



**PROPOSED SDP BOUNDARY PLAN**

**25 August 2008**

**Report by Interim SDP Project Manager**

**Contact officer: Ken Tippen**

**1 INTRODUCTION**

1.1 This report presents for approval a finalised Strategic Development Plan Boundary Plan (SDP) and justification statement, following targeted consultation.

**2 MAIN REPORT**

2.1 SESplan's first statutory duty is to prepare a boundary plan to define its SDP area and to submit it, with a justification statement, to Scottish Ministers for their determination. The submission deadline (three months after the SDPA was designated on 25 June) is 25 September 2008.

2.2 This imposed statutory timescale is challenging and does not allow for the wide, deep consultation that will be a feature of later stages of the SDP process. The need for the boundary plan to be ratified by all six Member Councils following this meeting further restricts the scope to consider further drafts.

2.3 The proposed boundary plan and justification statement is contained in Appendix 1. The proposed boundary is drawn round the whole administrative area of each of the five councils south of the Forth. This is in line with the guidance in Circular 2/2008 that using local authority boundaries is likely to be the simplest solution, still allowing the plan to focus on the issues and areas with the greatest cross-boundary implications.

- 2.4 But Fife Council is uniquely a member of two SDPAs and a boundary within its area needs to be drawn. The area of Fife proposed to be within SESplan's SDP is based on two of Fife's three local plan areas and includes the largest towns of Dunfermline, Kirkcaldy, Glenrothes and the Levenmouth communities. The proposed boundary within Fife follows an existing Local Plan boundary and the intention is that it will match that proposed by the Dundee city region SDPA, leaving no gap areas.
- 2.5 How the overall boundary was derived and its main advantages are set out in more detail in the appended justification statement. The boundary has been produced transparently and as inclusively as possible in the time available. It is clear, precise and drawn widely enough to make it a robust basis for long-term strategic planning. It therefore conforms to Scottish Government guidance set out in the Circular.
- 2.6 The proposed boundary is the same as the draft boundary which was the subject of targeted joint consultation from 7 July to 1 August this year. Nineteen relevant national and regional bodies were sent the draft boundary plan and invited to comment. Two substantive comments were received; no objections were lodged. The consultees are listed in Appendix 1 of the justification statement, with a summary of their responses.
- 2.7 The positions of some Member Councils were informed by limited local consultation exercises. Given its dual membership, Fife Council in particular undertook additional early consultation with its local communities and full details on this exercise are at [www.fifedirect.org.uk/CityRegionFife](http://www.fifedirect.org.uk/CityRegionFife). At the time of writing, West Lothian Council intend to undertake a local consultation exercise on the SDP boundary; its outcome will be reported to Committee verbally. A similar exercise in Scottish Borders has also yet to conclude and Committee will also receive a verbal update on this.
- 2.8 Each of the six member councils has put in place arrangements to ratify the boundary plan in time for it to be submitted to Scottish Ministers on or before the statutory deadline of 25 September 2008.
- 2.9 Dundee SDPA has yet to formally publish a proposed mapped boundary but has invited SESplan's views on how it should be drawn. It is recommended that the Committee responds supporting a boundary in Fife that exactly aligns with the SESplan boundary in Fife, and wishing the SDPA members every success with their joint working.
- 2.10 Aberdeen City and Shire SDPA has also consulted SESplan on its proposed SDP boundary. As there is no common boundary with the SESplan area it is recommended that the Committee agrees to make no comments and to wish its SDPA members every success with their joint working.

### 3 **CONCLUSIONS**

- 3.1 The proposed boundary plan is considered to be clear, practical and drawn widely enough to make it a robust basis for long-term strategic planning. Targeted consultation with relevant national and regional bodies produced no objections.

### 4 **RECOMMENDATION**

- 4.1 It is recommended that Committee:
- a) notes the results of the targeted engagement undertaken with relevant interests;
  - b) approves the proposed SDP boundary plan and justification statement for submission to Scottish Ministers;
  - c) remits this decision to the Member Councils for ratification and asks that this takes place before 25 September 2008 to meet the statutory submission deadline; and
  - d) agrees to respond to the Aberdeen City and Shire SDPA and the Dundee city region SDPA in the terms set out in paragraphs 2.9 and 2.10.

