

THE SCOTTISH PARLIAMENT AND DEVELOPMENT PLANNING

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INTRODUCTION

Land use planning will be one of the services to fall within the remit of the Scottish Parliament. Of all public services, planning is the one that affects most people and most activities, if only by virtue of the fact that they use land. Indeed it is in recognition of the importance of land use to the community that it is one of the few government services where there is a statutory right for the public to participate at various stages in both plan preparation and implementation. Despite this importance there has been very little detailed debate or discussion as to how planning might evolve under the Parliament. Two recent articles in *Scottish Affairs* have hinted that planning is something that the Parliament needs to consider. Sinclair (Sinclair 1997) has argued for establishing community planning, which would incorporate not only the local authorities' own plans but those of other agencies such as the Local Enterprise Companies (LECs). Alexander argues that local authorities need to co-operate to provide a 'strategic vision' to counterbalance the Parliament (Alexander 1997). Neither author develops arguments in detail and both talk about planning in a generic way, including land use planning within a far wider definition.

This article attempts to be more specific and to consider in some detail how land use planning might evolve under the new democratic system. In doing this it develops some of the ideas put forward by Alexander and Sinclair and draws upon arguments outlined more fully elsewhere (Hayton 1997). It examines in some detail the problems of the existing development planning system which are felt to justify wide-ranging reform. Changes to overcome these problems are suggested at two levels:

The Scottish Parliament and Development Planning

- plan making, where it is proposed that the Parliament, in Alexander's words, provides a 'strategic vision' through the preparation of a national plan, underpinned by a series of unitary plans produced by the local authorities. These plans would not be solely an expression of land use policies but would incorporate the policies and proposals of all publicly funded agencies that impact upon land use;
- new structures for involving the public in the production and implementation of these plans, at both national and local levels. These would overcome the democratic deficit that is characteristic of the plan-making activities of many public bodies under the current centralised system.

The starting point of the article is a brief outline of the nature of the current planning system to set the context for the analysis of its problems.

THE SCOTTISH PLANNING SYSTEM

The system is essentially in two parts:

- development plans: consisting of structure plans, setting out broad land use strategies for sub-regions, and local plans which interpret these strategies in the light of local circumstances;
- development control: the 'policing' arm of planning. This ensures that development conforms to structure and local plan policies, unless there are 'material considerations' that result in these policies being overturned. Such considerations might include, for example, the age of plans, so that their policies are judged to be out-of-date.

This system, at the local authority level, operates within the context of national advice and guidance provided by the Scottish Office. Advice comes through Planning Advice Notes (PANs). To date 55 have been produced, although not all are still relevant. Guidance comes through National Planning Policy Guidance (NPPGs). These were introduced in 1991 and replaced National Planning Guidelines (NPGs) which had been influenced by the Dutch experience of national spatial planning (Rowan-Robinson et al 1987). The NPPGs are 'material considerations' that have to be taken account of by local authorities when drawing up plans and taking development control decisions. Planners in Scottish local government therefore have no lack of advice or guidance when it comes to drawing up development plans or making development control decisions. Whilst the complexities of the

development control system make it suitable for review and overhaul, the focus of this article is upon development planning, the plan making system.

WHY IS THERE A NEED TO CHANGE THE DEVELOPMENT PLANNING SYSTEM?

To an observer, one of the main features of Scottish planning in recent years has been change. A number of research reports have been commissioned and many have resulted in changes to planning procedures. However, what all of these changes have in common is that they have been evolutionary: the type of change that one would expect to see in any system that is striving to improve its effectiveness and which is subject to political control. Yet such evolutionary change seems to have been used as a way of avoiding asking fundamental questions about the nature and purpose of land use planning and development planning in particular. The latest example of this is the development plan review. Whilst it makes some useful procedural suggestions for change, most of the fundamental questions about the system are either avoided or fudged, as with the suggestion that the Secretary of State should ensure that publicly funded agencies 'demonstrate regard to the development plan' in their activities (Hillier Parker et al 1998, p.29). This article does not propose change for the sake of change. There are major problems with development planning which need to be addressed. The early days of the Parliament offer a superb, and probably a 'one off', opportunity to do this: to take a close look at the fundamental problems and propose a solution that overcomes the problems which incremental change seems deliberately to avoid.

