

EAST RENFREWSHIRE COUNCIL24th April 2024Report by Director of EnvironmentClydeplan and Regional Spatial Planning Governance Arrangements**PURPOSE OF REPORT**

1. The purpose of this report is to seek the approval of Council to formally withdraw from the Clydeplan Joint Committee and agree to transfer the responsibility for the development of a Regional Spatial Strategy to the Glasgow City Region Cabinet.

RECOMMENDATIONS

2. The Council is asked to:
- a) Note the recommendation of the Clydeplan Joint Committee to transfer responsibility for the development of a Regional Spatial Strategy to the Glasgow City Region Cabinet;
 - b) Note Glasgow City Region Cabinet's approval of the establishment of a new Regional Spatial Planning Sub-Committee to oversee the development of a Regional Spatial Strategy and agree to the Council's participation;
 - c) Note that approval of participation in any future Regional Spatial Strategy will remain a decision for East Renfrewshire Council;
 - d) Agree to formally withdraw from the Clydeplan Joint Committee;
 - e) Agree to transfer requisition funding to Glasgow City Council as lead authority for the Glasgow City Region; and
 - f) Nominate two members as the Council's representatives on the new Regional Spatial Planning Sub-Committee.

BACKGROUND

3. The National Planning Framework 4 (NPF4) approved by the Scottish Parliament in 2023 removed the statutory requirement to produce a Strategic Development Plan and replaced it with a duty to prepare a non-statutory Regional Spatial Strategy (RSS).

4. Since 1996 the 8 Glasgow City Region local authorities have worked together to develop a series of regional spatial plans, the most recent being the Clydeplan Strategic Development Plan (SDP), which was approved by Scottish Ministers in July 2017.

5. The previous SDP set out a Vision and Spatial Development Strategy from now until 2036, suggesting where new development should be located together with a policy framework that helped deliver sustainable economic growth through the creation of high quality development, which sought to reduce inequalities and enhance the quality of life in Glasgow City Region. The SDP also set the strategy and policy context for the individual local authority Local Development Plans.

6. This is no longer an up-to-date expression of policy since the approval of NPF4, and will be replaced by an RSS.

REPORT

Governance

7. Clydeplan has been governed by a Joint Committee for the purpose of representing them in carrying out the functions conferred upon them under Sections 4 to 14 of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2006 and have each passed the necessary resolution for giving effect to this Agreement.

8. Renfrewshire Council provides Financial, Governance and HR support functions for the Joint Committee on behalf of the member authorities. Currently all Councils have two appointed elected member representatives on the Clydeplan Joint Committee and are supported by officers who participate in the Clydeplan Steering Group and various other sub-groups.

9. The Clydeplan Joint Committee has previously agreed that work should be undertaken to explore the future governance arrangements for the performance of the functions undertaken by the Joint Committee, particularly in relation to the new duty on local authorities for strategic planning, as part of the Planning (Scotland) Act 2019, to prepare an RSS.

10. Unlike the current Strategic Development Plan, the RSS will not form part of the statutory Development Plan, which will now comprise the National Planning Framework and the Local Development Plan.

11. Given these changes it was acknowledged that the role and remit for which the Glasgow and Clyde Valley Strategic Development Planning Authority Joint Committee was originally established, will significantly change and therefore the future role of the Committee required to be reviewed.

12. The Joint Committee itself has recommended to its members that the functions transfer to the Glasgow City Region (GCR), with its Cabinet overseeing the development of the RSS. At its meeting on 12th February 2024, the GCR Cabinet agreed to establish a Regional Planning Sub-Committee to discharge this function, subject to approval by the 8 Local Authorities through their own local democratic structures. To date, South Lanarkshire, North Lanarkshire, East Dunbartonshire, West Dunbartonshire and Inverclyde Councils have taken the decision at their relevant Boards to move to the new governance arrangements. Glasgow City Council and Renfrewshire Council will seek authority over the coming weeks.

13. The recommendations of this report (Appendix 1) also reflect the recommendation of Clydeplan Joint Committee that member authorities nominate two members to join the new Sub-Committee, which reflects the current Joint Committee numbers.

Proposals

14. This approval by the GCR Cabinet set out the proposed approach to future collaboration, based on three fundamental principles, namely:

- A collaborative approach to regional spatial planning with all members being equal;
- Integration with wider regional activity to maximise impact; and, fundamentally
- The need for local democratic accountability with no local authority being bound by any decision they cannot support.

15. To achieve this, the new Sub-Committee will not have decision-making powers and will oversee the development of an RSS for the region. This will then be presented to the 8 Local Authorities for consideration first, with Cabinet simply noting the approved document. This ensures that approval sits with local democratic structures whilst collaboration is facilitated through regional ones.

