

BUSINESS		FOR
1.	Apologies for Absence and Substitutions	-
2.	Order of Business and Any Urgent Matters	-
3.	Declarations of Interest	-
4.	Minutes of the SESplan Joint Committee 30 September 2019	Decision
5.	Matters Arising	
6.	SESplan Operating Budget: 2019/20 and 2020/21 Budget	Decision
7.	Liaison with Scottish Government (verbal update)	Information
8.	Regional Spatial Planning: Update on Work Progress	Information
9.	Appointment of Convenor and Vice Convenor 2020-2022	Decision
10.	Joint Committee dates 2020: Monday, 30 March 2020 and Monday, 21 September 2020 (verbal update)	Decision
11.	AOCB	-
	Close	-

NOTE – Members are reminded that, if they have a pecuniary or non-pecuniary interest in any item of business coming before the meeting, that interest should be declared prior to commencement of discussion on that item. Such declaration will be recorded in the Minute of the Meeting.

Membership of Committee

City of Edinburgh Council – Cllr M Child and Cllr N Gardiner

East Lothian Council – Cllr J Goodfellow and Cllr N Hampshire

Fife Council – Cllr J Beare (Convener) and Cllr A Craik

Midlothian Council – Cllr R Imrie (Vice Convener) and Cllr P Smail

Scottish Borders Council – Cllr S Bell and Cllr T Miers

West Lothian Council – Cllr D McGuire and Cllr C Muldoon

Please direct any enquiries to Andrew Ferguson, Clerk to the SESplan Joint Committee, Telephone 03451 555555 extension 442241, Email Andrew.Ferguson@fife.gov.uk

MINUTE of MEETING of the SESplan JOINT COMMITTEE

held in the Diamond Jubilee Room, City Chambers, Edinburgh

on Monday, 30th September, 2019 at 2.00 p.m.

Present: Councillor John Beare, Fife Council (Convener)
Councillor Stuart Bell, Scottish Borders Council
Councillor Maureen Child, City of Edinburgh Council
Councillor Neil Gardiner, City of Edinburgh Council
Councillor Norman Hampshire, East Lothian Council

Apologies: Councillor Jim Goodfellow, East Lothian Council
Councillor Russell Imrie, Midlothian Council
Councillor Peter Smaill, Midlothian Council
Councillor Dom McGuire, West Lothian Council
Councillor Cathy Muldoon, West Lothian Council
Councillor Tom Miers, Scottish Borders Council

In

Attendance: Pearl Tate and Alison Clyne, Audit Scotland
Pam Ewen, Fife Council
Iain McFarlane, City of Edinburgh Council
Paul Lawrence, City of Edinburgh Council
Peter Arnsdorf, Midlothian Council
Brian Frater, Scottish Borders Council
Craig McCorrison, West Lothian Council
Robin Edgar, East Lothian Council
Andrew Ferguson, Fife Council (Clerk)

1. ORDER OF BUSINESS AND ANY URGENT MATTERS

The Convener confirmed that he was not aware of any urgent business and that the order of business was as per the agenda. He also indicated his intention to ask the Committee to approve the final accounts at item 6 of the agenda notwithstanding the delegation made at the meeting in June.

2. DECLARATIONS OF INTEREST

None.

3. MINUTES OF THE PREVIOUS MEETING HELD ON 24TH JUNE, 2019

The minute of meeting of 24th June, 2019 had been circulated.

DECISION

The Committee APPROVED the minute as a correct record.

4. MATTERS ARISING

Councillor Bell asked for an update on the matters decided at item 11 of the meeting of 24th June (SESplan 2: Way Forward). Ms Ewen confirmed that many of the actions outlined were linked to implementation of the 2019 Act, which was still to be confirmed. Mr Arnsdorf confirmed that, in terms of paragraph 4 of the decision, a letter had been sent to the Minister requesting a meeting but that no response had been received yet.