One of the driving forces behind the setting up of the Parliament is a desire to increase the democratic nature of governance in Scotland. Given this, one of the first things to be addressed has to be the increasing tendency for policy making to become centralised. This comes about through the proliferation of NPPGs. They are an aspect of Scottish planning that has been widely praised yet about which there has been very little fundamental research, albeit that some is now rather belatedly underway. There is undoubtedly a need for national guidance as there are land use issues where local concerns need to be overridden by the national interest. Yet the first concern with the NPPGs is their number. There are now 15 of them, with another three planned. They are becoming increasingly verbose. Whilst there is overlap in content, especially in setting the 'sustainability' context, those responsible for producing development plans still need to ensure that they take account of over 300 pages of guidance. The more the volume increases, the more scope

The Scottish Parliament and Development Planning

there is for disagreements and interpretations between developers and planners. NPPGs also generally lack the locational framework which characterised the NPGs. As such there is a danger that they are capable of many differing interpretations. Rather than providing concise practical guidance they create confusion and ambiguity for all concerned with the planning system. Evidence for this view comes from the interim development plan review commissioned by the Scottish Office (Hillier Parker et al 1997, p.60). NPPG topic coverage also seems to bear no relationship to users' priorities (Raemakers et al 1994, p.24). This lack of correlation with the wishes of users is reflected in the idiosyncratic nature of the guidance. For example issues such as archaeology have been covered but there is still no guidance on new settlements or urban policy. Indeed Scottish urban policy, as opposed to small area project-based policy, is almost non-existent. Although archaeology is apparently one of the most requested Guidelines it hardly seems to be of such importance that it should appear before topics such as transport. Indeed at times, to an outsider, it seems as if the production of Guidelines owes more to expediency and ease of production than to any considered assessment of development planning priorities. There is also evidence that the Guidance is not always about 'nationally important land use' matters whilst PANs are not always providing advice. For example it has been claimed that PAN 38 dealing with housing land (Scottish Office 1993a) has been more prescriptive than advisory (Raemakers et al 1994, pp.7-8).

Underlying all of these concerns is the undemocratic nature of the guidance. Although it is subject to consultation, this is not widespread but focuses upon professional and interest groups. Little or no attempts are made to consult the general public, in contrast to the situation with structure and local plan preparation. The irony is that plan consultees may find that some key decisions have already been made at the national level and are not open to debate at the time when the public are invited to have their say upon development plan content. This can only bring planning and the consultation process into disrepute and make many participants cynical about the whole process.

This process of centralisation must restrict the ability of local elected representatives to produce plans which reflect local wishes and development outcomes. The danger is that, as Guidance proliferates, scope for local initiative is restricted. Taken to its limit this could mean that development planning becomes a 'tick box' activity, with plans becoming merely an expression of central concerns which override any views expressed through the local democratic process. There clearly has to be a balance between central and local concerns yet it seems that the balance has gone too far

Scottish Affairs

towards the centre. This would be less of a concern if central policy making was subject to explicit democratic and public scrutiny. Under the existing systems and procedures this is far from the case. Even more worrying is the fact that the planning profession in Scotland seems to accept this situation.

There are also concerns, articulated by the Scottish Office, about the form and content of development plans, in particular their length, lack of clarity and inclusion of issues that are not within the remit of land use planning (Scottish Office 1993b). In their turn these factors mean that plan making is often a very lengthy process. Despite the age of these criticisms they have recently been repeated in the development plan review (Hillier Parker et al 1998, p.15). No doubt the lack of progress was responsible for the newly appointed Minister having to restate the need for plans to be more user friendly, stressing 'three important watchwords ... Brevity, Clarity and Precision' (MacDonald 1998). That this has still to be stated seems to be an indictment of the profession in Scotland which seems to have lost sight of the fact that development planning is a means to an end, not a self indulgent activity catering for the needs of a closed group of professionals.

The evolutionary change that has affected Scottish planning also seems to have failed to take account of the fact that the context within which plans are produced and planners operate has changed dramatically in recent years. Despite these changes the development planning system is still operating essentially as it was in the 1970s. One of the key changes is the separation of the ability to formulate policies from the ability to implement them (Hayes 1997). There are several reasons for this. Local government's role as a direct service provider has declined dramatically in many services that use land. For example few local authorities now build houses whilst housing stock has been dramatically reduced as a result of sales to tenants and transfers to other landlords, such as housing associations. This changed role is set within an ongoing financial crisis which means that the ability to develop schemes has been severely restricted. This has been paralleled by the emergence of new financial regimes such as the Private Finance Initiative (PFI) which local government increasingly needs to engage with if it is to obtain capital resources to implement projects. The growth of a range of other organisations, funded from the public purse but removed from local democratic control, has exacerbated this split between policy making and implementation. These include such bodies as the Scottish Enterprise network, with a budget of over £500 million in 1997/98, the three water authorities, Scottish Homes, the housing association movement, Scottish Natural Heritage and the Scottish Environmental Protection Agency. These are but a few of the agencies that impact upon land use, which local