**APPENDIX 1**

**PROPOSED SESplan SDP BOUNDARY PLAN**

**&**

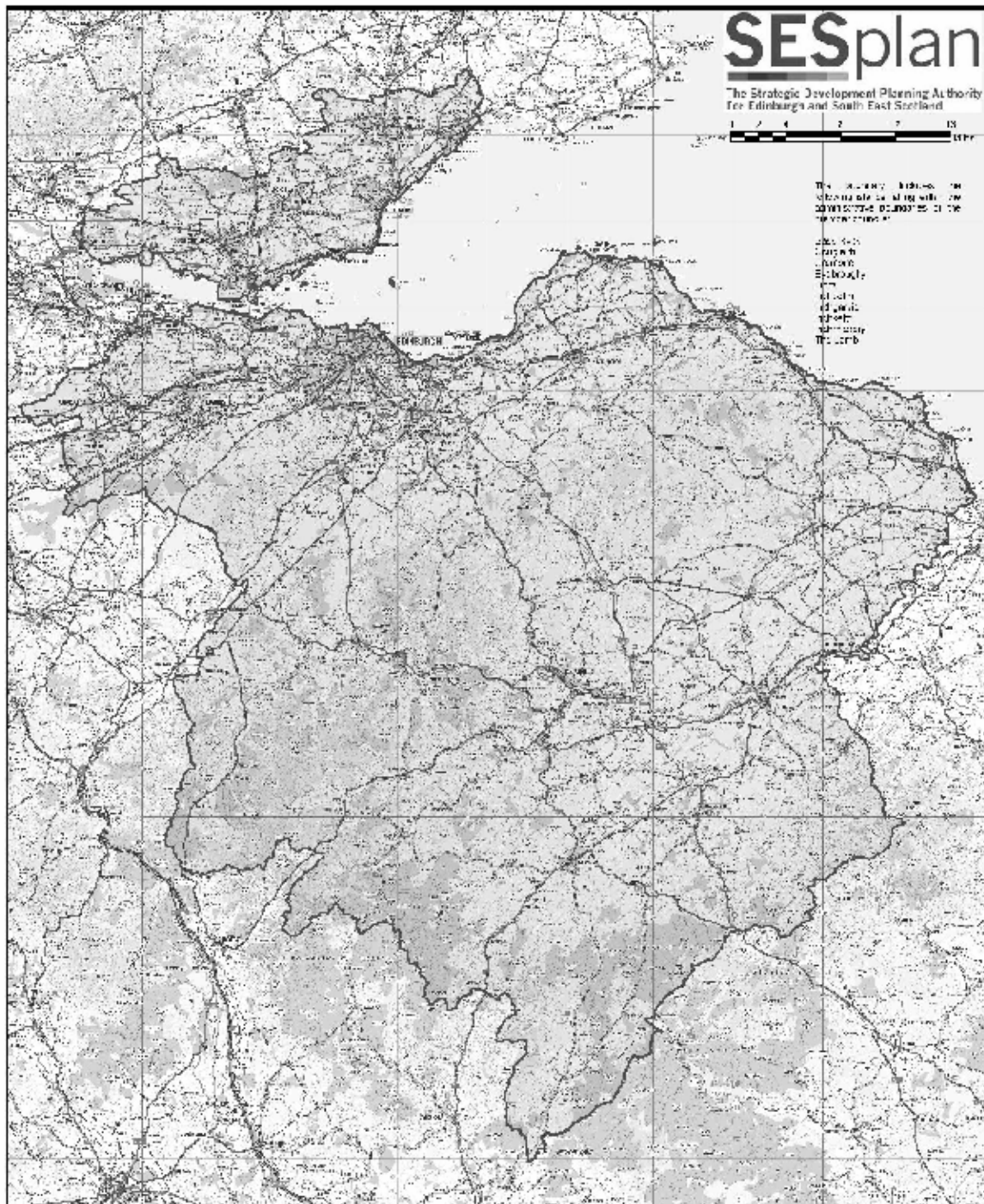
**WRITTEN JUSTIFICATION**

**25 August 2008**

## Part 1: Introduction

- 1.1 SESplan is the name of the Strategic Development Planning Authority for Edinburgh & South East Scotland. Its membership comprises City of Edinburgh Council, East Lothian Council, Fife Council, Midlothian Council, Scottish Borders Council and West Lothian Council.
- 1.2 This is SESplan's Strategic Development Plan (SDP) boundary plan submission to Scottish Ministers under section 5(1) of the Planning etc. (Scotland) Act 2006 ("the Act").
- 1.3 The submission was approved by SESplan on 25 August 2008 and then ratified by each of the six member councils.
- 1.4 The submission has four parts:
  - 1 this introduction
  - 2 a proposed SDP boundary plan for the SESplan area
  - 3 a written statement justifying our proposal
  - 4 a summary of how we engaged with relevant interests
- 1.5 It is requested that Scottish Ministers now make a determination under section 5(3) of the Act.
- 1.6 When Ministers have made their determination, all the relevant interests will be informed and the boundary plan made publicly available on our web site at [www.sesplan.gov.uk](http://www.sesplan.gov.uk)

## Part 2: SESplan's Proposed SDP Boundary Plan



**Proposed Strategic Development Plan Boundary**

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## **Part 3: Justification Statement**

### **The Law and Scottish Government Guidance**

- 3.1 The Act provides for the removal of structure plans and the creation of strategic development plans (SDPs). It gives Ministers powers to designate Strategic Development Planning Authorities (SDPAs) - groups of planning authorities required to work together to prepare and review these new plans.
- 3.2 The Act requires SDPAs to submit the following to Scottish Ministers within 3 months of being designated:
- a plan showing the boundary which the Authority proposes as the boundary of the strategic development plan area,
  - a statement in justification of that proposal, and
  - a request that Scottish Ministers determine the boundary of the SDP area.
- 3.3 The Strategic Development Planning Authority Designation (No. 4) (Scotland) Order 2008 sets out the groups of planning authorities that make up our SDPA:
- City of Edinburgh Council
  - East Lothian Council
  - Fife Council
  - Midlothian Council
  - Scottish Borders Council
  - West Lothian Council
