting dates</li></ul>   |
| 9. | Close   |

## Note of meeting

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- 1. Welcome, introduction and apologies**
- 2. Reflections on the emerging Planning Bill (Stuart Tait – Clydeplan SDPA manager)**

Stuart Tait from Clydeplan provided some reflections on the Planning Bill, including the most recent sitting on Day 2 of the Stage 2 amendment committee scrutiny session. Stuart remarked on the interesting journey of Planning Bill, commenting on the role of supplementary guidance, community engagement in plan formation, the proposed approach to the new national planning framework and Scottish Planning Policy and the procedures around regional planning.

Stuart reflected that there was significant discussion and feedback on the removal of Strategic Development Plans (SDPs) outlining that the Minister (for Planning) has been critical of the SDPs and the achievements of the plans to date, considering them outdated and ineffective. However there has been some push back to this, including during the course of ongoing committee scrutiny.

Stuart noted the changing nature of regional, discussing that the development of City Deals may continue to promote regional partnerships, however there are questions around whether Planning Authority buy in for regional working will be the same if there is no statutory requirement.

The group went on to discuss the complexities with regard to the removal of the SDPs, in particular the potential loss of skills and influence which the SDPs currently holds and whether City Deals and other alternatives would be able to continue this. Stuart commented that regional issues will now have to be captured under NPF, which will have its own complexities as a document that may in future receive increased parliamentary and political scrutiny. The absence of the SDPs may complicate the planning process due to the loss of an additional policy lever on which planning applications can be assessed.

Stuart emphasised that the Government is moving towards a model of regional partnerships, therefore it is likely that we will continue to see investment in this, whether it is in the guise of City Plan 2 or something else.

The discussion closed with the reflection that SDPs will continue to exist until the future NFP is adopted, but until then SDPs teams will consider their future role, skillsets, experience and knowledge in the context of the changing planning bill and opportunities to continue to support the important role of regional planning.

### **3. KAG input into the Stage 2 of the Planning Bill regarding changes to development planning and other amendments**

AMcK advised that Eric Dawson from Scottish Government (SG) had asked whether the Key Agencies had any collective thoughts on the proposed amendments to Development Planning aspects of the proposed bill. We considered that the most efficient way to collate this information was to review the pertinent amendments to the Bill together as a group.

AB had prepared a document of the key amendments to assist the group in forming a view on these.

- **Amendment 5** – Purpose of Planning, KAG supported the inclusion of the Purpose of Planning in the Bill.
- **Amendment 116**, Part 3AF – KAG input to strategic development reports – AMcK opened up discussion to the group on this issue.

KL advised that we should outline the key principles for KAG input, identifying what we think is important.

AMcK considered that we could state that we support strategic development principles and we would be keen not to see the loss of expertise following the replacement of SDPs with Strategic Development Reports as strategic planning will continue to play a crucial role in setting the level and direction of growth.

DL & KG reiterated the previous issue that if there is no statutory requirement for the SDPs or Strategic Development Reports, the risk remains of Planning Authorities no longer undertake them, and the regional issues currently experience will continue to pervade.

The group discussed this issue in detail, including how many reports the Key Agencies could expect to see, at what point our advice might be helpful, how these might align or relate to the SEA process, and how to maintain strategic focus and resolve conflicts?

AB summarised the discussion, outlining that we supported the principles of regional planning proposals as outlined in Amendment 116, however we think the emphasis should be upon collaboration rather than participation.

- **Amendment 10**, Removes the scope of KAG to be broadened.

AF identified that the ability to include others as part of KAG would be positive, for example the NHS. AMcK and FR agreed, it does not make sense to narrow KAG.

DL identified that the counter amendment (to limit the scope of KAG) may be there to ensure that KAG does not expand so much as it begins to lose focus and influence. The group agreed, but considered that scope to expand was valuable.

- **Amendment 139** – Explanation of the LPPs register

AMcA queried the sign off process for LPPs? If Local Authorities have to promote involvement of LPP is there resource for this? AB advised that resourcing LPPs is likely to be a significant issue for both the Key Agencies and the Local Authorities.

AMcK noted that if its register does it have status (like previous adoption in LDP discussion)? AMcA also noted the difficulty of making planning applications decisions if application was out of alignment with LDP or LPP.

TM considered how HOPS felt the role of what LPPs would be in regard to the LDP.

The group further considered the terms of referenced being used in regard to the LPPs, such as who could draft such plans, the relationship between LPPs and the Community Empowerment Act, and consistency with NPF going forward.

AMcK advised he would go back to Eric Dawson to discuss LPPs further.

- **Amendment 118** – Planning Authorities should seek the views of Key Agencies

As a group we support this position.

FR raised the question of whether KAG would comment on the removal of SG, or whether this was some that KAG should get involved with?

DL noted that the removal of SG is a complex issues, particularly in regard to Developers Contributions guidance as it is a very resource intensive policy to draft if it is to be included in plans.

KG and SL added that there was a danger that the weight and influence behind some proposals could be lost. For example, with masterplans for larger, long term sites.

AB considered whether there was a role for the KAG with regard to input into national level SG to stop the proliferation of SG at a local level.