The Scottish Parliament and Development Planning

government has no direct control over, and whose links with democratic accountability are often limited to tenuous and opaque ones through the Secretary of State. When their priorities change, this may have major implications for local government. For example the change in Scottish Enterprise's priorities for environmental improvement, from amenity to economic considerations (Scottish Enterprise 1995, pp.16-17), caused concerns to local authorities and developers alike (Strathclyde Regional Council 1994, Par. 4.35 and 4.52 and Strathclyde Regional Council 1995, p.165).

Funding is also increasingly allocated on the basis of competitive bidding, rather than need. The danger is that resources follow novelty, innovation or political expediency. This is something that has been commented upon unfavourably in the context of one of Scotland's most recent deprivation initiatives, the Programme for Partnership (Turok and Hopkins 1997). Competitive bidding means that priorities are not set locally but centrally by the bodies that control the budgets, be they the Scottish Office, the Millennium Fund, the Lottery or various Challenge funds. To access these, bids have to conform to the funders' agendas and priorities rather than local needs. Glasgow's continual pursuit of 'events', whose relevance to local problems is far from self evident (Hayton 1995), is the more extreme example of this phenomena in Scotland, albeit that it is by no means alone.

The 1996 reform of local government has introduced other problems which make effective development planning more difficult. For example there are spatial divisions in those areas where the regional councils have been abolished. This makes it more difficult to plan effectively for services, such as roads, which cross administrative boundaries. The arrangements for structure planning, perhaps one of the most successful and distinctive aspects of Scottish planning, are now very varied. It remains to be seen if the arrangements in areas such as Glasgow and the Clyde Valley will enable the emphasis upon steering development into the conurbation to continue. The alternative is that, in an attempt to maintain agreement amongst the eight local authorities represented on the Joint Committee, development is allocated on a pro-rata basis, rather than in accordance with strategic planning priorities. This will have a detrimental impact upon urban regeneration.

Many of these concerns affect the extent to which development planning is subject to explicit democratic control, given the many changes in the context and structures within which planning operates. The response of the Scottish Office to this has been to try to distance the general public from the system

Scottish Affairs

rather than allow it to have a greater say over its operations. There is thus an increasing tendency for consultation and participation to concentrate upon groups and organisations rather than individuals. In part this reflects the difficulties that many authorities have had in engaging the public in a debate about land use policy. It is also undoubtedly a more effective use of resources to participate with bodies who speak the same professional language. At times this tendency seems to have gone to extremes. For example the draft Structure Planning PAN (Scottish Office 1996a) seemed to give the LECs a central role in plan production. At one level this is all part of the process of centralisation that is seen throughout the United Kingdom in plan consultation and participation. The outcome is that ordinary members of the public are being deliberately excluded from having a say in land use decisions that can have a major impact upon their communities.

The above analysis has therefore identified a number of problems with development planning: centralisation caused by the proliferation of NPPGs, the undemocratic nature of the guidance, the form and content of the plans, the growing gulf between policy making and implementation, with the two responsibilities often residing in different agencies, and the need for new methods of accessing resources if projects are to be implemented. What underlies many of these problems is fragmentation, which effectively causes many of them and exacerbates the rest. Fragmentation is evident in many aspects of the current system: for example the failure of the Scottish Office to involve the wider public in NPPG production, the rift between policy making and implementation, and the need to access resources from agencies and regimes that may have different priorities to local government. The way forward has therefore to be one that overcomes these splits, brings together policy making and implementation and by so doing places all publicly funded bodies, having an impact upon land use planning, within some explicit form of democratic control. An effective way of doing this would be to move away from the proliferation of plans to a situation in which all of these bodies are contributing to the same plan. As there will still be a need for national land use guidance, setting out national policy on key issues, it is suggested that this be incorporated into a single national land use plan which becomes, in effect, a spatial representation of national planning priorities. There would then be a series of lower tier plans for the unitary authorities. Again all public bodies would contribute to these. To ensure that these proposals would not increase centralisation they would be complemented by structures that will increase democratic accountability and make fundamental processes such as policy making and resource allocation more transparent and subject to

The Scottish Parliament and Development Planning

explicit public consultation and influence. The remainder of this article outlines these proposals in greater detail.