DECISION

The Committee NOTED the update.

5. AUDITED ACCOUNTS AND REPORT OF AUDIT 2018/19

There had been circulated a report by Peter Arnsdorf, SESplan presenting the SESplan audited accounts 2018/2019 for SESplan Joint Committee consideration. Notwithstanding the previous decision to delegate approval of the accounts to the Convener, Acting SDP Manager and Chair of the SESplan Project Board to finalise and sign the audited accounts, the Committee agreed to consider the accounts for approval as it had proved possible to present them at the current meeting.

Pearl Tate, Audit Scotland, spoke to the Auditor's report on the accounts.

DECISION

The Committee AGREED -

1. to note the SESplan audited accounts 2018/2019 attached as Appendix 1 to the report and approve their signature by the Convener, Acting SDP Manager and SESPlan Treasurer;

2. to note the Report of Annual Audit 2018/19, attached as Appendix 2 to the report.

6. EDINBURGH AND SOUTH EAST SCOTLAND CITY REGION DEAL EMERGING GOVERNANCE

There had been circulated a report by Iain McFarlane advising the Joint Committee of proposals for a Regional Growth Framework to form part of the governance and strategy for the Edinburgh and South East Scotland City Region Deal and how this might interact with existing and emerging regional/strategic planning governance.

DECISION

The Committee AGREED -

1. to note the proposals for a Regional Growth Framework and a Spatial Planning Board to provide the Edinburgh and South East Scotland City Region Deal with spatial planning input;
2. to note the requirement in the 2019 Planning Act for Regional Spatial Strategies to replace the current strategic planning arrangements;
3. to delegate to the Convener and Vice Convener to write to the Edinburgh and South East Scotland City Region Deal Executive Board setting out that:
 - the existing SESplan Officer Board will act as a strategic spatial planning consultative board in respect of progressing a Regional Growth Framework, Regional Spatial Strategy, informing NPF4.
 - In respect of the diagram (as set out in Appendix A of The Edinburgh and South East Scotland City Region Deal Joint Committee 'Edinburgh and South East Scotland Regional Growth Framework', 3 September 2019) the box entitled 'sustainability' should be replaced with 'Strategic Spatial Planning' to reflect the need for spatial planning across all land uses.
 - In the report as referenced above, the Member Oversight Committee should have a scrutiny and advisory role to which the main outputs of officer work is reported.

7. **HOUSING LAND POSITION STATEMENT**

There had been circulated a report by Fiona McBrierty, West Lothian Council seeking approval of a position statement in relation to housing land which sets out those matters to be considered by the SESplan member authorities when determining applications for residential development which are considered to be contrary to the development plan.

DECISION

The Committee noted and agreed the terms of the Housing Land Position Statement, set out at Appendix One to the report.

8. **AOCB**

In response to a query from Councillor Gardiner, Ms Ewen confirmed that advice was being sought on how monies could be committed to work related to the proposed Regional Spatial Strategy which had been introduced by the 2019 Act, given SESplan's status. It was noted that a further report on this matter would be brought to the November meeting.

The meeting concluded at 4.00 p.m.

ITEM 6 – SESplan Operating Budget: 2019/20 and 2020/21 Budget

Report By: Pam Ewen, Chief Officer Planning, Fife Council and SESplan Board Chair

Purpose

This report presents an update on the SESplan Operating Budget for 2019/2020 and sets out the SESplan Operating Budget for 2020/2021 for Joint Committee approval.

Recommendations

It is recommended that the SESplan Joint Committee:

1. Note the updated forecast expenditure against the approved Operating Budget for 2019/2020 set out within Appendix 1 to this Report;
2. Approve a rebate of £5,000 per each of the six constituent Councils within the current 2019/20 financial year;
3. Approve the updated Operating Budget for 2020/2021 set out within Appendix 1 to this Report;
4. Note that member contributions for financial year 2020/2021 are nil;
5. Note that member authorities will be required to ratify decision 3 above; and,
6. Note that an Operating Budget for 2021/2022 will be brought to a meeting of the SESplan Joint Committee in late 2020.

