

## TAYSIDE AND CENTRAL SCOTLAND TRANSPORT PARTNERSHIP

12 SEPTEMBER 2017

## GENERAL CONSULTATIONS

## REPORT BY SENIOR PARTNERSHIP MANAGER

This report seeks the Partnership's endorsement of an officer response to consultation by Transport Scotland on Improving Parking in Scotland; notes a joint RTPs response to a Scottish Government consultation on Places, People and Planning Position Statement; seeks approval of a response to a Scottish Government consultation on The Socio-Economic Duty; and asks the Partnership to delegate authority to the Executive Committee to consider and approve a response to a Scottish Government consultation on Free Bus Travel for Older and Disabled People and Modern Apprentices.

**1 RECOMMENDATIONS**

## 1.1 That the Partnership:

- (i) endorses the officer response to Transport Scotland's Improving Parking in Scotland – A Consultation, as detailed in Appendix A;
- (ii) notes the joint RTP Chairs response to The Scottish Government's Places, People and Planning Position Statement, as detailed in Appendix B;
- (iii) agrees to respond to the Scottish Government's Socio-Economic Duty – A Consultation, as outlined within this report; and
- (iv) delegates authority to Executive Committee to consider and approve a response to Scottish Government's Consultation on Free Bus Travel for Older and Disabled People and Modern Apprentices.

**2 BACKGROUND**

- 2.1 Transport Scotland published [Improving Parking in Scotland – A Consultation](#) on 31 March 2017 with an original date for submission of 30 June 2017. This submission date was subsequently extended to 31 August 2017 for Local Authorities and Regional Transport Partnerships.
- 2.2 The Scottish Government published [Places, People and Planning Position Statement](#) for consultation on 29 June 2017 with responses to be submitted by 18 August 2017.

- 2.3 The Scottish Government published [The Socio-Economic Duty – A Consultation](#) on 18 July 2017 for an 8 week period ending on 12 September 2017.
- 2.4 Scottish Government recently published a [Consultation on Free Bus Travel for Older and Disabled People and Modern Apprentices](#) on 25 August 2017, with responses to be submitted by 17 November 2017.

### **3 DISCUSSION**

#### Improving Parking in Scotland – A Consultation

- 3.1 In May 2015, Sandra White MSP introduced the Footway Parking and Double Parking (Scotland) Bill. However, the Bill was not enacted into law as the Scottish Parliament did not have power to legislate on this reserved matter. The Scottish Government made a commitment in December 2015 to progress this important matter once powers on parking were devolved. On 24 March 2016, the Scotland Act 2016 received Royal Assent, and powers to legislate on parking matters were devolved to the Scottish Parliament.
- 3.2 Due to the complex nature of parking and level of concerns that were raised by stakeholders in relation to the Bill, the Scottish Government set out a general intention to use the powers devolved by the Scotland Act 2016 to legislate on parking.
- 3.3 The consultation paper sets out proposed arrangements that aim to deliver a consistent approach to managing parking in Scotland. It invites views on how to improve the clarity of the laws on parking, what restrictions that should be applied, the exceptions that should be granted, how those responsible can deliver an integrated approach to managing parking, how we should tackle displacement of vehicles and support town centre regeneration whilst improving accessibility for all.
- 3.4 The findings of the stakeholder consultation will inform the development of the parking provisions in the Government's forthcoming Transport Bill and supporting guidance to be introduced in this Parliamentary session.
- 3.5 An officer response was submitted to Transport Scotland by the submission date of 31 August 2017. The Partnership is asked to endorse Tactran's submission as shown in Appendix A.

#### People, Places and Planning – Position Statement

- 3.6 An independent review of the planning system reported in May 2016. In January 2017 Places, People and Planning was published, setting out an integrated package of proposed improvements to planning. Consultation on these proposals closed on 4 April 2017 and a joint RTP Chairs response was submitted. An independent analysis of the consultation responses has since been published.