- 3.4 The SDPA has agreed to name itself “SESplan: the Strategic Development Planning Authority for Edinburgh and South East Scotland”.
- 3.5 Uniquely, Fife Council is a member of another SDPA: the Dundee city region group. The Act does not allow neighbouring SDP areas to overlap; this means a line has to be drawn somewhere in Fife to identify the area included in SESplan’s SDP area.

### **Preparing a SDP Boundary Plan**

- 3.6 SESplan’s first statutory duty is to agree and submit its SDP boundary. The Act requires each SDPA to submit a boundary plan and justification to

Ministers within three months of SDPA designation. Our SPDA was designated on 25 June so we have until 25 September 2008 to submit this material.

3.7 The Scottish Government's Circular 2/2008: Statutory Guidance on Strategic Development Planning Authorities gives the following guidance on how SDPAs should go about setting an SDP boundary:

- the approach should be transparent and engage with relevant interests
- the SDPA authorities are expected to agree a proposed boundary but any of the member councils can submit an alternative proposal;
- Ministers confirm the final boundary and have powers in exceptional cases to change or replace it
- a clear and precise boundary is essential
- the boundary should be drawn wide enough to let the SDPA effectively address genuinely strategic cross-boundary issues suggesting it is more practical to draw boundaries widely rather than set them tightly around the city
- a boundary that matches local authority boundaries is likely to be the simplest solution but would still allow the plan to focus on the issues and areas with most cross-boundary effects
- SDPAs and neighbouring councils are still expected to work together on cross-boundary planning issues

3.8 The Act states that SDP areas cannot extend beyond the administrative boundaries of the Authorities that comprise SESplan: however, there is no requirement for it to cover the whole of these Authorities' areas.

### **Our Proposed Boundary**

3.9 An earlier City Region Boundaries research report by the Derek Halden Consultancy <http://www.scotland.gov.uk/Resource/Doc/46951/0030606.pdf> started to define the broad spheres of influence of Scotland's main cities including Edinburgh. This study concluded that East Lothian, Midlothian, West Lothian, Fife, Scottish Borders and Falkirk were all within the Edinburgh zone of influence but also highlighted that there were overlapping spheres of

influence between the councils in the central belt. However, our SDPA designation order ruled out Falkirk as a constituent area.