Resource Implications

It is projected that significant savings will be achieved this financial year as SESplan continues to operate through the SESplan Board, Joint Committee and a virtual team across the constituent authorities. A projected expenditure of £18,064 and a saving of £165,184 is forecast for 2019/2020. To manage the reserve a £30,000 rebate, if Recommendation 2 above is approved, will reduce the reserve balance to £130,187 at 31 March 2020. Appendix

One to this report builds in the projection based on the recommended rebate. Total expenditure for 2020/2021 is projected to be £84,000. As a consequence of the reserves built up in 2019/2020 and the further savings and staffing assumptions outlined below for 2020/2021, it is proposed that nil contributions are made by the SESplan member authorities in 2020/2021.

Legal and Risk Implications

The budget for 2020/2021 is allocated in principle with a focus on consultancy fees given the future governance arrangements for SESplan. Future Operating Budgets will be required to be reviewed against the provisions of the Planning (Scotland) Act 2019 and the associated secondary legislation as it is published and further details are known.

Policy and Impact Assessment

No separate impact assessment is required.

1. Background

- 1.1 The SESplan Financial Rules set out that Operating Budgets for the next financial year should be proposed by the SDP Manager, approved by the SESplan Joint Committee and that decision ratified by the member authorities by the end of December.
- 1.2 In compliance with these rules, the SESplan Joint Committee at its meeting on the 26 November 2018 agreed to approve the Operating Budget for 2019/2020.

2. SESplan Operating Budget 2019/2020

- 2.1 The latest position on the SESplan Operating Budget for 2019/2020 as at November 2019 is included as Appendix 1.
- 2.2 Traditionally the largest spend by SESplan has been on staffing. As set out in Appendix 1, the approved Operating Budget 2019/2020 includes a total staffing budget of

£75,000. However, as SESplan continues to operate through the Board, Joint Committee and a virtual team across the constituent authorities, significant savings have been achieved this financial year. The absence of a SESplan core team and no requirement to provide a dedicated staffing resource or associated office costs results in a forecasted £91,684 underspend of fixed costs. The only fixed cost expenditure projected to be incurred this financial year relates to existing ongoing contracts for the online consultation portal (which hosts SESplan documents); the SESplan IT and web site provider; and the annual external auditing of SESplan accounts.

2.3 The approved 2019/2020 Operating Budget also includes an allowance of £73,500 for technical support/variable costs. As highlighted above, due to the absence of a core team and that SESplan is not within a plan preparation phase, no technical support/variable costs are projected to be incurred within 2019/2020.

2.4 The total expenditure within 2019/2020 is projected to be £18,064, which set against a budget of £183,248 results in a projected variance (underspend) of £165,184. This has resulted in the constituent authorities not being required to contribute the £60,000 income budgeted for in this financial year. Additionally, given the significant level of savings to assist in managing the reserve within the 2019/20 period, a rebate to each of the six constituent Councils of £5,000 would reduce the reserve by £30,000, as set out in Recommendation 2. This would also provide an opportunity for Councils to assist in collaboratively resourcing work on regional spatial planning through the Regional Growth Framework. The projected reserve at 31 March 2020 as set out in Appendix One is £130,187.

3. SESplan Operating Budget 2020/2021

3.1 As detailed in Appendix 1, the budget for 2020/2021 is allocated in principle with a focus on consultancy fees given the future governance arrangements for SESplan. The consultant fees are projected as £65,000 which reflects the total technical support/variable costs budget for undertaking any regional spatial planning consultancy work.