- 3.7 Taking into account the wide range of views on the proposals, the Scottish Government has published a position statement which sets out the changes that they are considering taking forward. The accompanying Strategic Environmental Assessment (SEA) Environmental Report considers the likely impact of the proposals.
- 3.8 The Scottish Government is required to assess, consult and monitor the likely impacts of their plans on the environment and is, therefore, inviting views on the Strategic Environmental Assessment (SEA) Environmental Report and the Position Statement. Following this consultation work will continue towards finalising the Planning Bill for introduction to the Scottish Parliament.
- 3.9 Consultation responses were required to be submitted by 18 August 2017. A joint RTP Chairs response has been submitted to the Scottish Government as shown in Appendix B, which the Partnership is asked to note.

#### The Socio-Economic Duty – A Consultation

- 3.10 The Scottish Government expects the public sector, and relevant public sector bodies, to play a key role in tackling poverty and inequality and has issued a consultation on proposals to bring forward a new socio-economic duty for the public sector with responses to be submitted by 12 September 2017.
- 3.11 The socio-economic duty asks particular public authorities to think carefully about how they can help to reduce poverty and inequality and to do more to tackle the inequalities of outcome caused by socio-economic disadvantage. In particular, the duty aims to make sure that strategic decisions about the most important issues are carefully thought through so that they are as effective as they can be in tackling socio-economic disadvantage and reducing inequalities of outcome. These strategic decisions include, for example, an economic development strategy or an annual budget setting out key investment choices. The main outcome Scottish Government is seeking is improved decision-making that leads to better outcomes for those experiencing disadvantage in society.
- 3.12 In 2017, Scotland will become the first part of the UK to introduce the socio-economic duty. The Scottish Government wants to ensure that this duty is introduced so as to have maximum positive impacts and is therefore seeking views through consultation on how it can best be implemented.
- 3.13 It is proposed that defined strategic public authorities and those that tend to be most influential will be covered by the duty. Whilst the consultation paper specifically refers to Regional Transport Strategies (page 12 of consultation) as an example of cross-cutting policy and strategy which address issues which impact on deprived communities (e.g. through the role of transport policy and strategy in tackling social exclusion) RTPs are not currently included within the proposed list of public authorities which Ministers propose be bound by the duty – i.e. Scottish Ministers (including Transport Scotland); Councils (including Local Development Plans, City Deals and other economic development/major investment plans); NHS Scotland; Integration Joint

Boards; Regional Health Boards; Scottish Police Authority; Highlands & Islands Enterprise; and Scottish Enterprise.

- 3.14 As is acknowledged within the consultation, transport, and Regional Transport Strategies have a role to play in tackling poverty and inequality. RTPs, through their statutory responsibility for developing and overseeing delivery of their RTSs, and also in their role as statutory Community Planning and Development Planning agencies, already have regard to inequality and disadvantage in the development of their RTSs, including through related Equalities Impact Assessment.
- 3.15 It is proposed that the Partnership responds to the consultation requesting inclusion of RTPs amongst the listed Scottish public authorities to be bound by the proposed socio-economic duty, in a manner proportionate to the scale and function of RTPs and their RTSs.

#### Consultation on Free Bus Travel for Older and Disabled People and Modern Apprentices

- 3.16 Scottish Government is seeking views on the future sustainability of the current concessionary travel scheme for older and disabled people and on proposals to extend the scheme to include Modern Apprentices.
- 3.17 Over 1.3 million bus pass holders currently benefit from the Scotland-wide free bus travel scheme for older and disabled people. They make around 145 million bus journeys each year representing around a third of all bus journeys made in Scotland.
- 3.18 Scottish Government has indicated that it is committed to continuing to provide free bus travel for those who need it the most, but want to look at options to ensure the longer-term sustainability of the scheme so that free bus travel can continue to benefit those who have the greatest need.
- 3.19 Reflecting the particular challenges facing younger people Scottish Government is also seeking views on a proposal to provide free bus travel to Modern Apprentices and how that might be taken forward. Scottish Government will also be considering provision of free companion travel for eligible disabled children under the age of five who are not currently covered by the Scheme.
- 3.20 The consultation indicates a commitment that people who currently have a bus pass will continue to access the benefits of the Scheme. In addition Scottish Government will not be making any adverse changes to the existing eligibility criteria for those with a disability.
- 3.21 It is intended that a response(s) to this consultation will be prepared in consultation with partner Councils and other RTPs. The Partnership is asked to delegate authority to Executive Committee to consider and approve a response by the deadline of 17 November 2017.