AF and FR both considered that there were issues which would benefit from national SG and others from local SG. SL considered that there will be a need a stronger hook in a higher level document if SG is to be removed, and commitment to applying it in its new form. FR added to that with the example of windfarm policy. Currently there are policies on windfarms in the NPF, but the spatial strategies and policies of these trickle down through LDPs and SGs.

- **Amendments 92** – No right of appeal for sites not allocated etc.

AMcK asked whether this something we want to be involved with. Do we want to start involvement now? The group did not wish to have any input on this at this time.

AMcK asked if there was anything further to go back to Eric Dawson on at this time. AMcK advised he was going to write general strategy and wording to give to Eric but will circulate to the group before sending to him.

FR asked if there was anything on SMZ in the amendments. AB advised that there was a lot of renaming and back and forth and remove areas from SMZ, debates to remove WHS from it, however overall they had not received much air time,

AMcK noted that gate-checking had also not had much discussion as part of stage 2 scrutiny so far.

AMcA noted that renaming helps with understanding, particularly for when to people are engaging with LDPs and planning process. He further noted that it was interesting with LPPs and SDR will be how they are given flexibility and teeth going forward about how they will be controlled and measured. AMcK noted that these type of masterplans may control the gap left by SG removal. KG agreed, noting with regard to such benefits of policy, design, coding, but noted that there was still a lot to be thrashed out. AMcK also considered whether KAG objections would still triggering and the influence the agencies would continue to have in regard to this.

- **Action:** Alasdair to draft general response on KAG's views on so far to be returned to the Eric Dawson in due course. This will be circulated to the group prior to being sent. Alasdair to emphasise that KAG is keen to understand to allow the agencies to engage with the Planning Authorities in the most productive way.
- **Action:** Alasdair to go back to Eric Dawson with group questions on LPP and other matters.

#### 4. Lunch

#### 5. Discussion on SESplan and subsequent actions for KAG and/or individual agencies (All)

AMcK began the discussion by circulating table demonstrating significant increase in housing numbers to 2030 from the DPEA examination report on SESplan.

AMcK advised that this report was largely binding on SESplan and that these housing numbers, if not delivered by SESplan would presumably go on to form the need and demand basis within a new NPF4 in due course. AMcK also highlighted the implications this might have for Local Development Plans in this region – particularly Edinburgh and East Lothian.

DL advised that Transport Scotland is involved with SESplan as they try and progress SG on Development Contributions. Transport Scotland conducted a cross boundary study with SESplan will update guidance on housing figures once land has been established.

FR considered if any thoughts on environmental assessment aspect of it have been undertaken by the Reporter. AMcK advised that the Reporters do not look at the Environmental Reports when examining development plans – in contrast with other technical/supporting documents. This has been highlighted in previous discussions with SEA consultation authorities and SG.

KL advised that SEPA is concerned with environmental capacity. SEA would be help to establish the fundamental constraints.

AMcK asked the group whether we want to offer to catch up with SESplan? AF agreed that this was a good idea.

The group discussed a number questions which they had in regard to the increase in housing numbers, including whether this increase could be considered sustainable development, what the increase meant, was this based on housing size, tenure, demographic considerations, what would this mean for revisiting allocations etc.

KL and KG considered whether it would be possible to consider this as part of the Placemaking group, to see how we can work at this scale to help support this in terms of placemaking as KAG.

**Action** – *Alasdair to contact SESPlan and offer KAG support in responding to the requirements of the examination report.*

## **6. Working group updates and discussion:**

- **Partners in Planning – event debrief and next steps (Alison Baisden/group members)**

AB provided feedback on the recent Partners in Planning event on 6 September during which KAG led a well-attended workshop session. Our next challenge to build on this for full day KAG event to take place on 24 January 2019 at the Engine Shed, Stirling. This event will again be aimed at young to mid-level career planners. We are currently looking for key note speakers and agency representatives to organise a similar market place style event, with delegates to move people around a variety of discussions. We agreed to retain the existing Key Agency training sub group led by Alison so that this can take forward plans for this future event.

DL asked if this was to be a purely KAG event, and SD asked who would be attending. AB advised that the event would be KAG focused, providing an insight as to work Key Agencies do and their interaction in the planning process. The event would be aimed at both public, private and 3<sup>rd</sup> sector planners.

SD said that Dave Bisset would likely want to be involved and SL also expressed an interest to be involved.

TM advised that the feedback from the Improvement Service event would be shared soon and the website is up and running.

- **Action:** Alison Baisden to arrange October meeting for the Key Agency training subgroup.
- **Action:** Individuals interesting in joining the Key Agency training subgroup, please contact Alison

- **Placemaking (Katherine Lakeman)**

KL advised that the subgroup last met on 4 September. John Howie (NHS) attended which was really useful. KL advised that good discussions taking place and together the group drafted their purpose, initial actions and programme. The group will focus on how we could contribute to NPF, but may change to looking at issues through themes rather than at a national, local etc. scale.

The group considered existing projects to use as case studies for work, such as A9/A96 dualling as example, as these would be a useful place to being working from.