3.2 Staffing assumptions for 2020/2021 reflect the existing governance arrangements, with SESplan continuing to operate through the Board, Joint Committee and virtual team across the constituent authorities. This will continue to achieve significant operating cost savings. Again, as in 2019/2020, the only fixed cost expenditure projected to be incurred in 2020/2021 relates to existing ongoing contracts for the online consultation portal; the SESplan IT and web site provider; and the annual external auditing of SESplan accounts. Total fixed cost expenditure is projected to be £19,000.

3.3 As detailed in Appendix 1, the Budget for 2020/2021 sets out total expenditure of £84,000. Using the reserves built up in 2019/2020 and on the further savings and staffing assumptions outlined above, it is proposed that nil contributions are made by the SESplan member authorities in 2020/2021. This will result in a usable reserve balance going into 2020/2021 of £130,187 which is in excess of the one month's operating costs target reserve.

4. SESplan Operating Budget Going Forward

4.1 Future Operating Budgets will be required to be reviewed against the provisions of the Planning (Scotland) Act 2019 and the associated secondary legislation as it is published and further details are known.

Appendices

Appendix 1: 2019/2020 Operating Budget, Forecast and Variance and 2020/2021
Operating Budget

Report Contact

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Appendix 1: 2019/2020 Operating Budget, Forecast and Variance and 2020/2021 Operating Budget

DESCRIPTION	19/20 Budget	19/20 Projection	19/20 Variance	20/21 Budget
Staff	75,000	0	(75,000)	0
Training	1,000	0	(1,000)	0
Rents Payable (Including Service Charge)	4,292	0	(4,292)	0
Travel	1,500	0	(1,500)	0
IT Hardware,Software and Maintenancer)	15,500	14,564	(936)	15,500
Mobile Line Rental	206	0	(206)	0
Audit/Professional Fees	3,400	3,500	100	3,500
Miscellaneous	8,850	0	(8,850)	0
Total Fixed Costs	109,748	18,064	(91,684)	19,000
Technical Support				
Printing/Photocopying Costs	4,000	0	(4,000)	0
Consultant Fees	65,000	0	(65,000)	65,000
Postages/Frinking	500	0	(500)	0
Advertising/Marketing	4,000	0	(4,000)	0
Other Services (Contingency 10%)	0	0	0	0
Total Variable Costs	73,500	0	(73,500)	65,000
Total Expenditure	183,248	18,064	(165,184)	84,000
Contribs/Rebates To/From Other LA'S	(60,000)	30,000	90,000	0
Interest On Revenue Balances	0	0		0
Total Income	(60,000)	30,000	90,000	0
Net	123,248	48,064	(75,184)	84,000
Usable Reserve balance (at 31 March 2019 Budgeted £197,979/actual £178,251)	197,979	178,251		130,187
Take from/(add) to Reserves	123,248	48,064		84,000
Usable Reserve balance (at 31 March 2019 Budgeted £197,979/actual £178,251)	74,731	130,187		46,187
Usable reserves as % of expenditure	41%	721%		55%
Target Reserve (1 month's operating costs)	15,271	1,505		7,000
(Shortfall)/Surplus on target reserve of 1month's operating costs	59,460	128,682		39,187

ITEM 8 – REGIONAL SPATIAL PLANNING: UPDATE ON WORK PROGRESS

Report by: Pam Ewen, Chief Officer Planning, Fife Council and SESplan Board Chair

Purpose

This report provides an update on progress of areas of work being taken forward to inform future regional spatial planning.

Recommendations

It is recommended that the SESplan Joint Committee:

1. Note the work areas being progressed.

Resource Implications

The 6 constituent Councils are providing staff resource to the work areas identified within this report. The SESplan budget for 2020-21 projects spending in respect of consultancy work, as set out in the report to this Committee (Report SDPA 6: SESplan Operating Budget: 2019/20 and 2020/21 Budget).

Legal and Risk Implications

There are no legal or risk implications arising from this report. Further details are awaited from the Scottish Government in respect of guidance on the new duties arising from the Planning (Scotland) Act 2019 on the preparation of Regional Spatial Strategies.