## **4 CONSULTATIONS**

- 4.1 The response detailed in Appendix A has been prepared in consultation with relevant officers from the constituent Councils.

## **5 RESOURCE IMPLICATIONS**

- 5.1 This report has no direct Resource implications.

## **6 EQUALITIES IMPLICATIONS**

- 6.1 This report has been screened for any policy implications in respect of Equality Impact Assessment and no material issues have been identified.

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### **NOTE**

The following background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (and not containing confidential or exempt information) were relied on to a material extent in preparing the above Report:

Improving Parking in Scotland, Transport Scotland, March 2017

Places, People and Planning: A consultation of the future of the Scottish Planning System, Scottish Government, January 2017

Consultation on the Socio-Economic Duty, Scottish Government, July 2017

Consultation on Free Bus Travel for Older and Disabled People and Modern Apprentices, Transport Scotland, August 2017



## Consultation on improving parking in Scotland

### General

**Q 1. Do you think parking, including on pavement, at dropped kerbs and double parking is a problem in your area?**

- **If yes, how have you, your family or friends been affected by parking problems?**
- **Where did this occur (e.g. type of street or area) and how often?**

Tactran agrees that pavement parking, parking at drop kerbs and double parking is a problem and recognises that such activities causes difficulties and inconvenience for pedestrians, particularly disabled people and those with pushchairs. Our constituent Local Authorities, with responsibility for parking enforcement, receive regular complaints regarding these activities. There are different street types in urban areas where this occurs from City and Town Centres to residential streets and also outside schools.

### Legislation

**Q 2. Why do you think the motorists may choose to pavement park?**

There are a variety of reasons why motorists may choose to pavement park, including:

- Narrow streets which are too narrow to allow parking on road
- Industrial estates with a high number of workers but limited car parking provision
- Tenement properties where high demand for parking on both sides of road can often result in pavement parking on one side
- To make it easier for other motor vehicles to pass
- Short term to load and unload, particularly town/city centres
- To protect their vehicle from moving traffic

In these cases the consideration seems to be to benefit of themselves and other motorised traffic on road, rather than the inconvenience caused to pedestrians on the pavement.

**Q 3. Do you think new legislation is needed?**

- **If yes, what areas of the law need to be amended?**

Yes, appropriate and specific legislation is required. A blanket default position that prohibits footway parking is required, with exceptions in certain areas for controlled footway parking where circumstances dictate and permit.

**Q 4. If a new law is required, should it cover all roads with footways, including private roads that are not adopted by local authorities and trunk roads?**

- **If not, why not?**

Yes, any new legislation should be applicable to all types of roads with footways

including unadopted roads and Trunk Roads.
<p><b>Q 5. Do you think any new law should apply to all vehicles (e.g. HGVs, vans, taxis, cars, motorbikes, etc.)?</b></p> <ul style="list-style-type: none"> <li>• <b>If not, which type of vehicles should the law not apply to?</b></li> </ul>
Yes, it should also include all vehicles.
<p><b>Q 6. Do you think there should be exemptions applied to allow pavement parking to take place, particularly due to local concerns about access for vehicles and lack of alternative parking provision?</b></p> <ul style="list-style-type: none"> <li>• <b>If yes, what should those exemptions be?</b></li> <li>• <b>If no, why not? (Please be as specific as possible)</b></li> </ul>
Yes, the relevant local roads authority should have the power to promote a Traffic Regulation Order (TRO) to allow parking on a footway should local conditions so dictate.