KL said that it was good to have John Howie there to discuss their experiences of using the place standard tool and it made the group consider how the tool could be used by communities to express how A9/A96 proposals have influenced their place. KL advised that Eric Dawson was quite keen for us to do this.

KL did highlight however that the group needed more space to consider how we can contribute to national outcomes on place. KAG need to look at making a clear connection between what we do and how the benefits of that can be translated into outcomes. Workshop is to be held on 13 October, hosted by ADS, to pull together the future programme. Fiona Simpson may be a long depending on timescales surrounding the Planning Bill. KL concluded that there are quite clear tasks that we can take forward, including new ways of working, using the place standard effectively and finding new ways of delivering this. After workshop it will be good to try this out on an area and that is when the real test will come.

KL also acknowledged that there will continue to be a close relationship with other subgroup NPF4 on policy elements as they be closely aligned.

AMcA noted that this could raise some potential discussions or projects which could be used which could be a good way to pull the two together. KL advised that we did talk about a KAG development brief however it may be quite complicated but it is still an idea. This would also avoid duplication. AMcA advised he would like to be involved.

- **NPF4 Discussion (Brendan Turvey via AMcK)**

AMcK advised that BT had circulated a terms of reference and is coordinating a meeting soon. AMcK advised that the group would consider various ways in which we can support NPF4, including discussion on potential NPF projects/development, points of contact, cross cutting issues i.e. climate change and green network.

- **Action:** All agencies to consider who is likely to be involved and lead on SPP/NPF4 for their interests (and pass names to Brendan)

- **Environmental Evidence subgroup (Helen Bonsor via AMcK)**

AMcK advised that the subgroup were continuing work on developing User Stories for LDP preparation to allow for a better understanding of the opportunities for evidence use and application for a knowledge hub. Seven Planning Authorities have volunteered to take pilot forward and a subpage on Scottish Government's website is to be drafted.

SL said she would be interested in getting involved with the subgroup. AMcK advised that he would let HB know to get in touch with her.

TM asked how much engagement with the Digital Planning team – Design Sprint had taken place as it might be good opportunity for environmental evidence to be involved to ensure all considerations were tied in together and to avoid duplication.

FR noted that SNH had been invited late to the Digital Planning events, and TM advised that this had been a problem with the team and this was being addressed. He also noted that the Planning focused digital strategy was due to be published on 13 November and this would be a high level document.

## **7. AOB**

AMcK noted that David Wood/Petra from PAS passed on their apologies but that we can perhaps catch-up on progress with research around Local Place Plans at our next meeting. The group briefly discussed how the agencies could support local place planning and the mechanisms for how this might work.

It was noted that the next phase of the research will be on supporting Local Authorities on drafting and progressing LPPs, such as what guidance they may need. The question on what involvement KAG could have here was raised.

All noted that PPF reports had been returned to Scottish Government and are currently awaiting feedback. It was noted that these could go on Partners in Planning website. TM advised that the SG currently have graduates going through the PPFs.

AMcK asked if we wanted to send a joint statement out on KAG's collective view on the year to go with our meeting with PAD. AB considered if this go on the Partners in Planning website to portray shared view to Scottish Government. PIP event in progress.

With regards to the ECoW paper to HOPS, TM advised that none of the authorities wanted to go ahead with it at this stage (or just not using it). He was unsure of the sort of response will get and considered that perhaps a more formal approach required. TM advised that the Chair of Development Management group best to progress ECoWs. TM also to forward the details of Chair of HOPS to FR.

- **HES Policy Statement & Corporate Plan Consultation**

AMcK advised group that consultations both open for comments. He noted that both been through SEA and would be great to get further consultation responses from fellow Key Agencies.

- **Agree Future meeting dates**

SD advised that the location for the December meeting was to change and would now be located in either, Perth, Edinburgh or Glasgow

With regard to future meeting dates the group agreed that the proposed meeting day on 14 March date would be fine, but the June date was still under review. It was noted that SEPA could host one of these meetings.

**Action:** SEPA to check dates for hosting KAG next year.

- **City Edinburgh Council (CEC)**

DL advised the group that CEC was begin the process of their next LDP if they were not already aware.

- **Improvement Service FAQ for Elected Members.**

AMcK advised that Andrew Teece from Improvement Service noted that the section for elected member FAQs is out of date. AMcK advised that he will circulate update content for comment. Additionally all agencies should check the website to ensure that information on the website for each agency is up to date.

- **Action:** All agencies to check the website to ensure that information on the Improvement Service website for each agency is up to date.

- a. Outstanding Items from Previous Meetings**

Outstanding items from the previous meetings were discussed and the following actions were identified.

- **Action:** EIA Group to follow up with HOPS on the Key Agencies charging for a Quality Assurance Service for EIA Reports
- **Action:** Fiona Rice to follow-up with the Scottish Government regarding hosting the Key Agencies Web Page
- **Action:** Debbie Livingstone to chase Transport Scotland regarding joining the Improvement Service Skills Programme.
- **Action:** EIA Group to provide feedback on competent 'experts criteria' to HOPS.
- **Action:** Anna to discuss with Alasdair with regards to inviting Scottish Government to December KAG.