Policy and Impact Assessment

No assessment is required.

1. Background

- 1.1 The report to the last Joint Committee on Edinburgh and South East Scotland (ESES) City Deal Emerging Governance (30 September 2019) and the agreed recommendations, provided the context in which regional spatial planning work is to be taken forward to inform in the first instance a Regional Growth Framework and thereafter a Regional Spatial Strategy. This followed a project brief on ESES Regional Growth Framework being approved by the ESES City Region Deal Joint Committee on 3 September 2019. The SESplan Joint Committee agreed that that the SESplan Officer Board will act as a strategic spatial planning consultative board in respect of progressing a Regional Growth Framework, Regional Spatial Strategy and informing National Planning Framework 4 (NPF4). This position was reflected in the report framed by the ESES City Region Deal Programme Management Office (PMO) which was used to update elected members in the 6 partner authorities and will complement the Regional Housing Board and Transport Appraisal Board constituted as part of the City Region Deal governance. These Boards will feed into the Elected Member Oversight Committee which is to be established and which will consist of two elected members per local authority area within the City Region Deal. The Elected Member Oversight Committee will oversee the Regional Growth Framework and Regional Spatial Strategy development and will advise the City Region Deal Joint Committee. Terms of reference for the Elected Member Oversight Committee are being developed to establish the Committee and enable partner authorities to appoint their respective members.
- 1.2 Whilst discussions continue to progress with the Scottish Government in respect of regional strategies to inform the forthcoming NPF4, a number of work areas are being taken forward. The Scottish Government in their publication on post-bill work programme (September 2019) have recognised that it will take some time to have regional spatial strategies in place (to which both National Planning Framework and Local Development Plans are to have regard to) and this will run beyond the timescale for NPF4. The Scottish Government will work with planning authorities to *“explore and develop approaches to regional spatial strategies and use this work to inform statutory guidance by Q4 2021 at the latest”*.
- 1.3 There is good progress on the preparation of a Regional Growth Framework. Constituent Councils and partners have identified staff to form a team to ensure that the essential disciplines are factored into consideration in an integrated and holistic manner in the development of a Regional Growth Framework. It is likely that a programme co-ordinator will be appointed to oversee the co-ordination of

this work. Discussions are taking place with the Scottish and UK Governments about the resourcing requirements of the programme co-ordinator role.

- 1.4 In respect of NPF4, Scottish Government have advised through their post-bill work programme, that work has commenced on this framework. Making arrangements for the content and procedures for preparing the NPF4 came into force on 8 November. It is intended that a draft of NPF4 will be consulted upon in Q3 2020 following a period of extensive engagement.

2. Work areas: Regional spatial planning

Housing Needs and Demand Assessment

- 2.1 The Joint Committee at its meeting on 30 September 2019 considered and approved a report on SESplan housing land position (Report 08: Housing Land Position Statement). To inform future regional spatial planning a review of the Housing Needs and Demand Assessment 2 will be required. This is a significant, lengthy and complex piece of research which is important to inform not just regional planning but also Local Housing Strategies.
- 2.2 Housing Needs and Demand Assessment 2 continues to be a material consideration in the determination of planning applications. Work is being progressed to determine the scope, timing and cost of reviewing the housing assessment. This is being discussed across the constituent Councils (Planning and Housing) and ESES City Region Deal PMO.
- 2.3 The Scottish Government Centre for Housing Market Analysis provide guidance on housing needs and demand assessments, and discussions are also taking place to inform a decision on the most appropriate review.
- 2.4 The SESplan Board will determine the scope, timing and financing of this review and update the SESplan Joint Committee accordingly.

Transportation Appraisal

- 2.5 Consideration of any transport appraisal work across the City Region is being progressed through the ESES Transport Appraisal Board. Discussions are ongoing with Transport Scotland as to the modelling work which has/is being undertaken to inform the National Transport Strategy and what modelling

may be required to inform regional spatial planning. An update to the SESplan Joint Committee will be made accordingly at its next meeting.