<p><b><u>Implementation &amp; Enforcement</u></b></p> <p><b>Q 7. Should there be consistent approach to parking enforcement across Scotland?</b></p> <ul style="list-style-type: none"> <li>• <b>If yes, how should this be taken forward?</b></li> </ul>
Yes, any legislation to be introduced should cover all roads authorities across Scotland for consistency.
<p><b>Q 8. Local authorities in some parts of Scotland have DPE powers and are responsible for parking enforcement. In other areas Police Scotland retains responsibility.</b></p> <ul style="list-style-type: none"> <li>• <b>What is your views on rolling out Decriminalised Parking Enforcement regimes across Scotland?</b></li> <li>• <b>What is your views about the proposal to share services to provide some access to a “traffic warden service” in areas without DPE?</b></li> <li>• <b>What should Police Scotland’s involvement be in future?</b></li> </ul>
<p>All four local authorities in the Tactran area have Decriminalised Parking Enforcement (DPE) powers, with two authorities having a considerable number of years’ experience. It is considered that for consistency across Scotland, DPE should be rolled out to all authorities allowing all users to be conversant with all regulations leading to consistent parking enforcement.</p> <p>However, the level of enforcement is a matter for each authority and the associated costs of providing such a service within funding constraints and the differing natures of rural and urban authorities need to be recognised. There are benefits for neighbouring authorities to consider sharing services such as traffic wardens where it is to the benefit of all parties.</p> <p>In due course it can be anticipated that Police Scotland involvement would be limited to such actions as moving vehicle offences only and obstructions/parking at</p>

pedestrian crossing and other offences which are not transferred under DPE. There may be merit for local authorities to adopt and extend DPE to include parking on pedestrian crossing zig-zags, for example, and for Police Scotland to have no role in parking enforcement in the future.

**Q 9. Currently moving traffic violations are a matter for the police, however, do you think local authorities should be able use CCTV and/or Automatic Number Plate Recognition (ANPR) systems for enforcement of:**

- **parking in areas where safety benefits can be delivered to all road users, around schools for example?**
- **Some moving vehicle contraventions like banned turns?**
- **If not, why not? (Please be as specific as possible)**

Decriminalised Parking Enforcement authorities should take responsibility for parking on pedestrian crossings (zig-zags), cycle lanes and areas involving public safety, schools etc.

The enforcement of moving vehicle violations should remain with Police Scotland. However in circumstances where CCTV and/or Automatic Number Plate Recognition systems can assist with enforcement and this can be delivered by local authorities then the transfer of responsibility for such enforcement should be considered, but only with appropriate funding. This should however not be directly imposed on local authorities or Police Scotland be permitted to withdraw their responsibilities in a similar manner to DPE as the costs involved in the procurement, installation and monitoring of such systems may be prohibitive for some authorities.

#### **Traffic Regulation Orders (TROs)**

**Q 10. Do you think it is a good idea in principle to allow local authorities to exempt specific streets or areas from national restrictions for pavement parking?**

- **If so, what is the best mechanism for doing this (e.g. TRO or other form of local resolution)?**

Yes, it is advisable that local authorities have the powers to introduce exemptions to restrictions relating to pavement parking to allow each authority to deal with situations which may be specific to their area. A Traffic Regulation Order (TRO) should be mechanism to allow marked pavement parking in areas that would allow safe passage of pedestrians and traffic, ensuring consistent parking enforcement.

#### **Displacement of vehicles**

**Q 11. Do you think controlling pavement, dropped kerbs and double parking could have unintended or negative consequences in your area?**

- **If so, what would the effects be?**
- **Who would be affected?**
- **What type of street or area would experience these consequences?**

Yes, the displacement of vehicles from affected streets onto surrounding streets may have an impact on residents parking, particularly in narrow streets and areas of high density housing, which local authorities may be required to address leading to ongoing workloads and budget commitments. These matters could be, at least partially, covered by a local exemption TRO, if appropriate.

### **Town Centre Regeneration**

**Q 12. Do you think controls on parking are likely to increase or reduce the costs and impact on businesses in town centres?**

- **If yes, what should we be doing to reduce any impact on businesses in town centres?**
- **What other arrangements should be considered to deliver parking improvements that help support town centre regeneration?**

There is potential to reduce costs and impacts on businesses by balancing competing demands for road space between providing short term parking for customers, suitable provision for servicing of shops and businesses, as well maintaining free traffic flow. Other measures could include ensuring that there is a good turnover of available spaces and Pay on Foot facilities are in place to assist increased footfall.

### **Disabled Parking Bays**

**Q 13. Do you think that on-street disabled persons' parking places are being enforced in your area?**

- **If not, how could this be done better?**
- **Do you think members of the public should report misuse where it is observed?**

Yes, DPE has enabled local authorities to enforce on-street disabled person's parking places.

Members of the public should be encouraged to report misuse of on street disabled persons parking places which can assist the local authorities in directing wardens to specific locations of concern.