A NEW DEVELOPMENT PLANNING SYSTEM

The proposed system would thus operate at two levels: national and local. The National Plan would be underpinned, at the local authority level, by unitary plans. The form and content of both types of plan would be different to the current development plans to enable them to overcome many of the problems outlined above. Whilst their focus should be upon land use they should incorporate the spatial elements of the plans produced by all publicly funded bodies. They should also link policies and proposals to resources, thereby bridging the gap between policy formulation and implementation. This goes well beyond the recent suggestion that publicly funded agencies 'need to demonstrate regard to the development plan' (Hillier Parker et al 1998, p.29). In parallel with these changes new mechanisms for involving the public in plan production and implementation should be evolved so that plans become less an expression of the views and wishes of a number of interest groups and more a reflection of the aspirations of local communities.

At the national level it is proposed that a 'National Physical Plan' be produced. This would give spatial expression, on a map base with detailed insets as appropriate, to the land use policies and proposals of all bodies that receive public funds. It would represent a return to the spatial frameworks that characterised the NPGs. However the policies and proposals would be phased and would have resources tied to them as appropriate. As such the plan would be an implementation document as well as setting out more 'aspirational' policies. It would include a written statement which would contain land use policies intended to guide private sector investment priorities. It would also include statements of national policy on some of the key issues that, to date, seem to have been ignored by the Scottish Office such as urban policy, national parks and the land use implications of changes in numbers of forecast households. Whilst these may not be capable of being given a detailed spatial expression they would set the policy context for the unitary plans.

The National Plan's content would incorporate the following:

- those elements of national guidance in NPPGs that are significant at the national level;

Scottish Affairs

- elements of structure plans that are of more than regional significance, for example infrastructure and major development proposals;
- the national spatial dimensions of the activities of such bodies as the water authorities, Scottish Enterprise, the LECs, Scottish Homes, Scottish Natural Heritage, and the Scottish Environmental Protection Agency; in fact the plan would provide the spatial framework and priorities for all of the ninety eight public bodies for which the Parliament will have responsibility;
- the various European strategies such as the Single Programming Documents and Europe 2000+ which will increasingly have a spatial impact upon Scotland as the European Union begins to formulate and implement an effective European spatial planning framework;
- national Government's key infrastructure proposals, in particular for roads.

Underpinning the plan would be a statement of investment priorities, with various projects being phased and having resources tied to them. This is not a revolutionary proposal. Resources are already tied to projects through the process of producing a variety of business and investment plans, often on an annual basis, by all publicly funded agencies. What is now proposed is a process which is:

- transparent, with priorities being determined by the Parliament rather than by the non-elected boards of a variety of agencies and then approved by civil servants. This is a process in which democratic accountability may exist in theory but which is very remote and virtually impossible for outsiders to influence;
- co-ordinated, so that there is a move away from the process whereby individual agencies are producing their plans to meet their own priorities to one in which it is possible to draw up a plan which is a corporate document. This would take time, particularly for the first plan. There would, however, be compensations in that there would be less need to then spend time drawing together partnerships at a later stage, often when many of the 'partners' may be already committed to alternative courses of action.

The National Plan would become a statement of preferred spatial development priorities and a public spending and budgeting document. There would therefore be a degree of certainty that policies would be implemented.

The Scottish Parliament and Development Planning

Given the lead time for development projects, particularly for infrastructure, the Plan would need to look ahead for perhaps as long as ten years. However as it seems unlikely that public spending will be able to escape from its annual cycle, the plan would need to be rolled forward every year with adjustments being made according to financial allocations. This would also be an opportunity to review the appropriateness of policies and projects and incorporate ones based upon new priorities. Despite this, on an annual basis, there is likely to be incremental rather than cataclysmic change.