SDP1 Action Programme

- 2.6 An update to the SDP1 Action Programme is being progressed. The Action Programme provides an update on key infrastructure projects required to support the plan strategy and may inform regional spatial planning moving forward.

3. Way Forward

- 3.1 Governance arrangements are being finalised taking account of the Joint Committee's decision on the report to last Committee on ESES City Deal Emerging Governance (Joint Committee report, 30 September 2019).
- 3.2 In parallel to this work is progressing on key areas to inform future regional spatial planning work.

Background Papers

1. Scottish Government publication 'planning: post-bill work programme', 30 September 2019
<https://www.gov.scot/publications/transforming-planning-practice-post-bill-work-programme/>

Appendices

None.

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ITEM 9 – Appointment of Convener and Vice Convener 2020-2022

Report By: Fiona McBrierty, Development Planning & Environment Manager, West Lothian Council

Purpose

This report sets out a proposal for the appointment of the Convener and Vice Convener of the SESplan Joint Committee over the two-year period from 1 January 2020 to 31 December 2021 for agreement.

Recommendations

It is recommended that the SESplan Joint Committee:

1. Agree the appointment of Councillor Russell Imrie from Midlothian Council as Convener and Vice Convener from East Lothian Council (proposed nomination to be advised at Joint Committee meeting) from East Lothian Council as Vice Convener of the SESplan Joint Committee for the period 1 January 2020 to 31 December 2021.

Resource Implications

As set out below.

Legal and Risk Implications

As set out below.

Policy and Impact Assessment

No separate impact assessment is required.

1. The SESplan Joint Committee

- 1.1 Circular 2/2008 sets out the Scottish Government's statutory guidance for Strategic Development Planning Authorities (SDPA). The Planning (Scotland) Act 2019 removes requirements to prepare

Strategic Development Plans. Secondary legislation is awaited to address the future role (if any) of SDPAs.

- 1.2 Circular 2/2008 identifies the need to establish a joint committee of members and a dedicated team of officers. The SESplan Joint Committee was formally established in November 2008 following the agreement of the SESplan Constitution, Scheme of Delegation and Financial Rules.
- 1.3 At its meeting on 18 November 2013, the SESplan Joint Committee agreed that the post of Convener and Vice Convener would be rotated every two years (1 January to 31 December). Paragraph 5.1 of the SESplan Constitution sets out that the rotation of Convenership and Vice Convenership. On the 1 January 2018, Fife Council took office as Joint Committee Convener with Midlothian Council taking office as Vice Convener for a two-year period to 31 December 2019.
- 1.4 On this basis Midlothian Council will assume the role of Convener from 1 January 2020 with East Lothian Council to assume the office of Vice Convener. Councillor R Imrie of Midlothian has been nominated for the role of Convener, the East Lothian Council nomination for the role of Vice Convener will be advised at the Joint Committee meeting.
- 1.5 The rotation of the Joint Committee Convener and Vice Convener is set out in Table 1 below.

PERIOD	CONVENER	VICE CONVENER
1 January 2020 – 31 December 2021	Midlothian Council	East Lothian Council
1 January 2022 – 31 December 2023	East Lothian Council	West Lothian Council
1 January 2024 – 31 December 2025	West Lothian Council	To be agreed at future date

- 1.6 It should be noted that the requirements of the Planning (Scotland) Act 2019 remove requirements to prepare Strategic Development Plans. This will impact on SESplan and other SDPAs moving forward and will influence future operation of the SESplan Joint Committee and rotation of the Joint Committee Convener and Vice Convener. Further reports on this will be brought to the Joint Committee in due course.

2 Conclusion

- 2.1 The operation of the SDPA and the Joint Committee will be kept under review following the provisions of the Planning (Scotland) Act 2019 and the associated secondary legislation as it is published and further details are known.

Report Contact

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