16. Under the new arrangements, East Renfrewshire Council will remain accountable and responsible for all planning decisions within the area.

FINANCE AND EFFICIENCY

17. The Council has previously paid an annual requisition of £68,000 to Clydeplan to support staff and associated costs however, a reduced budget of £43,271 has been agreed for 2024/25. It is proposed that this reduced funding, as well as the agreed Green Network Partnership contribution of £4,951, is transferred along with the Clydeplan and Green Network Partnership staff to Glasgow City Council as lead authority for the Glasgow City Region.

18. While it is anticipated that there should be efficiencies in the budgets to deliver the RSS as a result of a review of its management, structure and operational costs, this will be managed through regional structures with the Finance Strategy Group consisting of the 8 Finance Directors overseeing the budget and reporting to the 8 Chief Executives. The final budget will be approved by Cabinet on an annual basis.

19. Appropriate due diligence will be carried out by Glasgow City Council and Renfrewshire Council to ensure the transfer of assets. Any reserves will be returned to the constituent authorities following conclusion of the process.

CONSULTATION

20. The 8 Local Authorities have been consulted regarding the proposed changes to the governance arrangements for Clydeplan and future governance arrangements for the RSS.

PARTNERSHIP WORKING

21. It is recognised that future arrangements are required which can satisfy the desire for democratically accountable governance, generate efficiencies and which will enable the development of a mutually agreed RSS.

IMPLICATIONS OF THE PROPOSALS

22. The proposed arrangements will have no impact on East Renfrewshire Council employees. Clydeplan currently has a Core Team of Officers who are employed by Renfrewshire Council as Administering Authority and it is proposed that the staff will transfer to Glasgow City Council who administer the City Region functions. This process will be carried out under Transfer of Undertakings (Protection of Employment) (TUPE) regulations. There are no other property, IT, sustainability or equalities implications for this Council arising from this report.

CONCLUSION

23. Regional spatial planning is an important tool to ensure cross boundary co-operation and the preparation of an RSS is a duty under the 2019 Planning (Scotland) Act. The proposed arrangements set out within this report will enable the continuation of a well-established and successful collaborative approach to regional spatial planning across the City Region.

RECOMMENDATIONS

24. Council is asked to:

- a) Note the recommendation of the Clydeplan Joint Committee to transfer responsibility for the development of a Regional Spatial Strategy to the GCR Cabinet;
- b) Note GCR Cabinet's approval of the establishment of a new Regional Spatial Planning Sub-Committee to oversee the development of a Regional Spatial Strategy and agree to the Council's participation;
- c) Note that approval of participation in any future Regional Spatial Strategy will remain a decision for Council;
- d) Agree to formally withdraw from the Clydeplan Joint Committee;
- e) Agree to transfer requisition funding to Glasgow City Council as lead authority for the Glasgow City Region; and
- f) Nominate two members as the Council's representatives on the new Regional Spatial Planning Sub-Committee.

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Appendix 1



Glasgow City Region – City Deal

Cabinet

Report by Director of Regional Economic Growth

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Regional Spatial Planning Arrangements

Purpose of Report:

The purpose of this paper is to propose a revised governance structure for the oversight of the development of a Regional Spatial Strategy (RSS) for the Glasgow City Region (GCR) following the recommendation of the Clydeplan Joint Committee in June 2023 to transfer responsibility to the GCR Cabinet.

Recommendations:

Cabinet is asked to:

- Note the report;
- Agree to the establishment of a new Planning Sub-Committee with **approval** of a Regional Spatial Strategy resting with the individual Member Authorities; and
- Agree this approach through their own democratic structures at the earliest opportunity.

Introduction

1. The purpose of this paper is to propose a revised governance structure for the oversight of the development of a Regional Spatial Strategy (RSS) for the Glasgow City Region (GCR) following the recommendation of the Clydeplan Joint Committee in June 2023 to transfer responsibility to the GCR Cabinet.
2. The proposal requires endorsement from the GCR Cabinet and the 8 constituent Member Authorities prior to implementation.

Background and the growth of City Regions

3. Increasingly the role of city regions, through the establishment of City Deals and Regional Economic Partnerships, are emerging as the key mechanism for the delivery on a number of important agendas including: economic development, City Deals, climate change, environmental improvement and strategic planning.
4. In this context the new duty to prepare a Regional Spatial Strategy is key in planning for the future development of the Glasgow City Region.
5. Since 1996 the eight Glasgow City Region local authorities have worked together to develop a series of regional spatial plans, the most recent being the Clydeplan Strategic Development Plan (“SDP”), which was approved by Scottish Ministers in July 2017.
6. The previous SDP set out a Vision and Spatial Development Strategy from now until 2036, suggesting where new development should be located and a policy framework that helps deliver sustainable economic growth through the creation of high quality development which seeks to reduce inequalities and enhances the quality of life in Glasgow City Region. The SDP also set the strategy and policy context for the individual local authority Local Development Plans.
7. This is no longer extant since the introduction of NPF4, and has been replaced by the requirement to prepare an RSS.
8. Since 2022, the City Region has seen a very significant increase in responsibility and budget devolved to it from both UK and Scottish Governments. This includes a number of programmes which have clear spatial planning elements to them. New programmes now managed through the GCR PMO and overseen by Cabinet include:

Date of Award	Programme	Amount
February 2022	Innovation Accelerator	£33m
August 2022	UK Shared Prosperity Fund	£74m
June 2023	Clyde Mission	£26.5m
June 2023	Investment Zone	£160m
November 2023	5G Innovation Region	£3.2m

9. Given this, a new Head of Place has been appointed to oversee the spatial planning elements of the GCR Programme, including Clyde Mission, the development of a Clyde Masterplan and the Investment Zone. Ross Nimmo, currently Head of Planning and Development at Glasgow Airport, will take up this post on 4th March 2024.

10. There are clear synergies between this exciting new body of work and the development of a Regional Spatial Strategy, and the opportunity to merge teams and governance could generate significant opportunities and efficiencies for the Region.

Governance Review

11. The Clydeplan Joint Committee has previously agreed that work should be undertaken to explore the future governance arrangements for the performance of the functions undertaken by the Joint Committee particularly in relation to the new duty on local authorities in relation to strategic planning as part of the Planning (Scotland) Act 2019, namely to prepare a Regional Spatial Strategy.
12. Unlike the current Strategic Development Plan the Regional Spatial Strategy will not form part of the statutory Development Plan which will now comprise the National Planning Framework and the Local Development Plan.
13. Given these changes it was acknowledged that the role and remit for which the Glasgow and Clyde Valley Strategic Development Planning Authority Joint Committee was originally established will significantly change and therefore the future role of the Committee required to be reviewed.
14. Following the vote at its June 2023 meeting on a report on future arrangements, the Joint Committee agreed to recommend the following option:
 - (a) That the contents of the report be noted;***
 - (b) That the cessation of strategic development plans be noted; and***
 - (c) That the preferred option for considering regional spatial strategy planning issues going forward be that existing Clydeplan staff resource be reviewed in light of the new requirements for RSS preparation. Staff would be consulted on a possible TUPE transfer to Glasgow City Council. If transferred, the team would be integrated into the existing city region structures (overseen by the Regional Director) who would take responsibility for preparing an RSS and reporting this through to the GCR Cabinet for approval. This would move the duty to prepare an RSS directly into the city region governance structures.***
15. It should be noted that the individual Member Authorities need to take their own decisions on how they wish to proceed with the development of Regional Spatial Strategies and the Joint Committee's recommendation.
16. Since the June 2023 recommendation, two Councils have expressed views on the future arrangements:
 - In September 2023, Renfrewshire Council approved the following motion:

"This Council notes the decision of the GCVSDPA (Clydeplan) Joint Committee to recommend passing responsibility for the new Regional Spatial Strategy to the Glasgow City Region Cabinet, however this Council considers it premature to do so

at this juncture as no guidance has been issued to date as to the development of the RSS or the governance agreed between the constituent authorities.

The staff of the GCVSDPA (who are Renfrewshire Council employees) are greatly valued for their skills and knowledge in this rapidly changing planning environment and should be fully supported and involved in any proposed changes.

The Joint Committee has successfully operated as a directly accountable governance structure to all 8 local authorities regarding regional planning. This council believes that the same principle should apply regarding the development of the new Regional Spatial Strategies (RSS). For it to be equally successful it must be founded in democratically accountable governance structures which encourages neighbouring authorities to collaborate and agree on any strategies that may have an influence on their own local planning policies.

Council therefore agrees that the Joint Committee should continue until alternative suitable democratically accountable governance structures are identified, agreed and approved by all constituent authorities for its replacement with responsibility for delivering the new Regional Spatial Strategy”

- In December 2023, North Lanarkshire Council voted to formally withdraw from the existing Joint Committee and will serve its two year notice from 31st March 2024.
17. It is therefore clear that a sustainable future arrangement needs to be found which satisfies the desire for democratically accountable governance, generates efficiencies, develops a mutually agreed Regional Spatial Strategy and delivers on the new programmes devolved to regional level.

