

18. CONSULTATION ON REVISION OF PLANNING CIRCULAR 12/1996 – PLANNING AGREEMENTS

The Council Executive considered a report (copies of which had been circulated) by the Planning Services Manager, which set out a proposed response to a Scottish Government consultation on draft, revised planning circular 12/1996, Planning Agreements.

The report advised that the consultation sought to explore how best to make the existing system of planning agreements, set out in Section 75 of the Town and Country (Scotland) Act 1997 and implemented through Circular 12/1996, operate more effectively in order that agreements could be taken forward in a more transparent and consistent manner.

The existing circular was being reviewed because the Scottish Government was concerned that the conclusion of planning agreements could cause a delay on development by slowing up the planning process, delaying the benefits to Scotland's communities of appropriately planned development and adding costs for developers, infrastructure providers and the wider public sector.

Information was provided on the policy tests that were required for planning agreements and the sequential test of necessity and its implications for the Council.

The report also outlined other elements of the circular that would be revised and their implications for the Council.

The report concluded that the revised circular clarified existing procedures and did not propose radical change to circular 12/1996. However whilst the draft circular had no major implications for policy or procedures, it was recognised that its publication would do nothing to solve the infrastructure problems that currently existed.

The Planning Services Manager recommended that the Council Executive approve the proposed response to the Scottish Government's consultation on draft circular 12/1996, Planning Agreements.

Decision

To approve the terms of the report