**Q 14. Have you witnessed misuse of a disabled persons' parking space?**

- **If so, did you report it?**
- **If not, did anything prevent you from reporting it?**
- **Should disabled persons' parking places be enforceable at all times?**
- **Do you think the level of penalty for misuse of local authority disabled persons' parking space is acceptable?**
- **If not, what level would you consider to be acceptable?**

The misuse of disabled persons parking places is relatively common and can take place at any time of day. Local authority disabled persons parking places therefore should be enforceable at all times. The single charge PCN is too simplistic with the level of penalty for misuse unchanged significantly for some time and an increase in the level of penalty particularly for the misuse of on street disabled persons parking places may serve as a greater deterrent. Consideration could also be given to

increase charges for other anti-social parking i.e. bus bays, disabled person parking bays, double yellow lines, loading bays, cycle lanes and school keep clear zones.

**Q 15. Do you think off-street disabled persons' parking spaces, including private car parks, are being enforced in your area?**

- **If not, how could this be done better?**

Off-street disabled persons parking places in public car parks are enforced. However, private facilities, including supermarkets and out of town shopping centres, are not sufficiently enforced. Government should consider how private off-street facilities can be better enforced and one option could include introducing a requirement that local authorities must be approached first to provide disabled person's parking spaces enforcement, before considering arrangements for private enforcement. This could bring a more consistent standard of disabled persons' parking spaces enforcement across all off-street facilities, including the right to appeal. There would of course be a cost to local authorities, if this option is taken forward.

**Q 16. What impact do you think disabled persons' parking space misuse has on Blue Badge holders?**

Blue Badge holders rely on parking spaces being available within a short distance of amenities, such as shopping, recreation, meeting friends and family, etc and also rely on a parking space being available close to their home. Abuse of disabled parking bays therefore can lead to a significant reduction in social interaction and have significant impact on the quality of life of Blue Badge holders.

### **Emissions Vehicles**

**Q 17. Are you supportive of local authorities' trialling or introducing parking incentives (such as discounted, free or preferential parking) for ULEVs?**

- **If yes, what should these incentives be?**
- **If no, why not?**

Tactran is supportive of local authorities' trialling or introducing parking incentives for ULEVs. However this needs to be considered within the context of the local authority's overall parking policies. For example where there are no parking charges in off-street public car parks how do you incentivise ULEVs, possibly by providing free electric vehicle charging points? Where there are charges, free parking for ULEVs should be time limited to allow for full charge (e.g.3 hours), rather than open ended - the time limit should be reduced for rapid chargers. ULEV parking policies will need to be reviewed as ULEV ownership and use grows.

**Q 18. Are you supportive of local authorities trialling or introducing specific measures to help people who, live in flats or tenements (with no dedicated-off street parking) charge their vehicles?**

- **If yes, what should these incentives be?**
- **If not, why not?**

Generally yes. Measures such as communal hubs and working with Street Lighting Partnerships to consider new technologies as they emerge for on-street charging

should be encouraged. Likewise, the provision of charging facilities in new developments should be promoted. However, there is a need to recognise that as the use of electric or hybrid vehicles expand it is unlikely that, with the current financial constraints on councils, councils can sustain the ongoing provision of electricity to private individuals or businesses.

**Q 19. Do you think the use of ULEV-only charging bays should be monitored and enforced by local authorities?**

- **If yes, please say why.**
- **If no, how should they be enforced and who should be responsible for this enforcement?**

Yes, to ensure they are not being abused and to maximise access to charging facilities at all times.

### **Assessing Impact**

**Q 20. Are there any likely impacts the proposals contained within this consultation may have on particular groups of people, with reference to the 'protected characteristics' listed above? Please be as specific as possible.**

The proposals contained within this consultation are likely to have a positive impact with regards to the safety and accessibility of groups of people with the 'protected characteristics' of age (children and elderly) and disability. However, where exemptions are permitted to allow pavement parking careful consideration will need to be given to avoid a negative impact on visually impaired and other vulnerable users to ensure they are protected from obstructions and vehicles driving on the footway.

**Q 21. Apart from safety, are there any other aspects of a child's rights or wellbeing that you think might be affected either positively or negatively by the proposals covered in this consultation?**

A reduction of pavement parking, particularly around schools, could encourage children to walk to school more regularly, thereby improving their health and wellbeing.