The National Plan would be underpinned by thirty two unitary plans, one being prepared for each local authority. The development plan review (Hillier Parker et al 1998) dismisses unitary plans, largely on the basis of the lengthy public inquiries that have taken place in England. Despite this, many authorities are moving in this direction with the production of district-wide plans. It cannot be too long before those authorities that are responsible for producing both structure and local plans begin to protest at the absurdity of producing two plans with identical boundaries. Pressure for producing unitary plans will therefore grow. Accordingly the unitary plan suggestion is not as radical as it may appear. The unitary plans would be prepared within the context of the National Plan and would interpret its policies in the light of local circumstances. Like the National Plan they would go beyond being merely policy statements but would be land use plans for corporate and partnership investment. They would be 'corporate' in that they would include all of the land use and investment decisions of local authority departments which have spatial implications. They would be 'partnership' plans in that they would incorporate the land use and investment decisions of all other publicly funded agencies having land use impacts. As such the unitary plans would be statements of public sector spatial expenditure priorities for the local authority area, bringing together all of the decisions made by public bodies in one document that would be subject to public participation and approved by the democratically elected council. This would bridge the gap between policy making and implementation as well as making decision making far more transparent than is often now the case. The plans would provide a framework for private sector investment through a range of policy statements so that they would give the type of policy 'vision' for the area that currently comes through the structure and local plans. The plans would have a five year life and would be rolled forward every year so that they could be refined in the light of public expenditure allocations. Like the National Plan the unitary plans would have 'teeth'. They would be implementation documents, giving details of development proposals and the funding that is to be provided over specific time periods to implement them. By doing this

Scottish Affairs

many of the problems in the current development planning system would begin to be solved as the plans act as the mechanism for bringing most public sector investment decisions under the democratic 'umbrella'.

The obvious criticism of this proposal is that it is centralisation and corporatism gone mad: an attempt to manage and co-ordinate everything from the centre which would exacerbate rather than solve the problems of democratic accountability. Accordingly the only way that this proposal would work is if it incorporates new ways of ensuring that there is public and agency involvement in the plan production process.

PUBLIC INVOLVEMENT

The White Paper Scotland's Parliament states that the Parliament should 'connect and involve people with the decisions that matter to them' (the Scottish Office 1997, p.viii). The new planning system therefore needs to be paralleled by ways of gaining public involvement in policy formulation and the determination of spending priorities. This needs to be done, not through the passive consultation which all too often characterises current attempts at public involvement, but participation, that allows individuals and groups to influence policy. It is very easy to become sentimental about participation: envisaging a utopian situation in which there is mass involvement and in which policy is a direct reflection of a community consensus. To avoid the disappointment that such unreal expectations may cause some basic principles need to be outlined to guide the process:

- The start has to be a realisation that public involvement is not to be a means of legitimising decisions that have already been made. It is to be an opportunity for the public to influence decisions.
- Involvement involves compromise, so that the various participants are not forced to get what they want out of the process. This reflects the fact that society contains many different groups having different interests in the outcomes of land use decisions. As such involvement in the process is not forced to result in a unanimous view emerging.
- Given this, part of the process has to be education: making all participants aware of what the scope for change is, what is open for debate, what is not and why this is the case.

The Scottish Parliament and Development Planning

- Involvement is a process and not a 'one off' event. This process is to be a dialogue between the community and the centre, be this the Parliament or local government. Here annuality, which is often seen as a problem in the public sector, can be seen as a major advantage in that there will be a focus for involvement, and real issues regarding funding and priorities can be discussed.
- Public involvement does not mean that the public become the decision makers. The onus is still upon the planners and politicians to make decisions. However the reasons for these decisions need to be transparent if the process is to have credibility. Participants may not get what they want out of the process, but at least they are aware of why this was the case.

These are the principles that should guide public involvement. In terms of the structures, it is proposed that these parallel the planning framework, with overlapping national and local participation frameworks. At the national level it is proposed that a network of thirty two National Plan Community Forums be set up, one in each of the unitary authorities. Underneath these there would be between six and twelve Neighbourhood Forums in each authority, the exact number being dependent upon population and geography.

The National Forums would have between twenty and thirty members: half being representatives from existing community organisations. The balance would be made up of non-affiliated members of the public who would be invited to nominate themselves. They would stand for election, with the elections taking place at the same time as elections to the local authorities. The Forums' role would be twofold:

- to inform Parliament about land use problems and priorities from the community level;
- to respond to land use proposals coming from the centre, that both directly impact upon the area and are of wider significance.