### **Drawing a Line in Fife**

- 3.10 In line with the guidance, it is proposed to draw the boundary round the whole administrative areas of the five SDPA councils south of the Forth. However, Fife's unique dual SDPA membership, and the requirement that boundaries must not overlap, means a line has to be drawn somewhere in Fife. It should be drawn widely to future-proof it as far as possible.
- 3.11 Given its unique position, Fife Council wanted to hear from its local communities and stakeholders. It therefore undertook early consultation on its SDP boundaries issues between 31 March and 9 May 2008. Almost 50 responses were received and these informed recommendations on where the boundaries of the SDPs in Fife should be drawn. Further details are at [www.fifedirect.org.uk/CityRegionFife](http://www.fifedirect.org.uk/CityRegionFife)
- 3.12 Fife Council made sure consultation on its boundaries consultation was adequately publicised and made all interested parties aware of it, giving them enough time to respond.
- 3.13 In Fife, using existing local plan boundaries is considered the most effective basis for establishing the SDP boundaries for a number of key reasons:
- they are already set and reflect meaningful planning demarcations on the ground;
  - there is no debate about where they lie; and
  - they relate generally to areas with a spatial land use relationship.
- 3.14 In addition, they are likely to form the boundaries for Local Development Plans in due course, are roughly based on ward boundaries and statistical data are already produced for them. This is important as it will help future monitoring and enable consistent analysis of past trends. They are also based on Fife's Area Committees.
- 3.15 The two local plan areas chosen for inclusion in the SESplan SDP area were informed by information on the geographical extent of the Edinburgh travel-to-work area (TTWA) and the Edinburgh housing market area. For example, a report prepared by City of Edinburgh Council on travel to work patterns based on 2001 census data [http://www.edinburgh.gov.uk/internet/Attachments/Internet/City\\_Living/City\\_facts\\_and\\_figures/Census\\_2001/Travel\\_to\\_work/TTW2001\\_Main\\_Report.pdf](http://www.edinburgh.gov.uk/internet/Attachments/Internet/City_Living/City_facts_and_figures/Census_2001/Travel_to_work/TTW2001_Main_Report.pdf) showed that 36% of the population of Dalgety Bay and up to 22% of the

population in Dunfermline travelled to work in Edinburgh. In addition, the Housing Market Context Statement prepared by Communities Scotland for Lothian, Borders and Fife

[http://www.communitiesscotland.gov.uk/stellent/groups/public/documents/web\\_pages/cs\\_006094.pdf](http://www.communitiesscotland.gov.uk/stellent/groups/public/documents/web_pages/cs_006094.pdf) clearly shows that the housing market area for Edinburgh extends into Fife.

- 3.16 It is best to use a boundary drawn generously and based on existing planning administrative boundaries, rather than on social or economic patterns that can and do change, like housing market areas, TTWA or retail catchments. This should make the boundary durable and means existing data are already available for that area/unit.
- 3.17 In summary, this represents the simplest and most meaningful solution and will provide a robust and effective boundary for the SDP.
- 3.18 It is therefore proposed to draw the SDP boundary round all of the Dunfermline and West Fife Local Plan area and the Kirkcaldy and Mid Fife Local Plan area. This includes the towns of Dunfermline, Kirkcaldy, Glenrothes, and the Levenmouth communities. It is understood that the rest of Fife is proposed to be part of the Dundee city region SDP area. It should be noted that a small area of land in Fife to the west of the Forth Bridge has been identified within the SDP boundary that does not follow the existing local plan boundary. This ensures that the SDP boundary follows the Fife Council administrative boundary which extends beyond the low tide mark.
- 3.19 The boundary south of the Forth follows the administrative boundaries of the other five Member Councils. The overall boundary takes in the following islands in the Forth estuary which fall within the Member Councils' areas:
  - Bass Rock
  - Craigleith
  - Cramond Island
  - Eyebroughy
  - Fidra
  - Inchcolm
  - Inchgarvie
  - Inchkeith
  - Inchmickery
  - The Lamb

3.20 The only other Forth island, the Isle of May, is proposed to be part of the Dundee SDP area as it forms part of the St. Andrews and East Fife Local Plan area.

## **Summary**

3.21 The proposed approach is considered to be clear, simple, practical and durable. In particular:

- it is informed by the 2002 research findings and guided by Circular 2/2008
- it follows existing local planning boundaries in Fife and is clearly the most pragmatic and beneficial approach,
- it also fits well with the spread of the Edinburgh housing market area and travel-to-work-area
- going for a widely drawn, inclusive boundary does not mean that the whole of that area will feature in the eventual strategy. But in doing so it does mean that it is flexible to changing circumstances. If required in future, changes can be made to the strategy without having to redraw the boundary.