**Q 22. Do you think the proposals contained in this consultation are likely to increase or reduce the costs and burdens placed on any sector? Please be as specific as possible.**

The outcomes of the proposals are unlikely to increase costs and burdens on businesses, the public sector and voluntary and community organisations and may well reduce them as pavements, parking and indeed road space will be better managed. However it will potentially require increased resources by local authorities to enforce additional parking restrictions, including Traffic Regulation Orders and associated signing and lining.

**Q 23. Are there any likely impacts the proposals contained in this consultation may have upon the privacy of individuals? Please be as specific as possible.**

None

**Q 24. Are there any likely impacts the proposals contained in this consultation may have upon the environment? Please be as specific as possible.**

Use of parking incentives to encourage the use of ULEVs could potentially reduce emissions and have a positive impact on the environment, assisting with improved air quality particularly in town and city centres.

**Conclusion**

**Q 25. Do you have any other comments that you would like to make, relevant to the subject of this consultation that you have not covered in your answers to the previous questions?**

None



## PLACES, PEOPLE AND PLANNING – POSITION STATEMENT

**Response by the Regional Transport Partnerships (RTPs) of Scotland – August 2017.****1. *Aligning community planning and spatial planning***

*The Scottish Government is minded to propose a statutory link between development planning and community planning in Planning Bill.*

RTP response: The RTPs would welcome a statutory link between development planning and community planning. Greater clarity of how this would work is required. It is also vital that in this greater alignment, land-use planning takes account of the existing plans of community planning partners such as the RTPs Regional Transport Strategies and their associated publications, given the significant impact of origin-destination trips from new housing and other land-uses on regional travel to work/study/service transport networks.

**2. *Regional partnership working***

*Expect to bring forward changes to remove current requirements for Strategic Development Plans to be prepared and replace them with more flexible, but clearly defined duties and powers at the regional scale.*

RTP response: The RTPs believe that regional spatial planning strategies, complementary to and supported by RTSs, are essential for the city regions, and that any new strategy and other outputs from the proposed regional partnerships require to have a statutory basis to give them both clout and momentum. Furthermore, if SDPs are to be removed, then it is important to allow regions the freedom and flexibility to replace them with something equally strong and effective.

**3. *Improving national spatial planning and policy***

*An enhanced National Planning Framework and Scottish Planning Policy, is promoted as it is considered together they would provide an effective strategic perspective for Scotland.*

RTP response: The RTPs believe that, especially for transport and connectivity issues, there is a need for developing and stating regionally distinctive policies and initiatives within the existing statutory regional document, an RTS. Whilst, understanding the rationale for reducing duplication, there are unique transport issues for each region of Scotland and therefore a continuing need for a strategic and statutory approach to their resolution through an RTS with specific regional policies, contributing to national, regional and local outcomes.

The RTPs accept that an enhanced NPF can provide an effective strategic perspective to all of Scotland, however in its current form the SPP is too detailed. While there are broad principles within it which could be described as ‘strategic’ (for instance the requirement to maintain a 5 year effective housing supply), the document strays into much more detailed considerations which should be best addressed at a local or regional level. We believe that a process of subsidiarity should apply to planning policies in general, and this includes the SPP.

#### **4. Stronger local development plans**

*A key element of the Scottish Government proposals is a shift towards a focus on delivery and implementation. The intention is to bring forward a number of changes including the replacement of the Main Issues Report with a Draft Plan and the removal of supplementary guidance. Greater clarity on how a 10 year plan would work will be provided. Overall, the prime aim is to create greater confidence that sites allocated will be delivered and that planning authorities will focus more on plan implementation. A gatecheck is promoted to provide reassurance on the evidence base and approach early in the Plan process. This should ensure Local Development Plan Examinations will be more straightforward.*

RTP response: The RTPs welcome the principle of strengthening Local Development Plans. As RTPs with responsibility for development and maintenance of statutory RTSs, and also as existing 'key agencies' in the Development Planning process, we would expect to play a strong role in their development and any 'gatecheck' process and indeed, on the issues of examination and gatecheck, it will be critical to look at transport services, routes and capacities at gatecheck to enable prevention of negative or unintended / unexpected outcomes.