Proposed way forward

18. Recognising that consensus will always be sought, the proposal is based on three fundamental principles:
- A collaborative approach to regional spatial planning with all members being equal;
 - Integration with wider regional activity to maximise impact; and, fundamentally
 - The need for local democratic accountability with no local authority being bound by any decision they cannot support

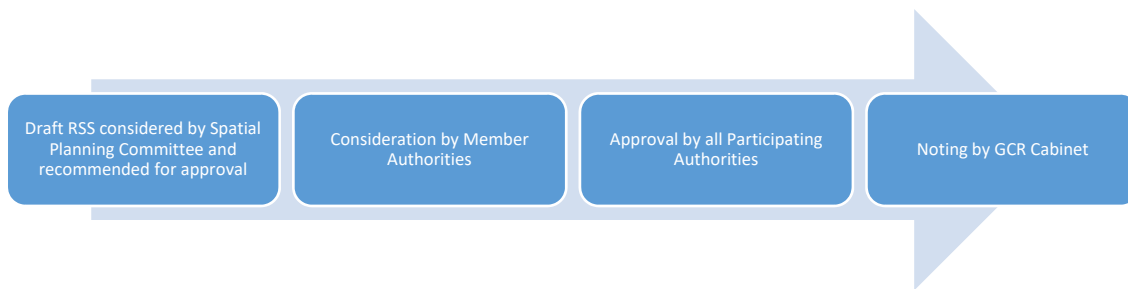
Ensuring local democratic accountability for the new Regional Spatial Strategy

19. To secure local democratic accountability for the new Regional Spatial Strategy it is proposed that a Glasgow City Region Spatial Planning Committee is established as a sub-committee of the Glasgow City Region Cabinet, which is a Joint Committee established under the Local Government (Scotland) Act 1973. Membership will consist of Planning Conveners or equivalent

from each of the local authorities. The Chair will be decided by its membership. This Committee will oversee the development of a Regional Spatial Strategy for the Glasgow City Region for approval by the 8 Member Authorities. The Directors /Heads of Service with responsibility for Planning of each council will attend meetings in support of members.

20. This is the model used for the Education Collaborative which has been in operation since 2017.
21. The Spatial Planning Committee would not have decision making powers and would only make recommendations on the Regional Spatial Strategy for consideration by the 8 Member Authorities to ensure local democratic accountability.
22. Ideally, all 8 Member Authorities would participate in an agreed Regional Spatial Strategy, but this would be a matter for each Council to decide and it is within the gift of any of the members to choose not to support the final strategy.
23. The Cabinet would receive and note the Regional Spatial Strategy but only after **approval** by all participating Member Authorities through their local democratic structures. This is similar to the approach undertaken for recent regional initiatives such as the Shared Prosperity Fund Investment Plan and no RSS could be presented to Cabinet without prior approval from its constituent members.
24. All efforts will be managed to agree consensus amongst the 8 members but a Regional Spatial Strategy is not a statutory document and therefore, no local authority could be bound to adopt an RSS without approval through their own democratic structures. The individual authorities retain the right not to support or be bound by anything contained within the RSS.
25. This approach was discussed at the Clydeplan Joint Committee meeting on 22nd January 2024 and there was widespread support for the approach, subject to necessary approvals being sought.

Process for agreeing new RSS



Staffing

26. The Spatial Planning Committee would replace the existing Clydeplan Joint Committee and it is anticipated that staff and budgets would transfer into the existing City Region structures, ensuring a more streamlined approach to audit, finance etc. with no requirement for separate arrangements. Following appropriate consultation, the current Clydeplan and Green Network Partnership team would transfer to Glasgow City Council under TUPE regulations (Transfer of Undertakings (Protection of Employment) Regulations 2006) and be based within the City Region PMO section where appropriate management arrangements will be put in place and

resilience and support will be available. The new Head of Place would oversee the transfer and be responsible for developing the Regional Spatial Strategy for consideration by members.

27. If this approach was agreed, a paper would need to be taken through all 8 Member Authorities agreeing to the windup of Clydeplan, the establishment of a new Spatial Planning Committee and formalising the requirement for the agreement of all members before an RSS could be presented to Cabinet.
28. This process would run over the next few months subject to all authorities reaching agreement and due trade union/staff consultation. It is likely that revised governance arrangements may take longer to embed but staffing transfers could progress more quickly.

Budget

29. The transfer of responsibility and staff to the GCR PMO is likely to generate efficiencies for the Member Authorities, with no requirement for separate office accommodation or IT costs. In addition, the GCR PMO has been effective in generating external funding from both Scottish and UK Governments in recent years for spatial planning related activity, including Clyde Mission and Investment Zone, and it is expected that this will reduce the burden on Member Authorities in future years.

Recommendation

30. Cabinet is asked to:
 - Note the report;
 - Agree to the establishment of a new Planning Sub-Committee with **approval** of a Regional Spatial Strategy resting with the individual Member Authorities; and
 - Agree this approach through their own democratic structures at the earliest opportunity.