## **PART 4: SUMMARY OF ENGAGEMENT WITH RELEVANT INTERESTS**

- 4.1 Between 7 July and 1 August 2008, SESplan engaged a range of relevant interests and asked for views on a draft SDP boundary plan. The consultees are listed in Appendix 1.
- 4.2 Eight responses were received. In summary, the consultees were either supportive of the boundary or considered it raised no concerns. Two substantive points were made: SEStran supports the boundary while requesting that it matches its own boundary as far as possible, while SNH suggests that Falkirk Council's area be included. The former point is noted. In response to the latter, given that Falkirk Council does not form part of the SESplan authority as specified in the SDPA Order by the Scottish Government, its inclusion is not feasible. However, close cross-boundary working with neighbouring non-SDPA authorities will be a feature of SESplan's operations.
- 4.3 Fife Council, as mentioned above, has undertaken a separate and more detailed consultation with Fife's community councils, statutory consultees and its Area Committees. Forty six responses were received. Public notices advising of the consultation were placed in the local press. The consultation sought views on which settlements should be included in either the Dundee or the Edinburgh SDP area. In summary, the majority of respondents to the consultation stated that all of the settlements should be included within the SDP areas for either Edinburgh or Dundee respectively. In addition, a common theme that emerged from the consultation was a concern that some settlements listed may not be included within either of the two city regions, and that there was a need for the whole of Fife to be covered by a SDP. These concerns have been addressed in the selection of the proposed boundary.
- 4.4 The Dundee city region SDPA did pose a question of how the area straddling the Forth, including its islands, could be clearly identified. In response, the boundary has specifically identified islands that are to be included in the SDP area. The proposed boundary does however show two distinct areas north and south of the Forth; this is appropriate because SESplan's Member Councils have no planning jurisdiction over the Forth bridges or the estuary outwith each council's boundaries.

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## Appendix 1

### Consultee List for SDP Boundary Consultation

<b>Name</b>	<b>Response</b>
SEStran	Support expanding Edinburgh City Region boundary to match as close as possible the SEStran boundary.
Scottish Water	No objections to proposed boundary
Homes for Scotland	No comment on the grounds that HfS do not comment on spatial or geographical issues of detail.
SEPA	No comments received
Scottish Natural Heritage	Recommend inclusion of Falkirk Council area
Scottish Enterprise	No comments received
Glasgow & Clyde Valley Structure Plan Team	No observations to make
Dundee Strategic Development Plan Team	No concerns about the extent of the boundary which ties in with Dundee SDP. However, raise question of how best to define area straddling the Forth to avoid identifying two separate areas.
Dumfries & Galloway Council	No comments on proposed boundary
South Lanarkshire Council	No comments received
North Lanarkshire Council	No comments received
Falkirk Council	No comments received
Perth & Kinross Council	No comments received
Dundee City Council	No comments received
Angus Council	No comments received
Clackmannanshire Council	No comments received
Stirling Council	No comments received
TACTRAN	Support proposed boundary
Strathclyde Partnership for Transport	No comments received

## Links

City Region Boundaries Study, Scottish Executive – Central Research Unit(2002)  
<http://www.scotland.gov.uk/Resource/Doc/46951/0030606.pdf>

Modernising the Planning System white paper, Scottish Executive (2005)  
<http://www.scotland.gov.uk/Resource/Doc/54357/0014194.pdf>

Planning etc. (Scotland) Act 2006  
[http://www.uk-legislation.hmso.gov.uk/legislation/scotland/acts2006/pdf/asp\\_20060017\\_en.pdf](http://www.uk-legislation.hmso.gov.uk/legislation/scotland/acts2006/pdf/asp_20060017_en.pdf)

Circular 2/2008 – Statutory Guidance on Strategic Development Planning Authorities (April 2008) <http://www.scotland.gov.uk/Resource/Doc/220868/0059416.pdf>

The Strategic Planning Authority Designation (No. 4)(Scotland) Order 2008 (May 2008) [http://www.opsi.gov.uk/legislation/scotland/ssi2008/pdf/ssi\\_20080198\\_en.pdf](http://www.opsi.gov.uk/legislation/scotland/ssi2008/pdf/ssi_20080198_en.pdf)

Fife Council's SDP boundary consultation report  
[www.fifedirect.org.uk/CityRegionFife](http://www.fifedirect.org.uk/CityRegionFife).