



The Scottish Parliament
Pàrlamaid na h-Alba

Local Government and Regeneration Committee

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3 October 2013

Dear Derek

Committee work programme and timetable for the laying of the draft NPF3

I am writing to inform you that the Local Government and Regeneration Committee considered and agreed its work programme for the period November 2013 to February 2014 at its meeting yesterday, 2 October. I have asked the clerk to provide your office with a copy of the minutes of that meeting for information.

During our consideration of our work programme, discussion was held on the scheduling of consideration of the draft National Planning Framework 3 ('NPF') and the review of Scottish Planning Policy. As you know, under section 3B the Planning etc. (Scotland) Act 2006, the draft NPF must be laid before the Parliament and cannot be formally adopted by Scottish Ministers without it first completing a 60 day period of parliamentary consideration.

The draft of the current Framework, NPF2, was laid before the Parliament on 12 December 2008. At the time, criticisms were voiced by many planning stakeholders regarding the lack of clarity by the Government on when the draft NPF2 would be published, as this impacted on their ability to prepare and engage in the parliamentary scrutiny process.

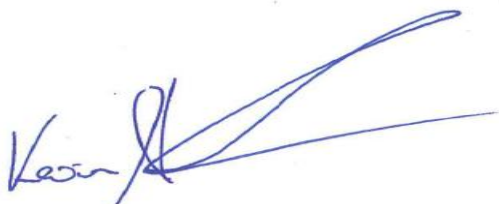
Similarly, the date of laying of the draft NPF2 resulted in severe timetabling difficulties for scrutiny of the draft Framework by various committees of the Parliament, including our predecessor, the Local Government and Communities Committee. That Committee highlighted these issues in its report to the Parliament on NPF2. An extract of the relevant section of that report is attached in the annex to this letter for information.

The Committee is mindful that, along with the forthcoming draft NPF3, the Government is also reviewing Scottish Planning Policy ("SPP"), and you informed us in your letter of 4 September, that it is your intention that both the NPF3 and the revised SPP will come into force together in June 2014.

In order to avoid a repetition of timetabling problems which occurred with NPF2, the Committee wishes to bring to your attention our preference for a laying date for the draft NPF3 early in the New Year (if possible in January 2014). In light of the added work which will necessarily arise as a result of the review of SPP, we feel it is important not to repeat the experience of laying a draft framework before the Christmas recess, as happened in 2008. This will be key to ensuring that the Committee, other committees, and stakeholders can scrutinise the draft Framework and that we can report in enough time so as to allow the Parliament to meet the 60 day statutory timeframe for consideration of the draft NPF.

It would be helpful if the Government could inform the Committee, and stakeholders, as soon as it is feasible to do so when you intend to publish the draft NPF3 and the date for its laying before the Parliament.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Kevin', followed by a large, stylized flourish.

Kevin Stewart MSP
Convener
Local Government and Regeneration Committee

CC: Maureen Watt MSP, Convener of the Infrastructure and Capital Investment Committee
Murdo Fraser MSP, Convener of the Economy, Energy and Tourism Committee
Joe FitzPatrick MSP, Minister for Parliamentary Business
Susan Duffy, Clerk to the Parliamentary Bureau

ANNEX

Extract from the Local Government and Communities Committee

[5th Report, 2009 \(Session 3\)](#)

Report on the National Planning Framework 2: Proposed Framework

SP Paper 218

PARLIAMENTARY PROCESS

60. Under section 3B of the Planning etc. (Scotland) Act 2006, the NPF is laid before the Parliament and cannot be formally adopted by Scottish Ministers without it first completing a 60 day period of parliamentary consideration. Scottish Ministers are required to then—

“have regard to any resolution or report of, or any committee of, the Scottish Parliament made, during the period for Parliamentary consideration.”

61. As the NPF2 was formally laid before the Scottish Parliament on Friday 12 December 2008, the Parliament has until 6 March 2009 in which to consider this.

62. The Committee published a call for written evidence on 12 December and set a deadline for responses of 12 January. The Committee would have preferred to have set a longer timescale for written evidence, however the statutory timetable for reporting on the NPF2 did not allow for this.

63. The Committee is concerned at the lack of notice of the laying date that it was given by the Scottish Government, which impacted on its ability to plan a programme of consultation and evidence gathering. It echoes the concerns expressed by the Transport, Infrastructure and Climate Change Committee in its report in this regard and agrees with the recommendation it made in its report relating to future notice—

“That sufficient advance notice of the publication date of future versions of the National Planning Framework must be provided by the Scottish Government to allow committees to set aside sufficient time in their work programmes to ensure an appropriate level of Parliamentary scrutiny of this important document.”¹⁶

64. The Committee also considers that earlier notice of the publication of the NPF2 would also have been helpful to the general public and those organisations with an interest in planning.

65. The Committee accepts that there had been ongoing discussions between its clerks and Scottish Government officials about possible publication dates, however all the Committees could not begin to make arrangements for gathering evidence until they had received formal notification of publication. This was not received until 11 December 2008, the day before publication.

66. The Committee is also disappointed that the NPF2 was laid so close to the Christmas/New Year period and the parliamentary recess. This not only had an impact on the Committees' ability to make arrangements to take evidence, but it also affected stakeholders and others who were faced with having to provide written evidence to the Committee over the holiday period. Some of the evidence the Committee received reflected this concern.

67. The Committee believes that the Scottish Government should be more sensitive to the timing of the publication of future NPFs given the difficulties experienced on this occasion.

68. The Committee recommends that the Scottish Government should provide sufficient advance notice to the Parliament and stakeholders of the date of publication of future NPFs, so that issues that arose on this occasion in relation to the planning of Parliamentary scrutiny and stakeholder engagement do not arise in future.