#### **5. Making plans that deliver**

*There is strong support for the plan-led system and it is intended to strengthen Local Development Plan delivery programmes in the Planning Bill and through changes to secondary legislation.*

RTP response: The commitment to the plan-led system is welcomed, as is the need for more confidence that allocated sites will be developed. More detail, particularly in relation to the role of stakeholders is required. Furthermore, we support the proposals for enhanced engagement of a site or wider proposal which has not been allocated in the development plan when brought forward as an application. This resonates with RTPs desire to be more involved at an earlier stage (e.g. site selection) in the development process. This would mean transport being considered from the beginning rather than, as is unfortunately so often the case, as an afterthought.

#### **6. Giving people an opportunity to plan their own place**

*The Scottish Government consider that Local Place Plans should be used to promote appropriate development rather than prevent it. The Planning Bill will ensure Local Place Plans are consistent with the Local Development Plan and will be incorporated into the Local Development Plan through an update that will allow for public consultation and independent scrutiny.*

RTP response: The RTPs support in principle greater community involvement through Local Place Plans. The key is to encourage community engagement from bottom up and not to be overly prescriptive in terms of who and how people should be involved. Just as important is the management of expectations in the process, so as to ensure ongoing involvement and reduce any potential frustration or chance of future conflict. There is also the potential that those communities who need help the most are the most difficult to engage, and so appropriate resources should be made available to assist with this.

## **7. More people involved**

*It is intended to bring forward targeted changes to the existing regulations for engagement to ensure that children and young people are encouraged to get more involved in planning.*

RTP response: The RTPs support this proposal, and would highlight the positive long-term benefits for society of involving and educating children and young people in the planning process.

## **8. Improving trust**

*Changes to improve trust are promoted including amending the pre-application consultation process, removing the opportunity for 'free' follow-up applications and, the need for wider community engagement training. The Scottish Government is to progress all of the proposed changes.*

RTP response: The RTPs broadly support the proposals, and as 'key agencies' in the planning process look forward to having a key role in each as they are taken forward, including the pre-application consultation process.

## **9. Keeping decisions local – rights of appeal**

*It is considered that more can be done through consistency in local schemes of delegation and the Scottish Government does not intend for Ministers to take more decisions. There is also no intention to introduce fees for lodging either reviews or appeals. They will however, further explore the scope for mandatory training for Members who serve on a planning committee or Local Review Body. The Scottish Government remain unconvinced on the idea of third party rights of appeal.*

RTP response: The RTPs support the Scottish Government's proposals, including stronger earlier engagement rather than third party rights of appeal.

## **10. Being clear about how much housing land is required**

*In view of the intention to enhance the role of the National Planning Framework and Scottish Planning Policy, the Scottish Government advise they will continue to work with housing professionals, planning authorities and developers to identify a solution which minimises the level of debate on how much land is required for housing (probably through the NPF and SPP).*

RTP response: RTPs welcome any move to give greater certainty to the setting of housing figures and delivery. However, it is essential that this is done at sub-national / regional level and that the impact of major developments on transport demand is a key part of the decision-making process through input from councils and RTPs. This would enable a greater sustainable transport response to the planning for delivery of effective housing land in that region.

## **11. Closing the gap between planning consent and delivery of homes**

*Scottish Government advise they will continue to work with others, to ensure that planning does all it can to enable the building of more high quality homes of a broader range of types. They further state that fuller information on viability of sites and delivery should be part of the planning process.*

RTP response: The RTPs are generally in broad agreement with these proposals. However, they need to be realistic in recognising that external issues affecting viability can change over time through, for instance, different market conditions and infrastructure requirements.

CPO's can be an effective way of unlocking difficult sites but it needs to be borne in mind that local authorities take on a considerable amount of risk and additional costs in these circumstances. We would ask that consultation takes place on any proposed revisions to CPO guidance.

Lastly, and most importantly, there remains a fundamental need to address the issue of sizeable transport infrastructure or service requirements being identified too late in the development process. The RTPs are keen to play a key role in addressing this issue and would request this is included in the proposals as they progress.