To make the system work Liaison Officers would be appointed. Their role would be to link the Forums to the centre. Initially their main task would be educational: making the members aware of the new structures at national and local levels and the activities and responsibilities of the agencies that feed into the Plan. Their ongoing role would be to identify key suggestions coming from the centre, bringing them to the notice of the members and helping them to articulate a response. However a more difficult and creative role would be to make the Forums pro-active: helping them to articulate a

Scottish Affairs

land use strategy, a vision, for their area; detail the implications of this for policy and resources; and then feed this back to the centre so that it can be incorporated into National Plan production. Once the Plan had been drafted the Officers' role would be to disseminate and explain this and then help the Forums to articulate their views on it. At the start of the process the Forums would need to meet frequently. Once members are familiar with the process then it would probably be sufficient to meet four times a year, supplemented by ad hoc meetings if significant issues emerge. The success of the system would be very dependent upon the skills of the Officers. They would need to have community credibility, avoid being identified too closely with the Scottish Office and have the inter-personal skills to work closely with the community in a non-patronising way.

At the local authority level the Neighbourhood Forums should build upon existing community involvement frameworks. The setting up of new structures should be avoided, because of the scope for confusion and delay. Given that community councils already have a degree of involvement in the planning process, for example they are statutory consultees on planning applications (Scottish Office 1996b), they should be the building blocks of the new system. In those areas where the councils are either inactive or do not exist, the new planning system, and the scope for giving the public a real say in its development and implementation, should be used as a catalyst to make them more effective. If this is not possible in all areas then the Forums' building blocks should be the decentralisation schemes that authorities are developing following local government reorganisation. Building upon these existing frameworks implies that they would need to change: in terms of membership, activities and boundaries. However such changes are felt to be worthwhile as they will give the frameworks a new legitimacy and position them far more centrally in the new democratic structures. The Forums would have a membership of twelve, two of whom should be elected members. Of the others one should be co-opted from the National Forum for the area and four should be drawn from existing community and voluntary groups. The other five would be members of the public who would be allowed to nominate themselves. If necessary an election would be held, again linked to the local authority election cycle. The Neighbourhood Forums would have two roles:

- They would be consulted by the authority at various stages in the preparation of the unitary plans and would feed their views on local land use issues into the plan making process. As such they would be key players, on a par with the LECs, whose views would shape the plan's content and its implementation priorities.

The Scottish Parliament and Development Planning

- They would have a legal role in the implementation process by making it a statutory requirement to refer all planning applications affecting the area to the Forums. The 'model' to be followed will be Islington where officers have been given an extensive range of delegated powers. All applications are reported to a local forum along with the officers' recommendation. If the forum agrees with this then the decision is made. If not then the application goes to the authority's development control sub-committee which takes a decision in the light of the community's opinion. By adapting this model to Scotland it should be possible, as is the case in Islington, 'to involve local people in decision making about issues affecting their area' (Burns et al 1994, p.186). Giving the Scottish Forums such a role will increase their importance in the eyes of all involved in the planning process as well as developing a close link between plan production and implementation.

Involvement in the national and local plan production process for other groups and interests would continue using current structures. For example there is no reason why the type of approaches, such as topic groups, outlined in PAN 37 for Structure Planning (Scottish Office 1996c), should not continue. At the National Plan level there should be two types of participation:

- At the formal level there should be participation with local authorities, professional groups, pressure groups and agencies according to a clear annual timetable. This could be structured through a number of topic groups addressing specific issues. This would provide an early opportunity to discuss contentious matters and thereby resolve conflict.
- There should be informal participation, again to an annual timetable when the draft plan will be publicised and input invited. This could usefully be orchestrated by holding public meetings in each local authority area at which the issues and proposals coming out of the plan affecting the area would be highlighted.

There are undoubtedly many other ways that can be devised to involve the public in the planning process, some of which are outlined by Thomas (1996). The suggestions above may not be ideal and may need to be refined. However if planning is to have credibility with the communities that it affects, then new ways of involving them in the production and implementation process need to be found. Pressure groups and agencies are

Scottish Affairs

perfectly capable of influencing decision makers and their views will be heard regardless. The deficiency in involvement is with the wider community. If it is possible to engage with this group then planning's credibility will be greatly enhanced and the public will be involved 'with the decisions that matter to them' (the Scottish Office 1997, p.viii) in a way that does not happen at the moment.

CENTRAL-LOCAL RELATIONSHIPS

One of the main problems with the current development planning system was earlier identified as centralisation. The production of a National Plan, which sets the guidelines for and is underpinned by unitary plans, could be seen as making centralisation worse, even though it is to be paralleled by structures for public involvement. To avoid this the relationships between the centre, the Parliament, and the local authorities will be crucial to the success of the proposed development planning system. At the administrative level it is suggested that the National Plan be produced by the Scottish Office's Development Department, or its equivalent, and formally approved by the Parliament. Staff would be assisted by secondees from the unitary authorities, initially from the structure plan teams. This would ensure that the first Plan incorporated strategic considerations, from the structure plans, of national importance as well as making the civil servants aware of the local government view on land use issues. This would be a way of minimising the scope for conflict in the system's early stages. Whilst there may well be conflict it needs to be remembered that local authorities have generally accepted the need for national land use guidance whilst being critical of the fact that bodies such as the LECs have been able to draw up their plans in relative secrecy. The proposed system would make national guidance far more specific, practical and spatial than are the current verbose NPPGs. It would also ensure that publicly funded bodies were democratically accountable. The Parliament, as it approved the Plan, would also scrutinise its contents in detail. This would give a degree of openness that is lacking in the current procedures for producing NPPGs. As such, any charges of centralisation are likely to be more than compensated for by greater clarity and openness. The system could also reduce instances of the Scottish Office granting applications on appeal which conflict with development plan policies. Again this may make for more harmonious relationships between the centre and the unitary authorities.

The unitary plans could be seen as being simply a local expression of nationally determined priorities, thereby reducing almost totally the scope for

The Scottish Parliament and Development Planning

local determination of land use priorities. This is not the intention. The National Plan would deal solely with nationally significant issues. This would leave considerable scope for authorities to develop policies and proposals for their areas. In some instances the National Plan would limit local flexibility. However the authorities would be aware why this was the case and would know that any national proposals and policies had been subject to Parliamentary scrutiny. There would, however, be a need for reserve legislation to allow the Parliament to overrule the unitary authorities if their plans were conflicting with the National Plan. Such powers currently exist but have rarely been used. There is little to suggest that the proposed development plan system would be any different. Indeed the fact that planning would be open to far greater scrutiny and public involvement makes the need to use such powers very unlikely.

CONCLUSION

The Scottish Parliament needs to show that it will make a difference. Simply having a new set of elected representatives sitting in Edinburgh is not enough. There has to be differences in structures, in processes and above all else in the involvement of the public in matters that affect them, one of which is land use. However, these differences need to help to overcome the deficiencies and shortcomings of current development planning. Change for its own sake is not necessarily a good thing. What is outlined is a development planning system that would overcome many of the current problems in a way that would be more effective whilst being more democratic as land use and resource decisions would be discussed and made in a far more transparent way. The suggestions should also give land use planning a new legitimacy with the Parliament and the public. It could be placed at the centre of the new constitutional arrangements, playing a key co-ordinating and implementation role: a role that has been increasingly undermined in recent years by the growth of non-elected implementing bodies such as the LECs.

The suggestions may not be ideal. They may seem to be too centralised and may run the risk of alienating the community more than the current system. This is not the intention. Although the National Plan would set the context for the unitary plans this would be based upon a process of consultation and participation at the local level so that the Plan would, to some extent, be articulating community views in a way that does not occur in the present system. The process of community involvement would also mean that the community is made aware of and can influence some key policy areas, such

Scottish Affairs

as European funding, which are increasingly important yet which are rarely subject to community participation.

Development planning could change in many other ways under the Parliament. The greatest fear is that there is no change. Politicians look at the evolutionary change that has occurred, fail to identify the many deficiencies in the system, and decide that priority should be given to other services. Evolutionary change is a way of avoiding asking fundamental questions, of avoiding radical change and essentially maintaining the current situation. To continue to do this would mean that land use planning was seen as irrelevant to the significant issues facing Scotland. What would be likely to happen is that the small-area project-based approach, which has characterised implementation over the last twenty years, would proliferate. As it grew, so development planning might begin to wither. The most obvious consequence would be the loss of a strategic overview of policy and a resultant lack of coherence. Projects would be implemented in a vacuum and would be likely to achieve little. At the same time the gap between plan making and implementation would grow as would decision making away from public scrutiny. The outcome would be that land use decisions would be increasingly divorced from the electorate. The Parliament needs to respond and ensure it does 'connect and involve' communities with land use decisions. If it can rise to this challenge, then it has the opportunity to set up a distinctive planning system that places transparency and public involvement at its heart.

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September 1998