### **12. Releasing more 'development ready' land for housing**

*The Scottish Government considers that a zoned approach has the potential to unlock significant areas for housing development including supporting alternative delivery models such as custom and self build. It is intended to bring forward proposals for legislative changes to refresh and rebrand simplified planning zones.*

RTP response: The RTPs are in broad agreement with these proposals but would wish to highlight that prior to any large scale zoning of land for housing, there needs to be certainty that it will be well served not only by transport infrastructure but also services and marketing to ensure sustainable travel choices are embedded from the beginning through the planning process. Again, the RTPs look forward to playing a key role in that process.

### **13. Embedding an infrastructure first approach**

*Scottish Ministers remain of the view that a new agency is not needed to improve the links between planning and infrastructure. They are however, continuing to consider options for a national delivery group to support improved co-ordination of development and infrastructure. It is suggested that the proposal to move strategic development planning towards regional partnership working can also help to improve infrastructure governance and co-ordination. Scottish Government will also explore approaches to regional infrastructure audits as well as working with infrastructure providers to define how best to facilitate their involvement in the planning system.*

RTP response: The RTPs broadly support the approach and proposals by the Scottish Government, particularly the commitment to regional partnership working, a key part of RTPs role. The RTPs would welcome further engagement and involvement on developing these proposals.

### **14. Creating a fairer and more transparent approach to funding infrastructure**

*Scottish Government advise they consider a levy or charge merits further consideration and will therefore finalise and publish a research report which identifies options that could be tested further. Work will also continue to explore assistance from the Scottish Futures Trust. Scottish Government is not currently minded to remove the provisions at Section 75A for modifying planning obligations.*

RTP response: More detail on the ideas proposed above is required and so the further research being undertaken is welcome. However, no reason is given as to why the Scottish Government is not minded to remove the provisions at Section 75A for modifying planning obligations, other than citing strong opposition from the development sector. If this is the case then changes should also be made to allow Local Authorities, as a co-signatory, to have the ability to apply to modify or discharge obligations based on changing circumstances.

**15. Innovative infrastructure planning**

*The Scottish Government has already taken forward enhanced permitted development rights for telecommunications infrastructure, and will continue to work on education infrastructure planning in the coming months. There has been a change of view regarding the removal of Section 3f of the Climate Change (Scotland) Act 2009, whereby it is now not the intention to progress this through the Planning Bill.*

RTP response: In terms of other proposals emerging from the Climate Change Plan (RPP3), the RTPs would also seek to highlight the need for innovative behavioural mechanisms for the use of infrastructure. It would be appropriate for further actions to consider how prevention and early intervention could ensure most effective and efficient use of infrastructure planned for delivery in the future and ensure the longevity of existing infrastructure for as long as possible.

**16. Developing skills to deliver outcomes.**

*The Scottish Government will continue to work with others on skills development as well as explore the scope for shared services.*

RTP response: The RTPs welcome the proposal to continue to scope further work on skills development. In terms of developing more effective sharing of expertise in specialisms, RTPs could provide a basis of sharing for skills concerning the transport aspects of planning across a wider regional geography.

**17. Investing in a better service**

*As maximum planning fees have already been increased, there is no intention to consult on further charges until after the Planning Bill has been considered. The Planning Bill is likely to include additional enabling powers that provide scope to widen discretionary charging and to extend the range of services for which fees can be charged.*

RTP response: The RTPs welcome the proposals to ensure better resourcing of the planning service and also believe this could be extended to other services such as transport planning where relevant costs are incurred by other public sector bodies such as RTPs.

**18. A new approach to improving performance.**

*Scottish Government will continue to work with a High Level Group and others in pursuit of improved performance.*

RTP response: The RTPs support a process of continuous improvement and we would welcome participation in any schemes arising from this.

**19. Making better use of resources: efficient decision making**

*The Scottish Government consider that broadening the scope for permitted development could play a significant role in making better use of resources in the planning system. They also are considering taking forward a range of improvements to development management procedures.*

RTP response: The RTPs broadly support the above proposals but believe, given their complexity, further work and detail is required.

**20. Innovation, designing for the future and the digital transformation of the planning service**

*The Scottish Government is moving forward with establishing a Digital Task Force.*

RTP response: The RTPs are supportive of these proposals.